

**Zoning Board of Appeals**

Michael Sheehan, Chair  
Benjamin Beutel  
Mary Kate Daly  
Shannon Greenwell  
Al Porro



**Director of Community  
Planning and Economic  
Development**

Paul Halkiotis, AICP

**Assistant Town Planner**

Sarah Dixon Bouchard

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**July 19, 2022  
Norwood Senior Center  
275 Prospect Street  
Remote participation available at GoToMeeting**

**Meeting Minutes**

**Present:** Michael Sheehan, Chair  
Benjamin Beutel  
Shannon Greenwell  
Al Porro  
Sarah Dixon Bouchard, Assistant Town Planner

**Call to Order:** The meeting was called to order at 7:00 p.m. by the Chairman, Mr. Michael Sheehan. Four members were present at the Senior Center, 2 members of the public attended on GoToMeeting. Mr. Sheehan informed everyone that the Board needs four members to vote in the affirmative for measures to pass and there is only four members available tonight for the meeting so if anyone would like to reschedule until the August meeting that is allowed.

**Public Hearings:**

**Case #22-13 22 Cypress Street Request for Variance under §4.1.1**

Mr. Sheehan read the legal notice into the record.

The applicant Mr. Jim Fanning of 22 Cypress Street request an addition for a bedroom and a bathroom off of the back of their house, so they have easier access as they age and do not want to move.

Mr. Porro asked how close the addition will come into the backyard and he stated 26.6 feet.

Ms. Greenwell asked why this came in as a variant request as opposed to special permit. Ms. Bouchard stated this came in as a variance request because it was non-conforming. Ms. Greenwell asked if the new addition will be where the deck is right now. Mr. Fanning stated the

new space will take up the three-season porch and the deck and will not be pushed out any more than that.

A member of the public stated that the new addition will be 8 feet less than the current deck. Mr. Beutel asked if the deck is being removed the non-conformity will be fixed but a new non-conformity will be introduced just smaller. Ms. Bouchard asked if they received information from the Building Inspector to request a variance and the public member stated yes.

Mr. Sheehan summarized the difference in the non-conformity of the current deck and the proposed plan.

Ms. Greenwell asked that in terms of how they sized the new addition would there be an opportunity to reduce the footprint of the addition to not need a variance. The builder stated if they did that, they would not need be able to have a bathroom on the first floor. Ms. Greenwell stated what's hard about the variance is that it is a normal shaped lot or topography differences, and this does not have any of those.

Mr. Beutel asked to clarify why a variance is needed. Ms. Bouchard responded stating there is no provision in section 5.4 for an increase in lot coverage covering non-conforming properties.

Ms. Bouchard shares the Bylaws on her screen, stating that there are two variances needed in this proposal.

Mr. Sheehan stated that in the plan there is 3.3% increase coming from, specifically an egress with a landing then down steps.

Ms. Kara Blake 21 Sycamore Street, stated that they live right behind the applicants and asked if the structure is going to impact the ground as the neighborhood has flooding issues in basements. The construction manager stated it will just be a crawl space for the foundation and it is hard to give an answer but from Mr. Sheehan's experience what has been proposed will not have any additional problems to your basement.

Ms. Erin Flannery Keith lives at 17 Sycamore Street and stated she joined to better understand the plan and appreciates Ms. Bouchard's responsiveness, and why the variance was needed and whether there would be alternative plans to proceed if the variance was not granted and what the hardship was besides the fact it was stated the deck was old.

Mr. Fanning stated that is a good question and it was done two houses down from him and the same thing was put up. Mr. Sheehan stated the hardships is that him and his wife are of an old age, and he believes there is a hardship there to go up two sets of stairs. Mr. Sheehan also stated the applicant is in his 80s.

Ms. Greenwell stated that a reconfiguration of the space would not allow them to put in the bedroom and the bathroom which is the reason they are requesting a hardship due to the fact of the stairs being difficult to use. Mr. Beutel asked about the stairs and Mr. Sheehan responded that the egress is needed to work with the stairs.

Ms. Greenwell stated that there is not any topography or soil issues and that the lot is normal spaced. A member of the public stated they do not want to say something they do not know.

Mr. Sheehan stated he heard from a neighbor regarding the soil, but it is hard to have clear guidance. He stated he does not believe this is major, as it is 3% and does not see it as a detriment and does see the hardship.

Mr. Porro stated he does not see any hardship for the neighbors but sees it for the applicant who wants to stay in their home. He stated the 3% is not a major factor at all and the neighbors do not have a real concern with it affecting them.

Ms. Greenwell asked Ms. Bouchard to repeat her statement regarding the uniqueness of the lot, Ms. Bouchard repeated the statement of the bylaws relevant to this case. She stated being an undersized lot does not usually fall into those criteria. Ms. Greenwell asked if not having a bathroom on the first floor is a hardship that would allow them to grant relief, Ms. Bouchard stated that is a good argument as referred to hardship.

Mr. Beutel stated he is convinced on everything except the uniqueness factor, as it strikes him as a normal lot. Ms. Greenwell stated the structure of the garage helped her understand the situation better.

Mr. Sheehan reminds the applicant that they need all four members to confirm and if this is denied they cannot apply for another 2 years, and it is also an option to continue the hearing.

**Motion:**

Mr. Beutel made a motion to continue this to the August 2<sup>nd</sup> at 7pm at the Senior Center hearing. Ms. Greenwell seconded the motion. Motion passed 4-0.

**Case #22-14 15 Spruce Road, Request for Special Permit under §5.4.4**

Mr. Sheehan read the legal notice into the record.

Mr. Sean Halsey representing the McCarthy family is present. He stated the addition will fall into the original foundation except for the front hanging an additional foot and a half over. The renovations will be on the second floor, with the addition of a staircase and front porch to the first floor. The new proposed building height will be 24.5 feet under the 30-foot Zoning Bylaws, and there are multiple houses in the neighborhood that have done similar additions.

Mr. Porro asked if this is the last house in the tree streets that could go up and Mr. Halsey says he cannot make any promises, as a joke. Mr. Porro double checked they are not changing the footprint or going any more into the non-conforming lot and that is confirmed.

Ms. Greenwell stated that the front is aesthetically matching to the rest of the neighborhood.

Mr. Sheehan asked if there is anyone in the audience or online who wishes to speak, no response.

**Motion:**

Mr. Porro made a motion to close the hearing. Ms. Greenwell seconded it. The motion passed unanimously 4-0.

Ms. Greenwell made a motion to approve the special permit as presented. Mr. Porro seconded it and the motion passed unanimously 4-0.

**Other Updates-**

**Approval of Meeting Minutes: 3/8/22, 4/5/22**

No comments on the minutes on 3/8. Motion made by Mr. Porro to approve the minutes, Ms. Greenwell seconded it. The vote passed 3-0-1 with Mr. Beutel recusing himself.

No comments on 4/5. Motion made by Mr. Porro made a motion to approve the minutes, Ms. Greenwell seconded it. The vote passed 3-0-1 with Mr. Beutel recusing himself.

**Motion/ Discussion on Case No. 22-08, 1223 Washington Street, for Purpose of Reconsideration**

Mr. Sheehan stated that the committee does not believe the Mullan rule applies to the Reconsideration so this hearing will be postponed to the next meeting in August when all members are present.

**Informal Discussion on Draft Rules & Regulations**

Mr. Sheehan asked if everyone wants to keep the first Tuesday of each month as the meeting schedule, Ms. Greenwell stated maybe they could also make it so that regardless of if the first Tuesday does not work it will still be on a Tuesday and the Board concurs.

Mr. Sheehan read what he has added to the proposed drafted rules and regulations regarding deadlines that Ms. Bouchard had forwarded.

Ms. Greenwell for clarification of how much room there is to get the applications to the board sooner than the Friday before the meeting. Ms. Bouchard responded with various suggestions.

There is continued discussion regarding the rules & regulations, including the abutters notification process, setback clarifications, fee schedules, sight visits and the process to formalize the rules and regulations.

**Adjournment**

**Motion:**

Mr. Beutel made a motion to adjourn. Mr. Porro seconded the motion. A vote was held, and the motion passed 4-0.

The meeting adjourned at approximately 8:14 p.m.