

## SHARON ZONING BOARD OF APPEALS MINUTES OF October 14, 2015

A regular meeting of the Sharon Zoning Board of Appeals was held on Wednesday, October 14, 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, Abe Brahmachari, Barry Barth

### **7:00 P.M. Howard Rothberg, 635 Massapoag Avenue, Case No. 1775 New Hearing**

Mr. Lee read the legal notice.

Mr. Rothberg stated the plan is to build a two (2) car garage at the bottom of the driveway. It would be 24x24, 19.6 feet from the property line, 61 feet from the front of the street, and 10 feet from the house. It would be sided and painted similar to the house. There will be no expansion of the residential structure. The garage would be a free standing structure with no habitable area. The lot is on 1 acre in a 2 acre zoning area. The existing garage is under the house and perpendicular to the house therefor unusable as a garage. There would be electrical service but no plumbing.

Mr. Lee stated that the standard conditions will apply with one special condition of no plumbing.

The applicant asked to close the hearing.

Mr. Garber moved to close the hearing. Mr. Reef seconded the motion. The board voted 6-0-0 in favor.

Mr. Lee moved to approve the plans for Case No. 1775 for 635 Massapoag Avenue with the conditions stated above and as shown on plan dated May 8, 2015. Mr. Ruskin seconded the motion. The board voted 3-0-0 in favor of the plans (Lee, Ruskin, Brahmachari).

### **DKW Builders, 63 Morse Street, Case No. 1777 New Hearing**

Mr. Ruskin read the legal notice.

Mr. Lee read the letter from Jim Andrews, Health Agent for Engineering, stating that the Board of Health approved the septic design and gave permit #9623. He also read the letter from Greg Meister, Conservation Administrator.

Mr. Frank Gallagher from Gallagher Engineering of Foxboro explained the proposal of the applicant, Dave Walsh from DKW Builders. There is a house at 63 Morse Street that has been damaged by fire and is uninhabited now. The proposal is to tear it down and build a new house which is smaller than what had been presented to the board previously. The living space is reduced by 500 square feet. The proposal now is 2647 square feet of living space plus an attached garage not included in that number. The board felt the original proposal was not

consistent with the neighborhood. Mr. Welch came in with a new house design and met with neighbors and received positive feedback. The original house was a 4 bedroom and the proposal is a 4 bedroom with a new septic system. The new driveway is on the same side. The access remains on Morse Street. The new house will be slightly more conforming.

A discussion ensued with four neighbors, the applicant, the engineer and the board regarding the following: elevation, how detrimental to the neighborhood the plan is, entrance side, bedroom versus office, water level, foundation, and pitch changing from 8 to 7.

Mr. Lee stated a condition: the foundation exposure will not be greater than 18 inches.

Mr. Lee asked to continue the case on October 28, 2015, so that the neighbors have a chance to review the plans.

### **Continuing care Management, LLC, 669-675 South Main Street, Case No. 1771 Continued Hearing**

Mr. Michael Khoury, of Madoff & Khoury LLP, on behalf of the Applicant, stated that the issues mentioned in the memo from Mr. Thomas Houston, of Professional Services Corp, have been addressed.

Mr. Houston stated the applicant responded except for a couple of points.

A discussion ensued regarding access to Old Post Road, pedestrian access, signals, and Storm Water issues.

Mr. Khoury stated the plans had been previously presented to the neighbors.

Mr. Lee stated the hearing will remain open but the decision will be drafted by Town Counsel, Tom Houston and the Zoning Board. The board will vote on the decision at the next meeting on December 9, 2016.

Respectfully submitted,