

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
Hybrid Meeting Minutes
August 2, 2022**

PRESENT

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

Sarah Bouchard, Assistant Town Planner

CALL TO ORDER

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

PUBLIC HEARINGS

Case No: 22-13, 22 Cypress Street: Continued Request for Variance under §4.1.1

Mr. Sheehan clarified that the application for this case was submitted incorrectly. The application before the board was for a special permit, not a variance as it was submitted. This was pointed out to the Board by the Building Inspector.

Mr. Beutel questioned why the application was changed to a special permit as opposed to a variance. Mr. Sheehan stated that it was due to the non-conformity of the lot, and was a decision made by the Building Inspector.

Mr. Sheehan asked members of the public for and against the project to raise their hands. The result was unanimously in favor.

Ms. Daly, Ms. Greenwell, Mr. Beutel, and Mr. Porro all commented in support of the special permit.

MOTION to approve the proposal as a special permit made by Al Porro. Seconded by Shannon Greenwell.

Roll Call Vote:

Mary Kate Daly: **Yes**

Shannon Greenwell: **Yes**

Benjamin Beutel: Yes
Al Porro: Yes
Michael Sheehan: Yes

Result: 5-0-0 (Motion Passed)

Case No: 22-15, Jacobsen Drive (Map 6 Block 1A Lot 22) Request for Variance under §4.0
David Hern, attorney at 470 Washington St., spoke on behalf of the applicants. They are looking to turn a vacant lot of land into a single family home. The lot does not conform to the 10,000 square foot requirement in the zoning district. The lots on Jacobsen Dr. were conveyed prior to current zoning bylaws. The proposed home would conform to all bylaws, besides the square footage requirement.

Mr. Porro questioned the square footage of the home. Steve Bovarnik, 56 Kearney Rd. Needham, applicant, spoke about the style of the proposed home on the lot, stating it would be around 2,000 square feet excluding the garage.

Ms. Daly wondered if the soil conditions impacted the site layout. Mr. Bovarnik stated that the soil had not been tested.

Jennifer Yobaccio, 65 Jacobsen Dr., expressed concerns for flooding if a structure is added to the property. Her property would be directly next to the proposed new home, and she has dealt with flooding on her property in the past. She also expressed concern for parking.

Ryan Duncan, 73 Jacobsen Dr., asked questions in regards to zoning bylaws.

Mr. Hern responded to the concerns of the neighbors. He stressed that the parking would be adequate and would conform to the bylaws. He also noted the new stormwater requirement bylaws that would need to be followed.

The Board discussed their beliefs on the matter. Mr. Beutel stated he felt that the applicant had not provided enough information on shape, soil, and topography to grant a variance. Mr. Sheehan pointed out that the lot did have uniqueness to it. Mr. Porro believed the project would benefit the neighborhood if it were approved. Ms. Greenwell and Ms. Daly both expressed concern for granting a variance.

Mr. Hern stated that he would rather withdraw the request for the sake of the current property owner if the Board was not going to approve the variance. Mr. Sheehan allowed a recess so Mr. Hern could speak with his client.

A recess was called at 7:56 P.M. The meeting resumed at 7:59 P.M.

Mr. Hern, after speaking with his client, stated that based on comments made by some members of the Board, he believed they would not receive four votes in favor, and requested to withdraw the request without prejudice. He did not want the property owner to have a two year bar from coming before the Board.

MOTION to allow the applicant to withdraw without prejudice made by Al Porro. Seconded by Mary Kate Daly.

Roll Call Vote:

Al Porro: **Yes**

Benjamin Beutel: **Yes**

Shannon Greenwell: **Yes**

Mary Kate Daly: **Yes**

Michael Sheehan: **Yes**

Result: 5-0-0 (Motion Passed)

Case No: 22-16, 72 Sycamore Street: Request for Special Permit under §5.4.4

Ed Gay, 72 Sycamore St., spoke. The preexisting lot is 6600 sq. ft., and is non-conforming on the side he is looking to add an addition onto his home, which would increase the non-conformity. The proposed addition called for a master bedroom and bathroom, as well as a small deck if possible. He believed the addition would not cause any detriment to the neighborhood, and would not increase traffic on a dead-end street. Mr. Gay also added that he had spoken with neighbors, and they were okay with the proposed project.

Ms. Daly questioned the size of the proposed deck, as two different sizes were referenced in the application. Mr. Gay stated he had requested his architect to scale back the size of the deck originally proposed in the plot plan.

Mr. Porro requested clarification on why the applicant was requesting a special permit.

The Board discussed their wishes on the matter. Ms. Daly, Ms. Greenwell, and Mr. Beutel agreed granting the special permit would not cause any detriment to the surrounding neighborhood.

MOTION to approve the special permit, with the modification using the deck as presented in the architectural plan, and not the plot plan made by Mary Kate Daly. Seconded by Shannon Greenwell.

Roll Call Vote:

Al Porro: **Yes**

Benjamin Beutel: **Yes**

Shannon Greenwell: **Yes**

Mary Kate Daly: **Yes**

Michael Sheehan: Yes

Result: 5-0-0 (Motion Passed)

OTHER BUSINESS

Motion/Discussion on Case No: 22-08, 1223 Washington Street, for Purpose of Reconsideration
Mr. Sheehan explained how Motions to Reconsider to the Board worked. He expressed his beliefs on vacant lots.

Ms. Greenwell wondered if a Motion to Reconsider was without prejudice.

Ms. Bouchard added that a Motion to Reconsider would not reopen the public hearing on the matter.

MOTION to reconsider the Board's vote from the June meeting on 1223 Washington Street made by Michael Sheehan. Seconded by Al Porro.

Roll Call Vote:

Mary Kate Daly: Yes

Shannon Greenwell: Yes

Benjamin Beutel: Abstained

Al Porro: Yes

Michael Sheehan: Yes

Result: 4-0-1 (Motion Passed)

Mr. Sheehan pointed out that the Board has discretion to make decisions. He added that Norwood was in need of housing, and the applicant was prepared to put millions of dollars into a vacant lot. He also stressed the need for disability housing, which the applicant was seeking to add a unit of. He asked the Board to reconsider their previous vote.

Ms. Greenwell stated that she believed the parcel in question was not zoned appropriately. She believed that was something which needed to be addressed through a change in zoning. She added that she most likely would not change her original vote, but would invite the applicant to withdraw without prejudice. Mr. Beutel stated that he was in agreement with the points Ms. Greenwell made.

Mr. Porro stressed the fact that this project would benefit the Town, and that approving this project for South Norwood would be the right thing to do.

The group discussed making a motion to withdraw without prejudice.

MOTION to allow the applicant to withdraw without prejudice made by Shannon Greenwell.
Seconded by Mary Kate Daly.

Roll Call Vote:

Al Porro: **No**

Benjamin Beutel: **No**

Shannon Greenwell: **Yes**

Mary Kate Daly: **Yes**

Michael Sheehan: **Yes**

Result: 3-2-0 (Motion Passed)

Informal Discussion of Draft Rules & Regulations

The group discussed updating the rules and regulations.

UPCOMING HEARING: September 13, 2022

ADJOURNMENT

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

Roll Call Vote:

Al Porro: Yes

Benjamin Beutel: Yes

Shannon Greenwell: Yes

Mary Kate Daly: Yes

Michael Sheehan: Yes

Result: 5-0-0 (Motion Passed)

The meeting was adjourned at 8:38 P.M.

Minutes respectfully submitted by Emily Manning