

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

November 18, 2021 7:00PM

Present:

Paula Lia Fitzsimmons, Chair

Ralph Nay, Clerk

Steve Merriam, Vice-Chair

David Valzania, Alternate

Absent: None

Others Present: *Brian O'Connor, Talia Cannistra, Ted Merchant, Scott Cameron, Shawn Nuckols, Greg Kokaroia, Carol Hubbard, Steve Clifford, and others.*

7:00PM Call to Order

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

7:00PM Continued Business

Chair Fitzsimmons decides to take the cases out of order and starts with case 1024 instead of case 1014 because case 1024 will not take as long as case 1014.

- **Case #1024: 39A Adams Road—Special Permit**
Applicant: Brian O'Connor

The applicant went before the Planning Board and got a letter of recommendation for the garage space they would like to add. Clerk Ralph Nay reads the letter to the Board. Chair Fitzsimmons asks if there is anything the board sees different than the Planning Board about the recommendation, they all say no.

Members Sitting

Paula Lia Fitzsimmons, Chair

Ralph Nay, Clerk

Steve Merriam, Vice Chair

David Valzania, Alternate

MOTION made by **Merriam**, to close evidence for case 1024.

Second by **Nay**.

Roll Call: (Called by Chair Paula Fitzsimmons)

Steve Merriam: Yes

Ralph Nay: Yes

Paula Fitzsimmons Yes

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

MOTION made by Merriam, to **grant** a special permit for garage space for more than three vehicles under Article V, Section 196-13(B)(11)(h) of the Bylaw for case 1024, applicant Brian O'Connor for the property at 39A Adams Road in accordance to the most recent plans submitted having found that the use is in harmony with the intent and purpose of the bylaw.

Second by **Nay**.

Roll Call: (Called by Chair Paula Fitzsimmons)

Steve Merriam: **Yes**

Ralph Nay: **Yes**

Paula Fitzsimmons **Yes**

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

- **Case #1014: Willow Road—Special Permit**
Applicant: Toll Brothers Inc.

Documents Submitted

Notice of Decision submitted by Chair Paula Lia Fitzsimmons

Chair Fitzsimmons sent out a draft for the applicant to review and make comments on. She also met with Building Inspector Bob Aldenberg and got comments from him as well. She does not see them finalizing a decision tonight but would like to review all together and make changes to the draft. They then begin looking at the draft of the decisions. The Board begins to discuss the roadway and whether it should be considered a driveway or not. Chair Fitzsimmons decides to talk to the town council before figuring out what to officially classify it as. They then begin listing the amenities such as a pool, clubhouse, and mail kiosk. They ask to see the architectural plans for any buildings that they have not seen yet like the mail kiosk. They then move on to the signs on the property and what to do with those permits and whether they need a special permit for those or not. They then go over the site plans along with the lighting. They discuss where lights will be placed and where they are in accordance with the signs.

The Board then begin discussing the conditions of the decisions. Chair Fitzsimmons talked to Building Inspector Aldenberg and he thinks they should have inspections and reports done together no matter how close together they are. The Board agrees to check with the DPW before making any decision on the timing of inspections and reports. The Board also would like to change the language of some of the conditions and the scheduling of things. They decide to make it so that the applicant can update the schedule as needed if things end up taking longer or shorter than originally planned, for things such as weather.

The Board then begins discussing what specific building permits would need to be pulled and when they would be pulled. The Board needs to discuss with Bob Aldenberg about these permits and what he believes the lot needs and what the lot doesn't need. They also

start discussing that the road needs to be in binder course before any building permits are pulled. They also begin talking about when the permits for the club house would be pulled. They ask the applicant why the permit would be pulled so late. The applicant said the reason for that is because they want people moved in before they begin constructing a clubhouse. The board doesn't like how late it would be constructed. The board changes the time when the clubhouse would begin to be constructed. They also decide to take out when construction would be finished just in case unprecedented things happen. The Board adds that all construction vehicles must stay on the lot and cannot be parked along the side of Willow Road. They also take out the selling period. The Board then begins discussing the size of the buildings like the wastewater treatment plant, clubhouse, and well house.

MOTION made by **Merriam**, to continue case 1014 to a date certain, December 16, 2021.

Second by **Nay**.

Roll Call: (Called by Chair Paula Fitzsimmons)

Steve Merriam: Yes

Ralph Nay: Yes

Paula Fitzsimmons Yes

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

- **Case #1020: Cole School, 26 Middleton Road —Special Permit**
Applicant: Town of Boxford

The Board decides to continue this case due to not having adequate information from the Conservation Commission.

MOTION made by **Merriam**, to continue case 1020 to a date certain, December 16, 2021.

Second by **Nay**.

Roll Call: (Called by Chair Paula Fitzsimmons)

Steve Merriam: Yes

Ralph Nay: Yes

Paula Fitzsimmons Yes

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

- **Case #1022: Spofford Pond School, 31 Spofford Road —Special Permit**
Applicant: Town of Boxford

The Board decides to continue this case due to not having adequate information from the Conservation Commission.

MOTION made by **Merriam**, to continue case 1020 to a date certain, December 16, 2021.

140 Second by **Nay**.

142 **Roll Call:** (Called by Chair Paula Fitzsimmons)

Steve Merriam: **Yes**

144 **Ralph Nay:** **Yes**

Paula Fitzsimmons **Yes**

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

148 **MOTION** made by **Merriam**, adjourn this meeting on November 18, 2021

150 Second by **Nay**.

152 **Roll Call:** (Called by Chair Paula Fitzsimmons)

154 **Steve Merriam:** **Yes**

Ralph Nay: **Yes**

156 **Paula Fitzsimmons** **Yes**

158 The motion **CARRIED** on a unanimous roll call vote.