

## SHARON ZONING BOARD OF APPEALS MINUTES OF July 12, 2017

A regular meeting of the Sharon Zoning Board of Appeals was held on Wednesday, July 12, 2017 at 7:00 P.M. in the Second Floor conference room at the Sharon Community Center, 219 Massapoag Avenue. The following members were present: Seth Ruskin, Abe Brahmachari, Joe Garber and Steve Cohen.

### **7:00 P.M. Brian Johnson, 18 Walpole Street, Case No. 1806 – Continued Hearing**

An updated plot plan was submitted by the applicant.

The applicant asked to close the hearing.

Mr. Ruskin moved to close the hearing. Mr. Garber seconded the motion. The board voted in favor of closing the hearing (4-0-0).

Mr. Ruskin moved to approve the plans for Case No. 1806 at 18 Walpole Street with standard conditions and one special condition stating that the current home would remain a three (3) bedroom home. The plans include a revised plot plan dated July 11, 2017 by Sharon Survey Service and architectural plans dated June 17, 2017, by E. White, 19 Sweetland Farm Rd, Norfolk, MA.

Mr. Brahmachari seconded the motion.

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

### **7:03 P.M. Murshed Khandaker, 34 Blair Circle, Case No. 1808 – Continued Hearing**

An updated plot plan was submitted by the applicant.

The applicant asked to close the hearing.

Mr. Ruskin moved to close the hearing. Mr. Cohen seconded the motion. The board voted in favor of closing the hearing (4-0-0).

Mr. Ruskin moved to approve the plans for Case No. 1808 at 34 Blair Circle with standard conditions. The plans include a revised plot plan dated July 5, 2017 by David Oberlander, Mansfield, MA and architectural plans dated March 20, 2017, by Sami E. Kassis, 28 Old Town Rd, Walpole, MA.

Mr. Brahmachari seconded the motion.

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

**7:07 P.M. Todd Harris, 6 Osprey Road, Case No. 1809 – Continued Hearing**

A Title 5 Inspection report was submitted which states the system is in compliance.

The board agreed to vote contingent upon receiving a letter from Jim Andrews, Health Agent for Engineering, stating that the septic system is in compliance.

The applicant asked to close the hearing.

Mr. Ruskin moved to close the hearing. Mr. Garber seconded the motion. The board voted in favor of closing the hearing (4-0-0).

Mr. Ruskin moved to approve the plans for Case No. 1809 at 6 Osprey Road with standard conditions and one special condition that the home remain a three bedroom home. The plans include a plot plan dated May 19, 2017 from Colonial Engineering, Medway, MA and architectural plans dated February 2017, by Mohamed H. Hussein P.E. Consulting, 110 Barrett Avenue, North Attleboro, MA.

Mr. Brahmachari seconded the motion.

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

**7:15 P.M. Donnell Murphy, Trustee of Sharon Park South Realty Trust, 1125-1225 General Edwards Highway, Case No. 1794 – Continued Hearing**

Mr. Phil Macchi of Macchi & Macchi, attorney for applicant, explained that Dan Merrikin of Merrikin Engineering, LLP updated the board of changes made to the plan at a previous meeting.

Mr. Tom Houston of Professional Services Corporation, PC, Zoning Board consultant on this project discussed the following:

- Peter O’Cain’s, Town Engineer, comments were incorporated
- Issue of configuration of lots: Building #2 has direct access to Route 1 and building #1 does not; solution is to file an ANR (Approval Not Required) as a condition to Special Permit and combine various parcels

resulting in having two buildings on one lot which cures zoning issues. This was further explained by Mr. Merrikin.

- Board would need to grant a Special Permit for impervious materials coverage exceeding 15% of a lot. Dan Merrikin's design of the site complies with the key aspect of that permit which he further discussed.
- Also, a Special Permit for building area over a 100,000 square feet.
- There are other engineering issues easily resolved.
- There will be an open hearing with the Conservation Commission focused on storm water issues.

Mr. Merrikin discussed the request for a few waivers:

- A waiver on an elevation datum so that all are on a 29 datum. This is the result of the rise of the sea level.
- A waiver request to not show one foot contours.
- A waiver request to not do a landscape plan by a design architect.
- A waiver request for no traffic study because area is low impact use and have direct access to Route 1. Vehicles can only take right turns in and out of site. There are no left turns because road is divided.
- A waiver request pertaining to lighting spillage across property boundaries. Two locations would require a waiver: one is near Route 1 and the other is along the common access driveway. Both areas would benefit from the light.
- A waiver request for pavement thickness in loading areas. Bylaw requires five inches and applicant would like three and a half inches.
- A waiver pertaining to curving. Bylaw calls for vertical curving (concrete or granite). Applicant proposes Cape Cod berm because these are warehouse buildings.
- Another potential waiver is regarding bylaw that says no underdrains in the district. An underdrain could be allowed (as was done in Whitney Place project) provided that water is wicked away to a recharge basin. Mr. Merrikin would add an infiltration capacity in the revision.

Mr. Merrikin stated he could have final plans to Mr. Houston next week. Also, that as a special condition to the permit the applicant would fund the balance of the Town budget for a regional repeater.

Mr. Brahmachari expressed concerns regarding: loading area pavement thickness, water drainage along wall, and visual appeal where cars would be parked.

Applicant asked to continue hearing to August 9, 2017.

**8:04 P.M. Salmon HealthCare ALF update by Tom Houston of Professional Services Corporation**

Mr. Houston discussed a request from the project manager of Whitney Place for a temporary Certificate of Occupancy (CO) by July 31 and a permanent CO by August 31. An email from Mr. Houston dated July 10, 2017, explained this request.

A Site Observation Report dated July 11, 2017 was provided.

The recommendation is that no temporary or permanent CO be issued until certain requirements are met.

**Minutes:**

Mr. Ruskin moved to approve the minutes of June 28, 2017. Mr. Garber seconded the motion. The Board voted 3-0-0 to approve it.

It was moved, seconded, and voted to adjourn. The meeting adjourned at about 8:25 P.M.

Respectfully submitted,

Approved August 9, 2017