

Minutes of the BOXFORD ZONING BOARD OF APPEALS  
Virtual Attendance Due to Coronavirus Pandemic

July 27, 2023

**Present:**

Paula Fitzsimmons, Chair  
Steve Merriam, Vice- Chair  
Ralph Nay- Clerk

**Others Present:** Peter Delaney, Teresa Mason, Boxford Cable TV, Brian Beasley, Matt Bisceglia, Barbara Bisceglia, Mark Kablack, Ted Merchant

**7:02 PM Call to Order**

With a quorum present, Chair Fitzsimmons called the meeting to order at 7:02 PM.

**Election of Officers:**

- Steve Merriam nominates Paula Fitzsimmons as Chair, seconded by Ralph Nay.

**Roll Call (Called by Secretary, Teresa Mason):**

Ralph Nay- YES  
Steve Merriam- YES  
Paula Fitzsimmons- YES

- Paula Fitzsimmons nominates Steve Merriam as Vice Chair, seconded by Ralph Nay.

**Roll Call (Called by Secretary, Teresa Mason):**

Ralph Nay- YES  
Steve Merriam- YES  
Paula Fitzsimmons- YES

- Steve Merriam nominates Ralph Nay as Clerk, seconded by Paula Fitzsimmons.

**Roll Call (Called by Secretary, Teresa Mason):**

Ralph Nay- YES  
Steve Merriam- YES  
Paula Fitzsimmons- YES

**Continued Business:**

- 47
- 48     • **Case #1038, 39 Lily Pond Rd**
- 49 **Applicant: Joseph DiPietro & Anna DiPietro**
- 50
- 51

52 Chair Fitzsimmons brings case 1038 into the record, and explains that this is the fourth  
53 continuation requested by applicant. Attorney Glass via an email earlier today, indicated that  
54 they should have the finished plans in a few days. Merriam asks if anyone from this case is  
55 here, and if they would be willing to withdraw without prejudice. Merriam explains if they seek  
56 another continuance after this meeting, they will request the application be withdrawn.

57

58 Motion made by Merriam to continue Case #1038 to next meeting August 24, 2023.

59

60 **Seconded by: Nay**

61

62 **Roll Call:** (Called by Teresa Mason, Secretary)

63

64 **Ralph Nay- YES**

65 **Steve Merriam- YES**

66 **Paula Fitzsimmons- YES**

67

68 **MOTION CARRIED:** Unanimously

69

70

- 71     • **Case #1042, 8 Cedar Street**
- 72         **Applicants: John Cowhig & Sherry Fuller**
- 73

74 Chair Fitzsimmons recuses herself: Ralph Nay Chair, Pro-Tem.

75

76 Nay explains that it doesn't appear that the applicant is here, and that the quorum is not met  
77 for this Case. Fitzsimmons explains that David Valzania is no longer on the board, and  
78 Thomas Jonak's request for reappointment has not been acted on yet, so he is no longer on  
79 the Board at the moment. Fitzsimmons filed a notice of conflict today since she is an abutter,  
80 but if the applicants had been here, the Board would have been able to act. Nay suggests  
81 continuing to next meeting.

82

83 Motion made by Merriam to continue Case #1042 to next meeting August 24, 2023.

84

85 **Seconded by: Fitzsimmons**

86

87 **Roll Call:** (Called by Teresa Mason, Secretary)

88

89 **Steve Merriam- YES**

90 **Paula Fitzsimmons- YES**

91 **Ralph Nay- YES**

92

- **Case #1044, Lot 20B Wildmeadow Road**  
**Applicant, Matthew & Genna Hill**

Fitzsimmons brings case into the record, but the applicant has requested a continuance.

Motion made by Merriam to continue Case #1038 to next meeting August 24, 2023.

**Seconded by: Nay**

**Roll Call:** (Called by Teresa Mason, Secretary)

**Ralph Nay- YES**

**Steve Merriam- YES**

**Paula Fitzsimmons- YES**

- **Case #1014, 8 Willow Road**  
**Applicants: The Willows/Toll Bros.**

Mark Kablack begins by informing the board that he went to the Planning Board for a recommendation for a special permit to install a dry hydrant. Nay reads the Planning Board's recommendation into the record. Fitzsimmons asks for an update on where they are with electricity from National Grid. Ted Merchant answers that National Grid has been on site, and that there are transformers on the ground and they are making progress.

Motion made by Merriam to close evidence on Case 1014.

**Seconded by: Nay**

**Roll Call:** (Called by Teresa Mason, Secretary)

**Ralph Nay- YES**

**Steve Merriam- YES**

**Paula Fitzsimmons- YES**

Merchant shows the Board the Total Bond Estimate amount of \$720,155.02, and Fitzsimmons asks Delaney, Building Inspector, if he is comfortable with this number. Delaney replies that he deferred this to Chris Olbrot, Town Engineer, and as far as he knows, he was comfortable with this number. Fitzsimmons brings up an email from Olbrot showing a number of \$1,160,000. Merchant shows the Board the reasoning for the discrepancy, the change of price of a cubic yard for earth work, and the change of the electric amount to the site. Board agrees they are comfortable with the \$720,155.02 Bond Amount.

138 Motion made by Merriam to approve the proposed amendment to condition 31 of the Special  
139 Permit to require installation of the dry hydrant prior to the issuance of the 5<sup>th</sup> Occupancy  
140 Permit for the Willow's Project.  
141

142 **Seconded by: Nay**  
143

144 **Roll Call: (Called by Teresa Mason, Secretary)**  
145

146 **Ralph Nay- YES**  
147 **Steve Merriam- YES**  
148 **Paula Fitzsimmons- YES**  
149

150 Motion made by Merriam to approve the Bond Amount of \$720,155.02.  
151

152 **Seconded by: Nay**  
153

154 **Roll Call: (Called by Teresa Mason, Secretary)**  
155

156 **Ralph Nay- YES**  
157 **Steve Merriam- YES**  
158 **Paula Fitzsimmons- YES**  
159

160  
161  
162 • **Case #1045, 28 Dana Road**  
163 **Applicants: Barbara & Matt Bisceglia**  
164  
165  
166

167 Matt Bisceglia begins by explaining that he and his wife are creating an in-law apartment for  
168 his in-laws, and that he has made the requested adjustments from the last meeting. Mr.  
169 Bisceglia walks the board through his plans and explains the measurements. Fitzsimmons  
170 says when she looks at these plans, she sees a 1,114 sq ft accessory apartment, and that it  
171 seems that they will have access to the entire house. Mrs. Bisceglia joins the call and explains  
172 that her parents will respect their space. Nay understands what she is saying, but that it would  
173 have been a quite a bit easier to negotiate if you accessed the in-law directly from the garage,  
174 it would have been easier to negotiate than the proposed staircase, which makes it look like  
175 pretty regularly accessed. Nay addresses the board, and says that when they read  
176 dimensions, they measure from exterior walls, and the listed dimensions here are interior.  
177 Merriam thinks these measurements should be adjusted to exterior walls. Fitzsimmons  
178 responds that she is struggling with the dimensions, she reminds the board that they haven't  
179 approved previous cases (Surrey Lane Project) had to come back for just a few square feet.  
180 Beasley asks if there should be a path from the garage to the in-law, Merriam responds that  
181 the concern that the office there directly abutting the in-law, that the occupants of the in-law  
182 could easily use the office, and that they are using the corridor in the main house to access the  
183 in-law from the garage. Nay says to get where they need to be on this, it's a bigger redraw

184 than losing a closet or exercise room, and suggests that their architect watches this meeting  
185 and then proceeds from there.

186  
187 Motion made by Merriam to continue Case #1045 to next meeting August 24, 2023.

188  
189 **Seconded by: Nay**

190  
191 **Roll Call: (Called by Teresa Mason, Secretary)**

192  
193 **Ralph Nay- YES**

194 **Steve Merriam- YES**

195 **Paula Fitzsimmons- YES**

196  
197 **MOTION CARRIED: Unanimously**

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202  
203 **Meeting Minutes:**

204  
205 The Board reviewed and amended the April 27<sup>th</sup>, May 25<sup>th</sup>, and June 29<sup>th</sup> meeting minutes.

206  
207 **MOTION** made by Merriam to accept the April 27<sup>th</sup>, May 25<sup>th</sup>, and June 29<sup>th</sup> Meeting Minutes  
208 as amended.

209  
210  
211 **Seconded by: Nay**

212  
213 **Roll Call (Called by Secretary, Teresa Mason):**

214  
215 **Ralph Nay- YES**

216 **Steve Merriam- YES**

217 **Paula Fitzsimmons- YES**

218  
219  
220 **MOTION CARRIED: Unanimously**


221  
222  
223 With no further business, on a **MOTION** made by Steve Merriam, seconded by Ralph Nay, the  
224 Zoning Board of Appeals meeting of July 27, 2023 adjourned at 8:33 PM.

225  
226 **Roll Call (Called by Secretary, Teresa Mason):**

227  
228 **Ralph Nay: YES**

229 **Steve Merriam: YES**

230 **Paula Fitzsimmons: YES**  
231  
232  
233 **MOTION CARRIED:** Unanimously  
234

235  
236  
237 Respectfully submitted,  
238   
239  
240

241 *Teresa Mason*  
242 *Minutes Secretary*