



**TOWN OF NORTON
ZONING BOARD OF APPEALS**

70 East Main Street
Norton, Massachusetts 02766-2320
Office: 508-285-0278
Fax: 508-285-0277

MINUTES

Meeting of December 15, 2014

The December 15, 2014 scheduled meeting of the Zoning Board of Appeals was called to order at 7:36 pm in the 1st floor Selectmen's area, Norton Town Hall, by Tom Noel, Chairman, with the following members present, Nitin Choksi and Frank Reynolds. Also present was Ilana Quirk, Town Counsel.

Nitin Choksi made a motion, seconded by Frank Reynolds, to remove from the table for discussion, the project for:

15-08 – Ronald Magadieu – Parcel 63 (Assessor's Map 32) - 30 Woodward Street
Application for a Variance for side yard setbacks (cont. from the November 17, 2014 mtg.)

Tom Noel noted that he had sent a detailed email to Jennifer Carlino, Conservation Agent, explaining the apparent date discrepancy, and that she had responded that she had seen the plans on file with the Zoning Board and that her notation on the sign-off sheet was applicable in that these were "minor exemptions."

The Board had no further questions of the Applicant. Discussion followed concerning the hardship presented due to the placement of the present structure and the size of the lot, and concerning the surrounding properties, which Board members believed would not be adversely affected by the relief sought.

Frank Reynolds made a **motion**, seconded by Nitin Choksi, to approved the application and plans as submitted, to grant a variance to the side yard setbacks to allow construction of the "Proposed 8'x 49' Farmer's Porch" as shown on the Plan, to be situated no closer than 18 feet and 22 feet to the side yard setback on the Southwest side of the parcel, as shown on the Plan. All in favor. **Approved.**

15-07 – Patricia A. Dykens – Parcels 88 & 92 (Assessor's Map 4) Cobb Street Extension (formerly Cail Road) - Application for Variance for frontage setback.
(cont. from the November 17, 2014 mtg.)

Tom Noel noted the board had questions regarding the ownership of Cail Road, and contacted Town Counsel regarding the same.

Tom Maron commented that he had gone to the Registry of Deeds to make sure that his plan of land was recorded showing Cail Road as part of this property. Tom Noel read aloud a letter received from Charles Gabriel dated December 15, 2014, noting that the matter was currently in litigation awaiting a decision on adverse possession.

Mr. Maron replied he was advised that he does not have to file any petitions for Cail Road as it has been maintained by him for the past 20 years. He said he did file with Land Court and was advised results could take up to 6 months to receive.

Tom Noel requested that Mr. Maron submit documentation showing ownership of Cail Road.

An Extension letter was given by Kathleen Dykens and Patricia Dykens extending the time in which the Board must act on the application for an additional 180 days.

Frank Reynolds made a motion, seconded by Nitin Choksi, to accept the extension letter extending the public hearing deadline by 180 days. All in favor. Approved.

Frank Reynolds made a motion, seconded by Nitin Choksi, to continue the public hearing to March 3, 2015. All in favor. Approved.

013-005 – Campanelli Thorndike Norton, LLC, Parcels 61 76, Assessor's Map 11, 274 East Main Street - Comprehensive Permit 40B application – 230 apartments - Post permit review matters.

Post-permit changes have been reviewed by Graves Engineering.

Lloyd Geisinger, David Eastridge, Jeff Walsh, Jennifer Connolly and Attorney Peter Freeman were present at the public meeting and Lloyd Geisinger proceeded to update the members on the project changes. He stated that revised plans have been submitted to the board as well as the Selectmen, who he said were satisfied with the revised plans.

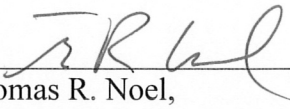
Discussion ensued regarding roadway improvements to Rt. 123 and sidewalks, including the review provided by Mr. Walsh and Ms. Connolly.

Ilana Quirk, Town Counsel advised the board they had 45 days from receipt of the revised plans, which was December 2, 2014, to review them and list any "deficiencies." Further review and discussion will be required, and Applicant may be submitting a formal request for modification. Further discussion ensued regarding lighting and landscaping issues.

Motion made to continue the hearing to the next meeting date, January 29, 2015.
Meeting adjourned.

Minutes Approved by Committee on: April 27, 2015.

Respectfully submitted,



Thomas R. Noel,
Chairman, Norton Zoning Board of Appeals