



**TOWN OF NORTON  
ZONING BOARD OF APPEALS**

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**MINUTES**

Meeting of February 2, 2010

**I. Call to Order**

The February 2, 2010 scheduled meeting of the Zoning Board of Appeals was called to order at 7:30 p.m. in the first floor meeting room in the Norton Municipal Center by Chairman Thomas Noel, with the following members present: Thomas Rota; Alternates Nitin Choksi and Francis Reynolds; David Sharpe was absent.

**II. Andrew Raneri, 16 Walter Street, 10-006, continued from 1/12/10**

Mr. Noel recused himself from sitting on this case due to an unfinished business relationship with the contractor, TMG Carpentry, which submitted the application on behalf of Mr. Raneri. ZBA member, Mr. Rota appointed as chairman pro tem.

Applicant is seeking variance of Article 6.2 for relief from the 40-foot minimum front yard setback and for a finding pursuant to Section VI and Section 1.5 for the addition of a structure on a non-conforming lot.

**Motion to consider application of Andrew Raneri by Mr. Rota; second by Mr. Choksi; all in favor.**

Present at hearing were Mr. Raneri, homeowner, and Tom George, contract or from TMG Carpentry. Mr. Raneri submitted a new plan showing the garage location to the left side of the property, versus the right side which would be located too close to the street because of the septic system positioned on that side of the property.

The new location would give a 32 feet front yard setback with 12'9" from the side yard. This will be attached to the home making the bulkhead an entrance to the basement. The attached garage will now be 30' x 30'; originally, the detached garage size was 24' x 24'.

Application was changed reflecting change in size of garage; also, garage is now attached. Homeowner and chairman initialed application.

No one present in favor or against application.

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The building is now an attached 30' x 30' garage, 32' from front setback, 12' 9" from side yard setback

Mr. Choksi stated location of septic tank on right side of property creates hardship to locate a building near it. Placing the attached garage on the left side of the property requires a front yard setback variance and a side yard setback variance because it is now part of the principal building.

**Automatic motion by Mr. Choksi to approve application of Andrew Raneri, 16 Walter Street as amended; second by Mr. Reynolds; all in favor.**

Mr. Rota was removed as chairman pro tem; Mr. Noel returned as chairman.

### **III. General Business**

Memo received from Tim Cussin from Delphic Associates requesting an extension of one year of CH 40B Comprehensive Permit for the Bay Road Heights Project. No one was present from Delphic.

**MOTION by Mr. Rota granting that this extension request is an insubstantial change; second by Mr. Choksi; all in favor.**

**MOTION by Mr. Rota to extend the expiration date for the permit from March 7, 2010 to March 7, 2011; second by Mr. Choksi; all in favor.**

**MOTION by Mr. Noel that any other request contained in the January 27, 2010 correspondence is hereby denied; second by Mr. Choksi; all in favor.**

**MOTION made by Mr. Rota:** that the Zoning Board of Appeals vote to determine that the change proposed in correspondence to the Board dated January 27, 2010 from Delphic for the comprehensive permit issued to Bay Road Heights, LLC on October 23, 2007, to extend the expiration date for the permit from March 7, 2010 to March 7, 2011, is an insubstantial change under 760 CMR 56.05(12)(c) and 760 CMR 56.07(4), provided that building permits shall be obtained for the project not later than March 7, 2011, unless a further extension is timely sought before the new expiration date occurs, and is duly granted. Any other request contained in the January 27, 2010 correspondence is hereby denied.

The motion, with a second by Nitin Choksi, with the above conditions, was approved: 3 to 0.


Discussion re: letter from Atty. Quirk regarding open meeting law memo.

Discussion of advertisements fees, Inspection Department's list of application requirements.

Next meeting scheduled for 3/10/10.

**Motion to adjourn at 8:22 p.m. by Mr. Rota; second by Mr. Reynolds; all in favor.**

Respectfully submitted,

  
SUSAN TOMASE  
Zoning Board of Appeals Secretary

Date: 5/6/10

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