



**TOWN OF NORTON
ZONING BOARD OF APPEALS**
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Meeting Minutes - January 30, 2017

The January 30, 2017, meeting of the Norton Zoning Board of Appeals, was held in the first floor Selectmen's Conference Room, Norton Town Hall, and was called to order at 7:00 P.M. by Tom Noel, Chair. Members Present: Tom Noel and Nitin Choksi.

CALL TO ORDER/GENERAL BUSINESS

Discussion: Mr. Noel stated that the Board lacked a quorum, with only two members present, due to unavoidable circumstances. The zoning staff made an effort to notify the applicants, but unfortunately had no way of notifying the abutters. There are two matters on the agenda, the Turtle Crossing 40B Modification request and the Eco-Site cell tower application, that can be considered even without a quorum, though the Board will not be taking any action on those either. Each matter will be continued to the next scheduled meeting, February 21.

PUBLIC HEARING

Variance & Section 6 Finding

16 Renwick Drive

Assessor's Map 4, Lot 222, Residential 80 Zoning District

Applicant/Owner: Edward J. Capone

The applicant is proposing to construct a two car, single story garage to existing property.

Mr. Noel opened the public hearing and made a motion to continue it to February 21, 2017 at 7:02 p.m. due to lack of quorum. Second by Mr. Choksi. All in favor; matter continued.

PUBLIC HEARING

Variance & Section 6 Finding

152 South Worcester Street

Assessor's Map 27, Lot 103

Residential 40 Zoning District (R40)

Applicant: Lukas Rei

The applicant is proposing to build a residential home on existing property.

Mr. Noel opened the public hearing and made a motion to continue it to February 21, 2017 at 7:05 p.m. due to lack of quorum. Second by Mr. Choksi. All in favor; matter continued.

PUBLIC HEARING

Section 6 Finding

0 Young Avenue

Assessor's Map 49, Lot 16

Residential 40 Zoning District (R40)

Applicant/Owner: Paul Freeman

The applicant is appealing the building inspector's decision to deny building permit. Pending on zoning determination to establish if it is a buildable lot.

Mr. Noel opened the public hearing and made a motion to continue it to February 21, 2017 at 7:10 p.m. due to lack of quorum. Second by Mr. Choksi. All in favor; matter continued.

PUBLIC HEARING

Variance & Section 6 Finding

9 Alder Road

Assessor's Map 10, Lot 302

Residential 60 Zoning District (R60)

Applicant: Rick Lema, B & D Construction Co.

The applicant is proposing to construct a farmer's porch on the front and rear of the residence. Size of building on premises is 1,208 sq. ft. and 1,356 sq. ft. is proposed. Existing is 20.8' and proposed 19.0' to steps off Alder Road (front porch) Existing 16.2' and proposed 15.9' off Woodbine Road (side).

Mr. Noel opened the public hearing and made a motion to continue it to February 21, 2017 at 7:15 p.m. due to lack of quorum. Second by Mr. Choksi. All in favor; matter continued.

PUBLIC HEARING

Turtle Crossing Chapter 40B Permit – Request for Modification

127-129 Newland St

Assessor's Map 2, Lots 4 & 5

Zoning Board of Appeals, Town of Norton, Turtle Crossing, LLC Comprehensive Permit dated January 10, 2008 issued pursuant to M.G.L. Chapter 40B, Sections 20 to 23, as modified by the June 18, 2012 Modification to Comprehensive Permit, by the May 19, 2014 Second Modification to Comprehensive Permit and finally by the January 29, 2015 Modification.

Permit holder requests that the Norton Zoning Board of Appeals approve an extension of the date the Comprehensive Permit will lapse if building permits are not issued, from January 10, 2017 to January 10, 2019, and an extension of the date that the Comprehensive permit will lapse if the Applicant has not completed construction, from January 10, 2019 to January 10, 2021.

Mr. Noel opened the hearing at 7:30 pm and stated that the permit owner is requesting a further extension of the time limits contained in the Permit as already extended. Town counsel has informed the chair that she met with the board of selectmen last week and that the BOS may come to an agreement with the applicant to offer support by the BOS for one more two-year extension conditioned on agreement by the permit owner that it would not seek any further extensions. The permit owner's attorney, Mr. Freeman has suggested an extension to this Board to February 24, 2017 to make a substantiality determination while they continue to discuss the matter with the Town. If the ZBA were to determine that the modification request was "substantial," the ZBA would be required to open a public hearing on the matter. Motion by Mr. Choksi to continue Turtle Crossing to February 21, 2017 meeting at 7:30 PM. Second by Mr. Noel. All in favor; matter continued.

PUBLIC HEARING – (cont. from the November 15, 2016 mtg.)

Use and Dimensional Variance

Telecommunications Act of 1996

15 South Washington Street, Assessor's Map 18-150-3, Residential 60 Zoning District

Applicant: Eco-Site & T-Mobile Northeast

Owner: Douglas J. Nason and Alfred R. Nason, 15 South Washington Street

The applicant is proposing to construct a new 125' monopole and install six (6) wireless communications antennas at a centerline height of 120' more or less, one (1) dish antenna and appurtenant radio equipment cabinets at the base of the monopole. The mono pole will be surrounded by an 8' high chain-link fence, and will be designed to accommodate co-location opportunities for at least three (3) additional wireless carriers.


The next step in the hearing process would be to hire a radio frequency peer-review engineer. Board staff has identified two firms for review: Isotrope Engineering and IDK communications.

Applicant notified of the status of the meeting and agrees to a continuance. Matter continued to February 21, 2017, at 7:35 p.m.

Meeting adjourned at approximately 7:35 p.m.

Minutes Approved by Committee on August 8, 2017.

Respectfully submitted,



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