

ZONING BOARD OF APPEALS

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



DIRECTOR OF  
COMMUNITY DEVELOPMENT  
Sarah Dixon

ASSISTANT DIRECTOR OF  
COMMUNITY DEVELOPMENT  
Holly Jones

Zoning Board of Appeals  
July 25, 2023  
Hybrid Meeting Minutes

**PRESENT**

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

Sarah Dixon, Town Planner

**CALL TO ORDER**

The meeting was called to order at 7:00 P.M.

**PUBLIC HEARINGS**

***Case 23-18, 57 Hickory Road- Special Permit***

Paul Jodice, 307 N. Main Street, Mansfield, presented on behalf of the applicant. The applicant was looking to add an addition to a preexisting, nonconforming structure. There are setbacks on both the left and right sides. The applicant was looking to build up, encroaching on the 15-foot setback in the single residence zone. The proposed front porch would increase the frontage setback.

Mr. Porro questioned the attic that was included in the plans. Mr. Jodice stated that the attic was proposed to be a part of the roof, however they were not moving forward with that idea. Mr. Porro then questioned the total square footage of the proposed addition with the attic removed. The total square footage was to be 2,400 square feet, making it an increase of 100%. Mr. Porro stated he would like to see a plan with the attic space removed. Using the projector screen, Mr. Jodice was able to explain what the addition would look like without the attic space.

Mr. Sheehan noted that other homes in the neighborhood were previously ranches but later added a second story, so the addition would conform to the neighborhood.

**MOTION I** to close the public hearing made by Mary Kate Daly. Seconded by Shannon Greenwell.

Roll Call Vote:

Al Porro: **Yes**  
Rachel Churchill: **Yes**  
Shannon Greenwell: **Yes**  
Mary Kate Daly: **Yes**  
Michael Sheehan: **Yes**

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

**MOTION II** to approve the special permit, as amended, to include a revised print of the attic with the dormer removed, with the condition that the attic was to be used as storage only, made by Mary Kate Daly. Seconded by Shannon Greenwell.

Roll Call Vote:

Al Porro: Yes  
Rachel Churchill: Yes  
Shannon Greenwell: Yes  
Mary Kate Daly: Yes  
Michael Sheehan: Yes

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

***Case 23-21, 111 Lenox Street- Special Permit***

David Klebanoff, 101 Merrimack Street, Boston, presented on behalf of the applicant. Thrive Pet Healthcare currently operates the Norwood Animal Hospital, and their current location has limited their operations. 111 Lenox Street was previously occupied by a bank and was now unoccupied. Thrive Pet Healthcare was looking to move their operation there. There would be no exterior work or demolition done on the property. The new location of the Norwood Animal Hospital would not significantly increase traffic in the area, although they were looking to expand their customer base with the addition of new veterinarians. Mr. Klebanoff pointed out that almost half of Norwood Animal Hospital's customers were Norwood residents.

Ms. Daly wondered if there was any comment from the Board of Health, which the Zoning Board had not received.

Mr. Sheehan read a letter from Norwood's Economic Development Director Joe Collins. In the letter, he stated that the parcel in question was one of the few vacant storefronts around Norwood Center.

**MOTION I** to allow waivers for a plot plan and a floor plan made by Mary Kate Daly. Seconded by Shannon Greenwell.

Roll Call Vote:

Al Porro: Yes  
Rachel Churchill: Yes  
Shannon Greenwell: Yes  
Mary Kate Daly: Yes  
Michael Sheehan: Yes

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

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

Roll Call Vote:

Mary Kate Daly: Yes  
Shannon Greenwell: Yes  
Rachel Churchill: Yes  
Al Porro: Yes  
Michael Sheehan: Yes

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

**MOTION III** to approve the special permit to allow for a different use, as presented, made by Shannon Greenwell. Seconded by Mary Kate Daly.

Roll Call Vote:

Al Porro: Yes  
Rachel Churchill: Yes  
Shannon Greenwell: Yes  
Mary Kate Daly: Yes  
Michael Sheehan: Yes

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

***Case 23-22, 35 Kenwood Drive- Appeal of Building Commissioner Decision***

Chris Nichols, 35 Kenwood Drive, presented. He was appealing a decision of the Building Commissioner to remove storage containers from the property at 35 Kenwood Drive. Mr. Nichols stated that over the past few years his family had fallen on tough times. Both of his parents who occupied the property passed away, resulting in him dealing with different county courts throughout the state, and the cases were currently tied up. Mr. Nichols was seeking an 18-month extension on the removal of the containers but was hopeful it would not take the full 18 months to remove them.

Mr. Porro asked how long the containers had been on the property. Mr. Nichols stated that the one of the containers had been there since his father had passed and the other had been there a couple of months. One of the containers was purchased from a neighboring property, which was on that property for 22 years. One of the containers on Mr. Nichols property was empty due to the fact that the estate was tied up in probate court, and he could not remove items from the property until that was cleared. The items were to be donated to St. Jude. Mr. Porro then asked if a 6-month extension would be appropriate, which Mr. Nichols agreed.

Ms. Churchill asked Ms. Dixon for clarification on the exact zoning violation. The two issues that the Building Commissioner pointed out were the setback encroachment and storage of materials. Ms. Churchill then asked Mr. Nichols for the setback on the property, which was 2 feet from the property line. One of the containers was located 8 feet from the property line, and the other was located 4 feet from the property line. Ms. Churchill also questioned what was going on with the probate court case, which Mr. Nichols stated prevented him from removing items from the property. Ms. Churchill wondered if there were any other alternatives to storing the items in containers on the property.

Mr. Sheehan wondered if there was anyone living in the home. He also wondered why Mr. Nichols did not leave the items inside of the house. Mr. Nichols stated that after his father passed away, he and his mother began clearing his father's belongings out. Ms. Churchill clarified if the probate court case was what held up the clearing of belongings. Mr. Nichols stated that his mother became sick and passed away which originally tied up the process.

Michael Haun, 28 Kenwood Drive, stated that he believed the white container at the front of the property on 35 Kenwood Drive was an eyesore. The trailer had been sitting for a year and a half, which he believed was plenty of time to remove the container.

Jennifer Bolduc, 57 Juniper Drive, lived across the street from 35 Kenwood Drive. She stated that all she sees out of her front windows is the gray container. She expressed sympathy for Mr. Nichols' situation but believed the containers had been on the property for too long. She pointed out that they could be detrimental to the neighborhood, for example, if she wanted to sell her home.

Joanne Davis, 11 Kenwood Drive, also believed the containers were an eyesore in the neighborhood.

Maureen Meehan, 65 Juniper Drive, expressed her disdain for the containers. She stated that her husband recently passed away, and she was told that she would have a hard time selling her home due to the containers across the street.

Mr. Nichols apologized to his neighbors for the position he had put them in. He stated that he would look into rectifying the situation much sooner.

Mr. Sheehan agreed with the neighbors that the containers were an eyesore. He stressed that the containers were a detriment to the neighborhood.

The Board discussed their wishes on the matter.

*A motion to close the public hearing was made by Rachel Churchill. Mr. Haun of 28 Kenwood Drive requested to speak again before the public hearing was closed.*

Mr. Haun asked for clarification on the appeal process, which Mr. Sheehan explained. Ms. Bolduc reiterated her disdain for the gray trailer.

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

Roll Call Vote:

Al Porro: Yes  
Rachel Churchill: Yes  
Shannon Greenwell: Yes  
Mary Kate Daly: Yes  
Michael Sheehan: Yes

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

The Board discussed the timeframe on the potential decision given last minute concerns from neighbors.

Ms. Churchill expressed concerns with the amount of time the containers had been on the property. The letter from the Building Commissioner was dated May 31, 2023, the hearing was taking place on July 25, 2023, and a further 60-day extension would bring it into the fall.

**MOTION II** to uphold the decision of the Building Commissioner dated May 31, 2023 with no modifications, made by Rachel Churchill. Seconded by Al Porro.

Roll Call Vote:

Al Porro: Yes  
Rachel Churchill: Yes  
Shannon Greenwell: Yes  
Mary Kate Daly: Yes  
Michael Sheehan: Yes

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

***Case 23-19, 61 Endicott Street, Blue Hill Impact- Special Permit***

Michael Nosky, 112 Crane Street, Dedham, presented. The applicants were looking to open an indoor softball and baseball facility at the Winsmith Mill. They were proposing a series of batting cages that had the ability to open up into one larger area that could be used for team activities, camps, etc. Mr. Nosky had been a baseball and softball coach for many years and had been operating his training business out of high school gyms, but was looking for a more permanent location.

Mr. Porro questioned where exactly at the Winsmith Mill this facility would be located. Mr. Nosky stated that Suite 34 was in a separate building behind the main facility of the Mill. Mr. Porro also wondered about the parking situation. Mr. Nosky pointed out that while there was plenty of parking around the Mill, there would not be much room for parents to congregate inside of the facility, so most would drop their children off. Mr. Porro expressed concerns for the facility being located in the manufacturing zone, as it could take away from a potential manufacturing facility at the Mill.

Ms. Churchill pointed out that the business was admissible by special permit, so it would be allowed given approval from the Zoning Board of Appeals. She also wondered exactly how the space would be designed. Mr. Nosky explained that there would be a waiting area, as teams would need to flow in and out of the facility.

Ms. Greenwell noted that in the application, it was stated that given the location of the facility at the Winsmith Mill, parents dropping children off at practice could stop into the shopping area at the Mill, potentially bringing business to other tenants. She pointed out that in her own experience, the Mill tended to get busy on the weekends, and wondered if there was a separate parking area near Suite 34. Mr. Nosky stated that there was another parking area located behind the main building of the Mill, where the facility would be located.

Mr. Sheehan pointed out that there was a need for this type of facility in the area, and he had seen the parking area behind the main building of the Mill.

Jody Smith, 47 Woodbine Road, believed while there was a need for batting cages for the kids, she was concerned over traffic in the area. She stated that instead of traffic exiting onto 1A from Endicott Street, cars were turning onto Holly Drive and then Woodbine Road to get back to 1A to avoid congestion at Endicott and 1A.

Laurie Berggren, 70 Endicott Street, also expressed concerns over the increase in traffic, as well as speeding in the area which impacted pedestrian safety. Ms. Dixon pointed out that funding had been secured to install sidewalks in the Endicott Woods area, which should help with pedestrian safety concerns.

**MOTION I** to close the public hearing made by Shannon Greenwell. Seconded by Mary Kate Daly.

Roll Call Vote:

Mary Kate Daly: **Yes**

Shannon Greenwell: **Yes**

Rachel Churchill: **Yes**

Al Porro: **Yes**

Michael Sheehan: **Yes**

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

**MOTION II** to grant waivers for the plot plan and elevation made by Mary Kate Daly. Seconded by Shannon Greenwell.

Roll Call Vote:

Al Porro: **Yes**  
Rachel Churchill: **Yes**  
Shannon Greenwell: **Yes**  
Mary Kate Daly: **Yes**  
Michael Sheehan: **Yes**

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

**MOTION III** to approve the special permit, as presented, specifically noting that it is Suite 34 at 61 Endicott Street, to allow for the indoor batting cage use, made by Shannon Greenwell. Seconded by Rachel Churchill.

*Mr. Sheehan reviewed the Special Permit Criteria and how the proposed project met each. He added that the proponent would post signage indicating that customers obey traffic laws on Endicott Street.*

Roll Call Vote:

Al Porro: **Yes**  
Rachel Churchill: **Yes**  
Shannon Greenwell: **Yes**  
Mary Kate Daly: **Yes**  
Michael Sheehan: **Yes**

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

***Case 23-25, 61 Endicott Street, Hometown Arcade- Special Permit***

Matt Snow, 50 Sunset Road, Needham, presented on behalf of Hometown Arcade. Hometown Arcade was a retro arcade containing old school arcade games. They had been operating since May 12, 2023 under an Entertainment License from the Board of Selectmen, as well as a business license, but were unaware they needed a special permit for indoor and outdoor commercial recreation. Mr. Snow also commented on his traffic observations at the Winsmith Mill, which was a theme of the previous public hearing.

Ms. Greenwell wondered how popular the arcade had been since opening. Mr. Snow stated that they were most popular on the weekends but had been popular on weekdays during the summer vacation for working parents.

Ms. Churchill questioned the permissible uses allowed by Hometown Arcade's lease agreement. Mr. Snow stated that the lease for Suite 26A noted that it was to be a retail space, with the understanding that Hometown Arcade would work to get the space changed into an amusement and entertainment use.

Mr. Sheehan questioned the previous comment regarding knowledge of the use when the lease was signed. Mr. Snow was under the impression that the Entertainment License from the Board of Selectmen was sufficient, as it did not come up during that meeting that he also needed a special permit. Mr. Sheehan also questioned the business plan that noted Hometown Arcade hoped to serve up to 250 customers per day, but Mr. Snow commented that the target range was more in the range of 100 customers per day.

Mr. Porro wondered how much an average customer spent at Hometown Arcade. Mr. Snow stated that typically customers came in as a group, with one person paying for the entire group. On average one group of people would spend around \$65. Mr. Porro was looking for specifically how much one customer spends. He also expressed concern for traffic in the area given the number of people the arcade was attracting.

Mr. Sheehan noted a letter from Toni and Steve Eosco at 14 Endicott Street. He questioned if Mr. Snow was also seeking an alcoholic beverage license for Hometown Arcade, which he stated that he was. Mr. Snow noted that children under the age of 16 were to be accompanied by an adult at the arcade. Mr. Sheehan also wondered if the Arcade was serving food, which Mr. Snow stated they had an agreement with a food truck outside the property.

Donald Cibotti, 21 Holly Drive, was under the impression that the Winsmith Mill was only to be open on the weekends, and questioned how Hometown Arcade was allowed to be open during the week. Mr. Sheehan pointed out that it was approved by the Board of Selectmen. Margaret Cibotti also of 21 Holly drive, expressed concerns over traffic and potential alcohol sales at the arcade.

Mrs. Smith of 47 Woodbine Road, echoed the Cibotti's concerns over traffic and alcohol sales at Winsmith Mill. She wished for open communication between the Town, the Winsmith Mill, and residents in the area of the Mill.

Mr. Sheehan expressed concerns over the allowable occupancy for the space, among other issues, noting that this situation was much different from the previous hearing for batting cages at the same property. He suggested tabling the public hearing, as he wanted to see the ZBA Decision from 2018 regarding the Winsmith Mill, as well as hear the outcome of Ms. Dixon's upcoming meeting with the Mill's landlord.

**MOTION** to continue the public hearing to September 12<sup>th</sup> at 7pm at the Senior Center meeting made by Al Porro. Seconded by Rachel Churchill.

Roll Call Vote:

Mary Kate Daly: **Yes**  
Shannon Greenwell: **Yes**  
Rachel Churchill: **Yes**  
Al Porro: **Yes**  
Michael Sheehan: **Yes**

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

### **OTHER BUSINESS**

*Members will be abstaining from voting on minutes from meetings in which they were not present.*

**MOTION I** to approve the minutes of the June 21, 2022 meeting made by Mary Kate Daly. Seconded by Shannon Greenwell.

Roll Call Vote:

Al Porro: **Yes**  
Shannon Greenwell: **Yes**  
Mary Kate Daly: **Yes**  
Michael Sheehan: **Yes**

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

**MOTION II** to approve the minutes of the August 2, 2022 meeting made by Mary Kate Daly. Seconded by Shannon Greenwell.

Roll Call Vote:

Al Porro: Yes  
Shannon Greenwell: Yes  
Mary Kate Daly: Yes  
Michael Sheehan: Yes

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

**MOTION III** to approve the minutes of the September 13, 2022 meeting made by Shannon Greenwell. Seconded by Rachel Churchill.

Roll Call Vote:

Shannon Greenwell: Yes  
Rachel Churchill: Yes  
Michael Sheehan: Yes

**Result: 3-0-0 (Motion Passed)**

**MOTION IV** to approve the minutes of the October 25, 2022 meeting, as amended, made by Rachel Churchill. Seconded by Shannon Greenwell.

Roll Call Vote:

Shannon Greenwell: Yes  
Rachel Churchill: Yes  
Michael Sheehan: Yes

**Result: 3-0-0 (Motion Passed)**

**MOTION V** to approve the minutes of the May 9, 2023 meeting, as amended, made by Mary Kate Daly. Seconded by Rachel Churchill.

Roll Call Vote:

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

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

*After the vote to approve passed, Ms. Greenwell and Ms. Churchill further questioned the May 9, 2023 minutes, and the Board decided to look into the motion in question.*

**MOTION VI** to rescind the vote on the meeting minutes from May 9, 2023 and table the vote to a future meeting made by Rachel Churchill. Seconded by Shannon Greenwell.

Roll Call Vote:

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

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



**MOTION VII** to approve the minutes of the June 6, 2023 meeting made by Rachel Churchill. Seconded by Mary Kate Daly.

Roll Call Vote:

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

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

**MOTION VIII** to approve the minutes of the July 11, 2023 meeting made by Mary Kate Daly. Seconded by Al Porro.

Roll Call Vote:

Mary Kate Daly: Yes  
Al Porro: Yes  
Michael Sheehan: Yes

**Result: 3-0-0 (Motion Passed)**

### **ADJOURNMENT**

**MOTION** to adjourn the meeting made by Mary Kate Daly. Seconded by Shannon Greenwell.

Roll Call Vote:

Al Porro: Yes  
Rachel Churchill: Yes  
Shannon Greenwell: Yes  
Mary Kate Daly: Yes  
Michael Sheehan: Yes

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

The meeting was adjourned at 9:26 P.M.

*Minutes respectfully submitted by Emily Manning*