

Approved:

Zoning Board of Appeals April 28, 2021 Meeting Minutes

Call to Order:

Mr. Brian Heath, Chairman, called the meeting to order via Virtual Zoom Meeting to Attend Via Video, Meeting ID: 990 3037 7223, at 7:00pm

Attendees:

Present: Brian Heath, Chairman, Gerry Chipman, Vice Chair, Anna Klimas, Member

Absent:

Staff Present: Jennifer Burke, Community and Economic Development Director, Jasmin Farinacci, Executive Assistant

- Variance – 1998 South Street

Present before the Board: Rebecca Baptista, Silva Engineering Associates, Inc.

Ms. Baptista reads the letter for the Variance request into the record. The lot area exceeds the size requirements but the frontage does not meet the requirements. A waiver of 2.59 feet is requested. The hardship claimed is the shape of the lot, causing a narrowness at the road and preventing adequate frontage. There are over 4 acres on the proposed site. Ms. Baptista states the thought of utilizing a cul-de-sac to create the lots was considered but was not in kind with the neighborhood. The applicant may concede the parcel at the rear for Conservation or public benefit to support the variance and the public benefit would be access to the rear lot which fronts on the Taunton River. Ms. Baptista states a kayak launch could be added to the lot. All work will be outside of the wetlands. Ms. Baptista states she could begin conversations with the Taunton River Watershed.

Chairman Heath reiterates that the lots meet all other dimensional requirements other than the frontage.

Member Chipman asks how the rear conservation lot would be accessed. Ms. Baptista states they could create an easement. The pond has public parking and signage would allow you to find this path easily.

Director Burke states that the Building Official Steven Solari is on the meeting and there were notifications in the chat that the presentation was difficult to hear. Chairman Heath gives a review of the request.

Present before the Board: Scott Fletcher, 2025 South Street

Mr. Fletcher states that he is concerned with drainage with the development of the lots, the water table is high, and water pumps are in many of the houses. There have been severe drainage issues on the site.

Chairman Heath states that the drainage and requirements would be part of the building permit and is not part of this process. Ms. Baptista states there hasn't been detailed site design at this point.

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Present before the Board: Kevin Walker, 233 Main Street

Mr. Walker states that there is no physical hardship for the Variance, the water table is high, and no wetlands have been delineated. Mr. Walker feels the flags need to be placed and this may be required to go before Conservation. Mr. Walker states there is no grading on the plan.

Chairman Heath asks Ms. Baptista which way the site is graded. Ms. Baptista states the lots slope towards the water.

Present before the Board: Kevin Walker, 233 Main Street

Mr. Walker states the floodplain is an elevation of 22 and without topo on the plan it's hard to see. Ms. Baptista states there will be an entire site design completed if the lots can be developed.

Member Klimas states she would like to hear more about the hardship on the lots as she feels the hardship is self-imposed.

Ms. Baptista states the land is too narrow at the road.

Chairman Heath states but currently the land is a single lot.

Ms. Baptista states that they had considered a three-lot (total) subdivision with a cul-de-sac that was not in kind with the rest of the neighborhood as the houses would sit in the rear of the lot closer to the wetlands. The intent is to remain outside of the riverfront.

Chairman Heath asked if lot 16B would remain with the three-lot subdivision. Ms. Baptista stated it would not as it would be needed to create the subdivision.

Chairman Heath states he would like to consider which option is least disruptive, this Variance or a three-lot subdivision. Chairman Heath states that drainage is not in their purview.

Present before the Board: Lenia Driscoll, 2033 South Street

Ms. Driscoll states that when her property was built they created a drainage issue with a neighbor and every time it rains it floods the area. Also this property used to be a junk yard and was wondering if any soil tests have been done on the site.

Ms. Baptista states that nothing of that nature has been done at this point that she is aware of.

Chairman Heath states that these concerns would likely be required through a different Board or department.

Present before the Board: Kevin Walker, 233 Main Street

Mr. Walker makes comment on the project in regards to grading, drainage, and parking for the river access.

Chairman Heath asks Building Official Steve Solari asks who approves septic plans.

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Steve Solari states the building permits are done online and get sent for sign-offs from other departments and the Board of Health signs for septic. Mr. Solari states they are going by the engineers expertise when it comes to maintaining drainage on properties. Mr. Solari reiterates that this hearing is to determine if this project does or does not meet the zoning requirements.

Present before the Board: Robin Thomas, 25 Tuckoosa Circle

Ms. Thomas states concerns about wetlands.

Present before the Board: Kevin Walker

Present before the Board: Scott Fletcher, 2025 South Street

MOTION: Member Klimas moves to approve the variance with the easement proposed at the hearing, not yet shown on the plan, to access parcel 16B. Member Chipman seconds.

Roll call vote: Brian Heath, Aye
Anna Klimas, Aye
Gerry Chipman, Aye

- Use Variance – Plymouth Street

Present before the Board: Paula Lehtola

Ms. Lehtola is requesting that the business lot she owns in a residential zone be changed to a residential use.

Present before the Board: Robin Thomas, 25 Tuckoosa Circle

Ms. Thomas says she was not notified of the public hearing. Ms. Thomas is concerned with the division of the lots.

Member Chipman recommends re-notifying the abutters and re-scheduling the public hearing.

MOTION: Member Chipman moves to re-notify abutters. Member Klimas seconds.

Roll call vote: Brian Heath, Aye
Anna Klimas, Aye
Gerry Chipman, Aye

I. Additional Board Business

- Minutes to be approved: 4/14/2021

MOTION: Member Chipman moves to approve the minutes of April 14, 2021. Member Klimas seconds.

Roll call vote: Brian Heath, Aye
Anna Klimas, Aye
Gerry Chipman, Aye

Approved:

- Director's Report, if needed

II. Adjournment

MOTION: Member Chipman moves to close the public hearing. Member Klimas seconds.

**Roll call vote:
Anna Klimas - Aye
Gerry Chipman - Aye
Brian Heath - Aye**

DRAFT