

## SHARON ZONING BOARD OF APPEALS MINUTES OF October 28, 2015

A regular meeting of the Sharon Zoning Board of Appeals was held on Wednesday, October 28, 2015 at 7:00 P.M. in the Second Floor conference room at the Sharon Community Center, 219 Massapoag Avenue. The following members were present: John Lee, Seth Ruskin, Sam Reef, Joe Garber

### **7:00 P.M. DKW Builders 63 Morse Street, Case No. 1777 Continued Hearing:**

Mr. Lee asked the applicant if there was anything new to add in regards to the pitch of the roof.

The applicant handed out architectural plans and discussed the roof pitch. He stated the roof pitch will be a seven (7).

A discussion ensued with a neighbor across the street and neighbors at 65 and 38 Morse Street. Concerns expressed were about: ground water, parking, the look of the house, height of the structure, and sump pump.

The applicant asked to close the hearing.

The board voted to close the hearing (4-0-0).

Mr. Reef moved to approve the plans for Case No. 1777 at 63 Morse Street as per the following plans: Septic System Design Plan dated June 18, 2014 and revised June 24, 2015, and architectural plans dated July 28, 2015. Mr. Ruskin seconded the motion.

The board voted 3-0-0 in favor of the plans (Ruskin, Lee, Reef).

### **Keevin Geller, Trustee of Gander Realty Trust, 216 North Main Street, 20 Canton Street, and 24 Canton Street, Case No. 1773 Continued Hearing**

Mr. Merrikin shared new plans with the board that showed windows in the units.

A discussion ensued about waste water pump location which will be under the pond, DEP file # now available, that the site will be balanced, infiltration of roof run off, elevation will not be raised in the flood plain area, Article 38 issues addressed in Mr. McCain's memo, and that the area of disturbance will be about 10,000 square feet.

Mr. Lee stated the following special conditions: The site will be balanced and the roof run off will be infiltrated.

The applicant asked to close the hearing.

Mr. Reef moved to close the hearing and Mr. Ruskin seconded the motion. The board voted to close the hearing (4-0-0).

Mr. Lee moved to approve the plans for Case No. 1773 at 216 North Main Street, 20 Canton Street, and 24 Canton Street with the special conditions mentioned above and as per the following plans: plans dated October 26, 2015, and architectural plans dated September 1, 2015 and revised October 21, 2015.

The board voted 3-0-0 in favor of the plans (Ruskin, Lee, Reef).

### **Jonathan Sapphire, Trustee of The 56 Highland Avenue Realty Trust, Case No. 1778 New Hearing**

Mr. Lee read the legal notice, the letter from Jim Andrews, Health Agent for Engineering, and the letter from Greg Meister, Conservation Administrator.

Mr. Joel Fishman, attorney for the applicant, described the project as follows. Mr. Meister requires a Storm Water Permit which is not complete. There are two buildings currently on the site. One is the Sapphire Manor, a function facility, and the other is an inn, for overnight guests. The proposal is to replace the inn with a new building which would act as a pre-function facility (cocktail reception). The inn currently has 13 guests, 2 offices, and 1 room is being renovated. Two connectors would be added: one for the staff and one for guests.

Mr. Fishman continued to say the inn is a nonconforming structure for 3 reasons: within 100 foot setback from wetlands, in R2 district requiring 80,000 square feet, but is 73,000 square feet, and there are two buildings on one lot which are not permitted under current zoning.

Mr. Fishman stated the building will continue to be nonconforming and use will be nonconforming.

Mr. David Oberlander, of BDO Engineering, restated that the inn will be removed and it will be reconstructed as an extension of the function hall with two added connectors for the staff and guests of the function. It will use the same foot print of the current inn. One connector will have canvas sides and the staff connector will be fully enclosed.

The current occupancy of 274 people at the manor will not increase.

Mr. Mark Palazzo, of Jefferson Group Architects Inc., stated the new building will be two levels. The lower level will be storage, offices, mechanical area, and staff restrooms. The first floor will have a vestibule to the open connector, fireplace in the function room, restrooms, and large windows facing the woods. The new building will be on the same footprint. There will be an 8 foot porch.

Mr. Fishman read a memo from Mr. Joe Kent, Building Inspector.

Mr. Fishman stated the Historic Commission approved the plan.

Mr. Fishman explained the inn is a structure of nonconforming use because it's an inn but in a residential zone. The structure is nonconforming for the reasons already stated above. The use is changing to a function facility and will be one parcel of nonconforming use.

Mr. Fishman continued to say the Storm Water approval is pending, drainage will be implemented, there will be a rain garden, and that the Fire Chief signed off on the project.

The applicant asked to close the hearing.

Mr. Garber moved to close the hearing. Mr. Reef seconded the motion. The board voted 4-0-0 in favor.

Mr. Lee moved to approve the plans for Case No. 1778 for 56 Highland Avenue as shown on site plan dated August 1, 2015 and architectural plans dated October 2, 2015. Mr. Garber seconded the motion. The board voted 3-0-0 in favor of the plans (Lee, Ruskin, Reef).

Respectfully submitted,