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**Town of Norton  
Zoning Board of Appeals  
Minutes of Meeting Held on December 8, 2021**

The December 8, 2021 meeting of the Zoning Board of Appeals was held by Hybrid Means, in person at the Norton Media Center, 184 West Main Street, Norton, with online Internet access and participation provided for interested parties and members of the public *via* the Zoom video platform as noticed.

The meeting was called to order at 7:00 p.m. by Tom Noel, Chair. Members participating were Mr. David Wrenn and Mr. Lukasz Wasiak. Mr. James Tenore was absent. Also, in attendance is Administrative Assistant Bryan Carmichael.

The meeting was recorded and made available to the public on the Norton Media Center YouTube page.

**PUBLIC HEARING – Variance**

ZBA File No. 12235

Property Address: 343 Reservoir Street

Applicant/Owner: Melissa Rose

The applicant, Melissa Rose, is present. Mr. Noel notes the plan has no official stamp on the plot plan. Mr. Carmichael states he had asked the applicants prior to the beginning of the meeting and was informed that the applicant did not have the plans stamped as they wanted the Board's approval before moving forward with their plan. Mr. Noel states that the plan does not qualify as a plot plan as it lacks the dimensions of the plot, the setbacks, and distances that show the change from the current layout and the proposed plan. This then would have to be stamped by the engineer/surveyor. Ms. Rose states the house had been surveyed previously back when she had originally purchased the house and thought the attachment was on Permitteyes. Mr. Wasiak asks which plan had been attached. Ms. Rose states that the plan in the attachments is the proposed plan. Mr. Noel suggests continuing the application to the January meeting. Ms. Rose states they will go and get the required information and obtain and submit an engineered plan.

**Motion to continue 343 Reservoir Street at 7pm at the January 12, 2022 meeting was made by Mr. Wrenn and seconded by Mr. Wasiak. Roll Call Mr. Wrenn Yes, Mr. Wasiak, and Mr. Noel Yes.**

**PUBLIC HEARING – Section 6**

ZBA File No. 12329

Property Address: 173 South Worcester Street

Applicant/Owner: Valerie Nicolas

Ms. Valerie Nicolas is present for this application. Mr. Noel states from the agenda that the applicant is looking to connect the existing house and garage together and it is on an undersized lot. Mr. Noel continues reading the application describing the house as a three-bedroom, two-bathroom, single family residence built in the 1900's, the residence is in a R-60. It is a non-conforming lot which has only 125 feet of frontage and just under 18,000 square feet of area or 60,000 is required. The owner had acquired the property in June of 2021 and currently is a vacant building. Ms. Nicolas confirms that when the property was purchased there was no one living there. Ms. Nicolas continues and informs the board that the house was from a foreclosure sale. The property will require a finding under 1.5e applicable to a pre-existing non-conforming use. Mr. Noel asks if the structure is connected in some way. Ms. Nicolas states the deck is connected by the roof only. Mr. Wasiak shows the board where the roof of the deck is connected to the two existing structures. Mr. Noel asks if the applicant is seeking then to close up the roof to make it an enclosed space. Ms. Nicolas states that enclosing the house is what is planned. Mr. Noel states the board would have to determine if the house was pre-existing non-conforming structure which the accessor's map has stated as 1900. The property is not getting closer to any property line and doesn't impose on any setback requirements. Mr. Carmichael reminds the board that due to the applicant not having their hearing in the paper but was mailed out to the abutters that the application cannot be officially given a decision.

**Motion to continue the 173 South Worcester Street application to 7:05 pm at the January 12, 2022 meeting was made by Mr. Wrenn and seconded by Mr. Wasiak. Roll Call; Mr. Wrenn Yes, Mr. Wasiak Yes, and Mr. Noel Yes.**

**Discussion: Cell Tower 182 South Washington Street**

Attorney Henry Sousa is present to discuss the proposed cell tower. He is representing Mr. Christopher Olsen and wanted to inform the board of an upcoming variance that will be brought to the ZBA. The proposal is for a microwave in cellular communications. The project will be brought to the board because microwave communications require the stability of a lattice tower and a cellular component of communication towers to be on a monopole which cannot be approved of by the Planning board. Mr. Sousa has already reached out to the fire department and is aware that the area of town has problematic communications. Part of the proposal is to have a platform to total gain transmission the antennas on that will provide both microwave communication as well as two-way radio communication for the various departments in town. The Monopole is known to sway which Mr. Sousa states would be the biggest hurdle in getting the application approved. Mr. Noel notes the tower would have to be pointed. Mr. Sousa states it would be the best option for better communication. Mr. Noel asks if Mr. Sousa has spoken with Town counsel on the project. Mr. Sousa responds that he has not but has met with Town Manager Michael Yunits, Deputy Chief Jason Robbins, and Town Planner Paul DiGiuseppe. Mr. Noel states he would like to confirm with Town Counsel that a monopole is the only option. Mr. Sousa had checked the bylaw and under General Requirement 17.3G reads only freestanding monopoles, with associated antenna are allowed. The SPGA shall not grant a Special Permit for lattice towers. Mr. Wasiak asks if the applicant could go to the Planning Board first. Mr. Sousa

explains that if the applicant went to the Planning Board first, they believe with the language in place that they would be denied.

### **General Business**

The Minutes have not been looked at yet.

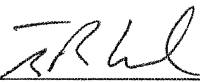
The Board discussed Permittees and potentially making more general user-friendly language for applicants, so they have a better understanding as to what is needed for applications moving forward.

### **Adjournment**

**Motion to adjourn at 7:47 by Mr. Wrenn and seconded by Mr. Wasiak. Roll Call; Mr. Wrenn Yes, Mr. Wasiak Yes, and Mr. Noel Yes.**

Minutes contemporaneously typed by: Bryan Carmichael, Administrative Secretary for the Planning and Zoning Board of Appeals.

Edited and Respectfully Submitted,

 1/27/22  
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Thomas R. Noel  
Chair, Norton Zoning Board of Appeals

Approved by Committee on: January 12, 2022