

Zoning Board of Appeals

Scott Murphy, Chair
Mary Kate Daly
Shannon Greenwell
Al Porro
Michael Sheehan



**Director of Community
Planning and Economic
Development**

Paul Halkiotis, AICP

Assistant Planner

Sarah Dixon Bouchard

May 4, 2021

Minutes

Present: **Scott Murphy, Chair**
 Mary Kate Daly
 Shannon Greenwell
 Michael Sheehan
 Al Porro

Please note the May 4, 2021 hearing was held remotely using GoToMeeting software pursuant to Governor Baker's March 12, 2020 Order suspending certain provisions of the Open Meeting Law, G.L.c. 30A & 18, and the Governor's March 15th Executive Order imposing strict limitations on the number of people that may gather in one place. Although no in-person attendance of members of the public occurred, the town of Norwood made every effort to ensure the public can access the proceedings in real-time via technological means.

1. CALL TO ORDER

The meeting was called to order at 7:00 PM by Chair Scott Murphy.

2. HEARINGS and/or DECISIONS

a. 7:00 PM Case 21-08 15 Pine Street

The Chairman read the legal notice into the record.

Mr. Daniel Golden, homeowner and applicant, described the proposed construction to their single family home as a 24' x 20' addition on the left, rear of the house for the purpose of adding a bedroom and handicapped accessible bathroom for his elderly in-laws so they can move them out of their current (unsafe) environment. The square footage of the house would be increased from 1,350 to 1,700.

Board members asked questions regarding details of the site plan, movement of the shed, fence location, and details on the hardship of the in-laws.

MOTION I: Ms. Daly made a motion to close the public hearing.
Mr. Porro seconded the motion.

BY ROLL CALL VOTE: 4-0-1 motion passed. Mr. Murphy did not vote.

MOTION II: Ms. Daly made a motion to approve the Special Permit as submitted.
Mr. Porro seconded the motion.

BY ROLL CALL VOTE: 5-0 motion passed.

b. 7:00 PM Case 21-03 1369 Boston Providence

The Chairman read the legal notice into the record.

Representing the applicant, Attorney Brian Almeida said they were seeking a special permit for the establishment of a used car facility to sell pre-owned vehicles, to repair/service vehicles (indoors), and for open lot storage of used vehicles pursuant to Norwood Zoning Bylaws Section 3.0D1 & H2.

He stated, in regards to the social, economic, and community needs criteria, that currently the property is unused and the relief sought would create a new use which would hopefully have a positive financial impact in the former Sky Restaurant location by providing economic opportunities to residents in terms of job creation, adding to the market for used vehicles, and increasing tax revenue to the town. In relation to circulation, the traffic would enter and exit Rt. 1 via the existing curb cut, there would be no proposed driveways, and onsite circulation would be via the aisles and parking spaces which would be dimensioned according to the bylaws. With respect to utilities and other public services, he stated that there are existing underground utilities and no new utilities would be required. Stormwater management would continue to be provided through a 12" drain that connects to Sumner Street in the back of the property. No negative impacts to the environment were anticipated and in regards to land use compatibility, Attorney Almeida said the proposed use was allowable by-right in the Highway Business District and that the open lot storage was allowed by special permit. He suggested to the Board that the proposed use was compatible with the remainder of Rt. 1 and the surrounding area. Visual compatibility would be similar to the existing conditions and not more detrimental.

Also representing the applicant was Mr. Matt Smith that stated he did not feel it needed to go before the Planning Board for site plan approval and would not be considered a major project as they would only be adding one parking space and not making major changes to the existing site nor building. He said they were requesting storage of 130 cars. Attorney Almeida said they weren't creating parking spaces but only changing the use of the existing ones.

Board members asked questions and had discussion regarding district clarification (back part of the lot is in the GR district), reduction in tax revenue from a restaurant/meals tax to just property taxes, how many people would potentially be employed, and jurisdictional questions related to the Planning Board and number of parking spaces, as well as the change of use from parking to storage. Members also asked about the location of the stored cars in relation to the GR zone and proximity to residents on the back part of the property. Discussion and debate

was had regarding the interpretation of the Zoning Bylaw (3.1.4) and the Board wanted to consult Town Counsel.

MOTION I: Mr. Porro made a motion, at the request of the applicant, to continue the public hearing to June 1st.

Ms. Greenwell seconded the motion.

BY ROLL CALL VOTE: 5-0 motion passed.

c. 7:15 PM Case 21-08 512 Walpole Street

The Chairman read the legal notice into the record.

Representing the applicant, Ms. Karen Keegen of Guaranteed Builders stated that the owners were seeking a special permit for the reconstruction of a garage destroyed by fire with a new 24' x 24' garage in a different footprint than the original which will be smaller than the previous garage (12,960 sq. ft. vs 28,700 sq. ft.) She said that the garage would be narrower but longer. Ms. Keegen also noted that the garage was previously at an angle and the new proposed garage would be straight thus allowing the homeowner to exit his garage at a straight angle.

Board members asked questions regarding wetlands, the retaining wall, use of the second floor, and the existing shed. Ms. Keegan and the homeowner, Mr. Haberlin, stated that they would be meeting with the Conservation Commission the following night, the second floor would be used for storage only, and the existing shed and retaining wall would both remain in place. No members of the public had any comments.

MOTION I: Ms. Daly made a motion to close the public hearing.

Mr. Porro seconded the motion.

BY ROLL CALL VOTE: 5-0 motion passed.

MOTION II: Mr. Sheehan made a motion to approve with the condition that the new structure's second floor be for storage only.

Ms. Daly seconded the motion.

BY ROLL CALL VOTE: 5-0 motion passed.

d. 7:30 PM Case 21-10 1400 Boston Providence

The Chairman read the legal notice into the record which described the request for a special permit as being for a fitness center in an LM (Limited Manufacturing) district.

Attorney Chris Timson stated that Sam Meisels wanted to start a new business based on agility and strength, similar to the television show American Ninja Warrior. He said the business will occupy approximately 12,500 square feet in one of the existing buildings. Attorney Timson had previously provided the Board a memo defining how each of the criteria for a special permit was met and highlighted the main points for the Board during the meeting.

Members asked questions and had discussion regarding parking, local/regional competitions, hours of operation of the other businesses in that building strip, internal traffic circulation, and internal traffic signage.

No members of the public had any comments.

MOTION I: Ms. Daly made a motion to close the public hearing.

Mr. Porro seconded the motion.

BY ROLL CALL VOTE: 5-0 motion passed.

MOTION II: Mr. Sheehan made a motion to approve the use, the special permit, with the condition that the circulation flow in front of the building be one-way and that participants exit out down that roadway in the back of the building and that also in the very beginning that the applicant can make sure there's some kind of instructions to your customers that they understand that it's a one-way you come in this way and you exit out the back and the do not enter sign be removed and the pavement be marked with the one-way arrows for a traffic pattern that brings you around the building.

Chairman Murphy asked if the motion could restate the condition as "to improve the traffic flow so it could go in a one-way direction." Mr. Sheehan agreed.

Ms. Daly seconded the motion (with the amended condition).

BY ROLL CALL VOTE: 5-0 motion passed.

3. REGULAR BUSINESS

The new Assistant Town Planner, Sarah Bouchard, introduced herself to the Board members.

4. UPCOMING HEARINGS and/or DECISIONS

- a. May 18, 2021
 - i. Nothing scheduled
- b. June 1, 2021
 - i. Possibly one case, an addition
- c. June 15, 2021

5. ADJOURNMENT

Ms. Daly made a motion to adjourn.

Mr. Porro seconded the motion.

BY ROLL CALL VOTE: 5-0 motion passed.

Meeting adjourned at approximately 8:20 p.m.

Next virtual meeting: June 1, 2021 at 7 p.m.