

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

3
4 **June 24, 2021 7:00PM**
5

6
7 **Present:**

8 *Paula Lia Fitzsimmons, Chair*
9 *Ralph Nay, Clerk*
10 *Steve Merriam, Vice-Chair*
11 *David Valzania, Alternate*
12

13 **Absent:** *None*
14

15 **Others Present:** *Board Secretary Kirsten Stickney, Attorney Jill Mann, John and Anna*
16 *DiPietro, and others*
17

18 **7:00PM Call to Order**

19 With a quorum present, Chair Paula Fitzsimmons called the meeting to order at
20 7:00PM.
21

22 Fitzsimmons would like to take the cases out of order and start with case #1021 first
23 because it should take the least amount of time.
24

25 • **Case #1021: 17 Georgetown Road**

26 **Applicant: Anthony Messina**
27

28 **Members Sitting:**

29 *Paula Lia Fitzsimmons, Chair*
30 *Ralph Nay, Clerk*
31 *Steve Merriam, Vice-Chair*
32 *David Valzania, Alternate*
33

34 The Clerk reads the Planning Board's recommendation.
35

36 Merriam would like the location of the access road to the garage to be confirmed
37 because looking at the property lines the pathway seems to go into the neighboring
38 property, 15 Georgetown Road.
39

40 Attorney Mann displays her plans showing the accurate property lines with the original
41 driveway for access to the house in 2004 which will be the access for the new garage
42 and it is within their property lines.
43

44 **MOTION** made by **Merriam** to close evidence for case #1021
45

46 Second by **Nay**

47
48 **Roll Call:** (Called by Board Secretary Kirsten Stickney)

49 **Nay:** Yes

50 **Merriam:** Yes

51 **Fitzsimmons:** Yes

52
53
54 The motion **CARRIED** a unanimous roll call vote.

55
56
57 **MOTION** made by **Merriam** that the ZBA grant a special permit to construct a barn on
58 an existing non-conforming lot under Article V, Section 196-6(B) of the Bylaw for case
59 1021, applicant Anthony Messina, for the property at 17 Georgetown Road in
60 accordance with the most recent plans submitted having found that the proposed
61 structure will not be substantially more detrimental to the neighborhood than the existing
62 nonconforming use subject to the following condition:

63 The current access path on the southern side of the lot shall not be used as driveway
64 access for the property. Use of the path shall be infrequent.

65 Second by **Nay**

66
67 **Roll Call:** (Called by Board Secretary Kirsten Stickney)

68 **Nay:** Yes

69 **Merriam:** Yes

70 **Fitzsimmons:** Yes

71
72
73 The motion **CARRIED** by a unanimous roll call vote.

74
75 **New Business:**

76
77 • **Case #1013: 39 Lily Pond Road**
78 **Applicants: Joseph and Anna DiPietro**

79
80 **Members Sitting:**

81 *Paula Lia Fitzsimmons, Chair*

82 *Ralph Nay, Clerk*

83 *Steve Merriam, Vice-Chair*

84 *David Valzania, Alternate*

85
86 Before discussion begins Fitzsimmons would like to talk with the Board about the issues
87 with the application. The first issue is that the notice was defective. She believes it
88 would be best for the applicant to republish to avoid any issues in the future. Second,
89 the application does not follow the steps for information that the Board requires in order
90 to render a decision. Fitzsimmons believes it would be best for the applicant to request
91 a withdrawal of his application without prejudice.

Fitzsimmons proposes to move their next meeting to the 29th.

Joseph DiPietro would like to withdraw his application #1023 without prejudice.

MOTION made by **Merriam** to allow the application to be withdrawn without prejudice.

Second by **Nay**

Roll Call: (Called by Board Secretary Kirsten Stickney)

Nay: Yes

Merriam: Yes

Fitzsimmons: Yes

The motion **CARRIED** by a unanimous roll call vote.

Continued Business:

- **Case #1020 and #1022 : Cole School and Spofford School**

Applicant: Town of Boxford

Members Sitting:

Paula Lia Fitzsimmons, Chair

Ralph Nay, Clerk

Steve Merriam, Vice-Chair

David Valzania, Alternate

There is a request from Steve Greenburg on behalf of Cole School and Spofford School for a continuation to July 29th.

MOTION made by **Merriam** to continue cases #1020 and #1022 to July 29th

Second by **Nay**

Roll Call: (Called by Board Secretary Kirsten Stickney)

Nay: Yes

Merriam: Yes

Fitzsimmons: Yes

The motion **CARRIED** by a unanimous roll call vote.

138 • **Case #1014: Willow Road**
139 **Applicant: Toll Brothers Inc.**

140
141 **Members Sitting:**

142 *Paula Lia Fitzsimmons, Chair*

143 *Ralph Nay, Clerk*

144 *Steve Merriam, Vice-Chair*

145 *David Valzania, Alternate*
146

147 Scott Cameron would like to continue case #1014 August 29th.

148
149 The Board would like the meeting to be July 29th instead.

150
151 **MOTION** made by **Merriam** to continue case #1014 to July 29th.

152
153 Second by **Nay**

154
155 **Roll Call:** (Called by Board Secretary Kirsten Stickney)

156 **Nay:** **Yes**

157 **Merriam:** **Yes**

158 **Fitzsimmons:** **Yes**
159

160
161 The motion **CARRIED** by a unanimous roll call vote.

162
163 **Other Business:**

164
165 **Meeting Minutes**

166 The Board would like to review the meeting minutes on July 15th instead.
167

168 **Adjourn**

169 With no further business, on a **MOTION** made by **Fitzsimmons**, second by **Nay**, the
170 Zoning Board of Appeals meeting of June 24, 2021 adjourned.
171

172 **Roll Call:** (Called by Board Secretary Kirsten Stickney)

173 **Nay:** **Yes**

174 **Merriam:** **Yes**

175 **Fitzsimmons:** **Yes**
176

177 Respectfully Submitted

178 *Sydney Thifault*
179
180
181