



**TOWN OF NORTON
ZONING BOARD OF APPEALS**

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MINUTES

Meeting of April 6, 2015

The April 6, 2015 scheduled meeting of the Zoning Board of Appeals was called to order at 7:35 pm in the first floor Selectmen's area, Norton Town Hall, by Tom Noel, Chairman, with the following member present, Nitin Choksi.

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

15-07 - Patricia A. Dykens – Parcels 88 & 92 (Assessor's Map 4) Cobb Street Extension (formerly Cail Road). Application for Variance for frontage setback, continued from the March 2, 2015 mtg.

Tom Noel commented that a request for a continuance of the public hearing has been requested by the applicant. He noted that attorney David Manoogian, representing an abutter, has notified the Board that the issue of the ownership for Cail Road is presently in Land Court.

Nitin Choksi made a motion, seconded by Tom Noel, to continue the public hearing to Monday, June 1, 2015 at 7:30 pm. All in favor. Approved.

The next item on the agenda is:

15-09 – Mark & Kristy Perry – Parcel 30 (Assessor's Map 18) 21 So. Washington Street. Application for Variance for the lot size and a Section 1.5(e) finding for the alteration or removal of a pre-existing non-conforming structure.

Document List:

1. Application for a Variance and Section 1.5(e) Finding;
2. Plans entitled "Appeals Board Plan, 21 S. Washington Street, Norton, MA, prepared for Mark & Kristy Perry by Earth Services Corporation, signed and stamped by Paul A. Patneau and dated January 30, 2015 (referred to herein as "Plan Set 1");
3. Revised Plan dated April 1, 2015, submitted on April 3, 2015 (referred to herein as "Plan Set 2").

Present at the public hearing and representing the Applicants were Paul and Karen Patneaude of Earth Services Corporation, and Antonio Souza, Applicant's contractor. Applicants wish to demolish the existing, vacant single-family structure on the undersized lot due to age and disrepair, and to construct a new single-family residence as shown on the Plans. Existing use is non-conforming because the lot is approximately 43,568 sq.ft. in an R-60 Zone. Applicants submitted Plan Set 1 with original application, but revised plans due to concerns of the Conservation Agent relative to proximity to the wetland boundary.

Plan Set 2 shows proposed structure placed approximately 30 feet closer to South Washington Street and therefore further from the wetlands in the rear of the lot. Mr. Choksi and Mr. Noel reviewed Plan Set 1 and Plan Set 2 and determined that Plan Set 2 may be substituted for Plan Set 1 as the operative plans for which a decision will be made, without the need for re-notifying abutters, as other features of the plans are not changed and the moving of the structure closer to the road would not likely adversely affect the abutters. The board noted that no one other than the Applicants' representatives appeared in favor of, or in opposition to, the Application.

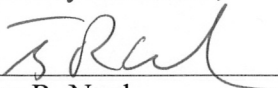
Nitin Choksi made a motion, seconded by Tom Noel, to approve the Application as submitted and modified with Plan Set 2, to grant a variance and approve a Finding under Section 1.5 e that demolition of the existing structure and construction of the Proposed House as shown and with the set-backs detailed on Plan Set 2, will not substantially be more detrimental than the existing non-conforming use, as the proposed use is of the same general class as the existing non-conforming use and will not significantly increase traffic, noise, bright lights, or other undesirable impacts on the surrounding environment. Nitin Choksi and Tom Noel were in favor. Approved.

Upon the decision that the Applicant would be required to record Plan Set 2 with the Registry of Deeds, Ms. Patneaude noted that Plan 2 lacked certification required by the Registry of Deeds that no lot lines had been altered, permission was granted to affix proper language to Plan Set 2 to be submitted to the Zoning Board before a decision would be granted.

It was agreed to schedule the next two regular meetings for May 4, 2015 and June 1, 2015. Motion to adjourn by Tom Noel at 7:54 pm, seconded by Nitin Choksi. All in favor. Approved.

Minutes Approved by Committee on: June 22, 2015.

Respectfully submitted,



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