

ZONING BOARD OF APPEALS

Michael Sheehan, Chair  
Mary Kate Daly, Clerk  
Shannon Greenwell  
Al Porro  
Rachel Churchill



DIRECTOR OF  
COMMUNITY DEVELOPMENT

Sarah Dixon Bouchard

Zoning Board of Appeals  
Meeting Minutes  
June 6, 2023

**PRESENT**

Michael Sheehan, Chair  
Mary Kate Daly, Clerk  
Shannon Greenwell  
Rachel Churchill  
Paul Eysie

Sarah Dixon Bouchard, Town Planner  
Holly Jones, Assistant Town Planner  
Emily Manning, Recording Secretary

**CALL TO ORDER**

The meeting was called to order at 7:02 P.M.

**PUBLIC HEARINGS**

*Case No 23-02, 973 University Ave. (Continued from 5/9/23)*

**MOTION** to continue the public hearing to the August 1, 2023 meeting, 7:00 PM at the Norwood Senior Center and remotely made by Paul Eysie. Seconded by Shannon Greenwell.

Roll Call Vote:

Shannon Greenwell: **Yes**  
Mary Kate Daly: **Yes**  
Paul Eysie: **Yes**  
Michael Sheehan: **Yes**  
Rachel Churchill: **Abstained**

**Result: 4-0-1 (Motion Passed)**

*Case No 23-09, 241 Pleasant St. (Continued from 5/9/23)*

David Hern, 30 Walpole St., presented on behalf of the applicant. Prior to the May 9, 2023 meeting, new plans were submitted by the applicant to the Planning Department, as requested by the Board. He stressed the fact that this home was the only one of its kind in Norwood. Mr. Hern noted the requirements for granting a variance.

Mr. Hern also pointed out an old case, *Kairis vs. Board of Appeals of Cambridge*, where the court ruled that the condition of the structures in relation to the neighborhood justified the grant of a variance. He noted that due to the outcome of that case, the structure itself could be used for consideration of a variance. Mr. Hern added that granting this request would eliminate financial hardship to the owner.

Ms. Churchill stated that she was having a hard time finding the connection between the historic value of the home, and the desire for an addition. Mr. Hern explained that the brick side wall, which owed to the historicity, would not be covered by the addition, and would still be visible. He stressed that due to the age of the home, it needs more upkeep than normal. Fully updating the home would alleviate the need for constant maintenance.

Edward Musto, 36 Blue Hill Ave., Westwood, property owner, pointed out that the home on the property was over 200 years old, and in need of constant maintenance. He also went over communications he had with the Norwood Building Department over the years regarding this property.

Ms. Greenwell asked Mr. Hern to clarify the findings of *Kairis vs. Cambridge Board of Appeals*.

Mr. Eysie questioned the history between the applicant and the Board. The Board approved a variance for the property in November 2019. The building permits were pulled and extended by former employees of the Building Department multiple times, and in November 2022, current Building Commissioner Gary Pelletier ordered the applicant to stop working, which caused the variance to lapse. Mr. Eysie commented that he did not want to see the historical home demolished, which the applicant had the right to do without approval.

Mr. Sheehan clarified that none of the current Board members sat on the Board that approved the variance for the property in November 2019.

Ms. Churchill wondered about how much it was costing the applicant to maintain the home. Mr. Musto described some of the issues going on in the home.

Mr. Sheehan added that while the applicant was claiming uniqueness of the home with two side brick walls, more than half of one of the walls would be covered by the proposed addition. Mr. Hern stated that the applicant was looking to build an addition that would match the current structure, and also has the same vision.

Mr. Sheehan pointed out other past court cases in Massachusetts where the variance request was not granted.

Mr. Hern stressed the financial hardship and uniqueness of the structure in order to grant the variance.

Mr. Hern and Mr. Sheehan discussed the requirements for obtaining a variance due to hardship. Mr. Sheehan believed that the hardship was personal, therefore he did not see how a variance could be granted. Mr. Hern stressed that the statute referred to financial hardship.

Mr. Sheehan read out a letter from Judith Howard of the Norwood Historical Commission, dated June 5, 2023. She was against approving the variance.

Nancy Cordopatri, 251 Pleasant St., abutter, stated that although she agreed with the variance at the last meeting, she had changed her mind. She believed the proposed addition would be an eyesore to the neighborhood, and also pointed out instances of issues on the property. She wondered why the home could not be converted from a single family dwelling to a two family dwelling, as it once was.

Mr. Hern offered a response to Ms. Cordopatri. He stated that Mr. Musto removed the part of the home that made it a two family. The home could not be converted as it was, as the existing home was relatively small, and there would not be enough room for two units.

Mr. Musto, Mr. Hern, and Mr. Sheehan discussed the proposed addition.

The Board discussed their wishes on the matter.

**MOTION** to continue the public hearing to the August 1, 2023 meeting, 7:00 P.M. at the Norwood Senior Center made by Paul Eysie. Seconded by Shannon Greenwell.

Roll Call Vote:

Paul Eysie: **Yes**

Mary Kate Daly: **Yes**

Shannon Greenwell: **Yes**

Rachel Churchill: **Yes**

Michael Sheehan: **Yes**

**Result: 5-0-0 (Motion Passed)**

*Case No 23-11, 20 Hemlock Cir.*

Connie Tang, 20 Hemlock Cir., was looking to add a cat boarding business to their home. They had converted a room in their home to be able to board cats for their owners. She stressed this was not a kennel. There is no such business in Norwood.

Ms. Greenwell asked Ms. Tang to speak on capacity and foot traffic in and out of the home. She stated they would be serving one customer at a time, and would be able to board up to three cats. Neighbors would not notice customers dropping their cats off. Customers would be able to park in the driveway, and the homeowners would also offer their own transportation for drop off and pick up. Ms. Tang noted the business would essentially be an Airbnb for cats.

Mr. Eysie wondered if any other factions of the Town would oversee the business. Ms. Bouchard encouraged the applicant to speak with the Board of Health prior to operating this business.

Mr. Sheehan stated that he drove by the property, and there was work that needed to be done outside. He noted that he was concerned about the cats being boarded on the second floor, in the case there was a fire in the home. Ms. Tang stated that it would be easy to evacuate the cats from the second floor of the home. The bedroom contained two windows, which could also be used in case of emergency. Mr. Sheehan stated he would like to see signage on the door that there were animals upstairs, and that they would work with the Building Department and Fire Department in regards to that matter.

**MOTION I** to close the public hearing made by Mary Kate Daly. Seconded by Paul Eysie.

Roll Call Vote:

Paul Eysie: Yes

Mary Kate Daly: Yes

Shannon Greenwell: Yes

Rachel Churchill: Yes

Michael Sheehan: Yes

**Result: 5-0-0 (Motion Passed)**

**MOTION II** to allow a waiver for the certified plot plan and the building plan requirement made by Mary Kate Daly. Seconded by Shannon Greenwell.

Roll Call Vote:

Rachel Churchill: Yes

Shannon Greenwell: Yes

Mary Kate Daly: Yes

Paul Eysie: Yes

Michael Sheehan: Yes

**Result: 5-0-0 (Motion Passed)**

Mr. Sheehan stated that the need for repair of the fence and upkeep of landscaping would ensure the cats do not escape from the property

**MOTION III** to approve the special permit as presented, referring to the number of clients being one with up to three cats at any given time; and the fences be prepared prior to the operation of business, and provide an evacuation plan as well as signage that there are pets inside to notify public safety officials made by Shannon Greenwell. Seconded by Rachel Churchill.

Roll Call Vote:

Rachel Churchill: Yes  
Shannon Greenwell: Yes  
Mary Kate Daly: Yes  
Paul Eysie: Yes  
Michael Sheehan: Yes

**Result: 5-0-0 (Motion Passed)**

*Case No 23-12, 6 Stone Cir.*

Gerard McManus, 6 Stone Cir., presented to the Board. He and his fiancé were looking to add an addition to their home, which was an existing non-conforming structure, to accommodate their growing family. He stated that their home was outdated, and the only one in the neighborhood with only one bathroom.

Mr. Eysie questioned what relief the applicant was seeking. Mr. Sheehan clarified that it was an existing non-conforming structure, and they also needed side yard encroachment relief. The proposed addition would add an additional floor to the home.

Ms. Daly wondered what went into the layout of the addition. Mr. McManus stated he had engineers and architects draw up the plans.

Ms. Greenwell commented on the proposed addition. Mr. McManus noted that there were other two story homes in the neighborhood, including his next door neighbor.

Ms. Churchill wondered if consideration was given to making the addition encroach less on the side yard setback. Mr. McManus stated that it had been scaled back from 24 feet.

Mr. Sheehan read out a letter from Thomas Cerullo at 5 Stone Circle. He was against the proposed addition, stating that the proposed addition was disproportionate to the existing home and lot. He stated the size of the addition would encroach on his property.

Christopher Rodgers, 40 Mylod St., abutter, pointed out that the height of the proposed addition may affect the view that surrounding neighbors had.

Faith Costello, 2 Stone Circle, wondered if there was ledge on the property. Mr. McManus stated there was a small amount in the basement, but there should be minimal if any. She also asked if there would be blasting of the ledge; Mr. Sheehan stated there would be no blasting and it could be a condition of the motion.

The Board discussed their wishes on the matter. Mr. Eysie questioned the encroachment on the side yard. He also clarified with Mr. McManus that the existing home was 840 square feet.

**MOTION I** to close the public hearing made by Shannon Greenwell. Seconded by Rachel Churchill.

Roll Call Vote:

Rachel Churchill: Yes  
Shannon Greenwell: Yes  
Mary Kate Daly: Yes  
Paul Eysie: Yes  
Michael Sheehan: Yes

**Result: 5-0-0 (Motion Passed)**

**MOTION II** to approve the special permit as presented, with the condition that there is no blasting to prepare for the construction of the addition made by Shannon Greenwell. Seconded by Paul Eysie.

Roll Call Vote:

Rachel Churchill: Yes  
Shannon Greenwell: Yes  
Mary Kate Daly: Yes  
Paul Eysie: Yes  
Michael Sheehan: Yes

**Result: 5-0-0 (Motion Passed)**

### **OTHER BUSINESS**

**MOTION I** to approve the minutes of the March 14, 2023 meeting, as presented and edited, made by Shannon Greenwell. Seconded by Mary Kate Daly.

Roll Call Vote:

Paul Eysie: Yes  
Mary Kate Daly: Yes  
Shannon Greenwell: Yes  
Rachel Churchill: Yes  
Michael Sheehan: Yes

**Result: 5-0-0 (Motion Passed)**

**MOTION II** to approve the minutes of the March 28, 2023 meeting, as presented and edited, made by Shannon Greenwell. Seconded by Mary Kate Daly.

Roll Call Vote:

Paul Eysie: Yes  
Mary Kate Daly: Yes  
Shannon Greenwell: Yes  
Rachel Churchill: Yes

Michael Sheehan: Yes  
**Result: 5-0-0 (Motion Passed)**

**MOTION III** to amend the meeting minutes of the April 11, 2023 meeting to reflect Ms. Churchill recused herself due to apparent conflict, not Ms. Greenwell, and a typo changing “shade” to “shape”, made by Shannon Greenwell. Seconded by Mary Kate Daly.

Roll Call Vote:

Paul Eysie: Yes  
Mary Kate Daly: Yes  
Shannon Greenwell: Yes  
Rachel Churchill: Yes  
Michael Sheehan: Yes

**Result: 5-0-0 (Motion Passed)**

**MASTER PLAN STEERING COMMITTEE REPRESENTATIVE DESIGNATION**

Shannon Greenwell accepted Zoning Board representation on the Master Plan Steering Committee.

**OTHER BUSINESS**

The group briefly discussed their schedule for the end of the year, as well as potential new associate members.

**ADJOURNMENT**

**MOTION** to adjourn the meeting made by Mary Kate Daly. Seconded by Paul Eysie.

Roll Call Vote:

Paul Eysie: Yes  
Mary Kate Daly: Yes  
Shannon Greenwell: Yes  
Rachel Churchill: Yes  
Michael Sheehan: Yes

**Result: 5-0-0 (Motion Passed)**

The meeting was adjourned at 8:58 P.M.

Minutes respectfully submitted by Emily Manning