

**Zoning Board of Appeals Minutes
January 19, 2021**

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MANSFIELD
PLANNING BOARD

MEETING HELD VIRTUALLY USING GOTOWEBINAR PLATFORM

Present: Elisabeth Garber-Miller, Chair; Darlene Pruitt, Clerk; Philip Shannon, Eric Correira, Associate Members Ryan Maxwell and Matthew List

The chair read the following notice:

Whereas both the Federal Centers for Disease Control and Prevention and the Massachusetts Department of Public Health have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19, Governor Baker has issued an order suspending certain provisions of the Open Meeting Law, Massachusetts General Law c. 30A, §20.

In order to satisfy the Open Meeting Law requirements, today's Town of Mansfield Planning Board meeting will available for to public via GoToWebinar and Mansfield Cable. The instructions for joining via GoToWebinar are in the Meeting Notice on the Town's Website at www.mansfieldma.com and then clicking on today's date on the calendar.

1. Zoning Board of Appeals Meeting called to order at 7:30 p.m.

Ms. Garber-Miller appointed Mr. List as a voting member for reorganization and minutes, and Mr. Maxwell as a voting member for the public hearings.

2. Reorganization

Motion: To reappoint Ms. Garber-Miller Chair (Shannon-Correira)

- Shannon – In favor
- Pruitt – In favor
- Correira - In favor
- Maxwell – In favor
- List – In favor
- Garber- Miller- In favor

Six (6) in favor. Zero (0) opposed. Zero (0) abstentions. PASSES

Motion: To reappoint Ms. Pruitt Clerk (Shannon-Correira)

- Shannon – In favor
- Pruitt – In favor
- Correira - In favor
- Maxwell – In favor
- List – In favor
- Garber- Miller- In favor

Six (6) in favor. Zero (0) opposed. Zero (0) abstentions. PASSES

3. Finding/Variance Public Hearing – 11 Summer Street – Side Yard Setback - Dube

The chair read the public hearing notice on the application of Paul Jodice/Jody Dube for a Finding/Variance from Zoning By-Law Sections 230-7.2B(4), Findings, for the change, extension, alteration or reconstruction of a pre-existing, non-conforming structure with a 9.4-foot sideyard setback where 15 feet is required at 11 Summer Street (Assessor's Map 23 Parcel 154) in the Residential 3 (R3) zone.

The following documents were introduced at the public hearing:

- Copy of public hearing notice, which ran in the [Mansfield] *Journal-News Independent* on January 1, 2021 and January 8, 2021;
- Application for Variance, filed with the Town Clerk's Office on December 18, 2020;
- "Proposed House Addition at No. 11 Summer Street Mansfield, MA" dated December 15, 2020, prepared by RIM Engineering Co., Inc.

Designer Paul Jodice explained the proposed small bathroom addition would square off the back of the pre-existing, non-conforming house, which has a 9.4-foot sideyard setback, and would not encroach into the sideyard setback more than the existing structure.

Board Comment

Mr. Shannon said he does not have a problem with the proposed addition.

Public Comment

The chair read the following statement:

It is important to us that you have a platform for your questions and comments during this meeting, therefore to ask questions or make a public comment during tonight's virtual meeting you must have registered and joined the meeting via GoToWebinar where you now have the ability to submit your question or comments through the questions option in your control panel, or you can use the raise your hand option to be allowed to speak.

*For those who have joined the meeting via telephone who would like to ask a question or make a comment, you are now welcome to unmute your phone. We ask that you only have your phone unmuted while you are asking your question. Please mute when you are no longer live. You can unmute your phone by pushing *6. Please then state your name and address, and when acknowledged by the Chairperson you can then state your question or comment. When you are done with your comment please mute your phone again by pushing *6.*

As with any public hearing we ask you to be respectful of the Board members and the other residents who are making their comments by patiently and quietly waiting your turn. Thank you.

There was no public comment.

Ms. Garber-Miller closed the public hearing.

Motion: That the request for a Finding at 11 Summer Street is an increase in the pre-existing, non-conforming condition. (Pruitt-Shannon)

Shannon – In favor

Pruitt – In favor

Correia - In favor

Maxwell – In favor

Garber- Miller- In favor

Five (5) in favor. Zero (0) opposed. Zero (0) abstentions. PASSES

Motion: That the increase in the pre-existing, non-conforming condition, in accordance with the "Proposed House Addition at No. 11 Summer Street Mansfield, MA" dated December 15, 2020,

prepared by RIM Engineering Co., Inc. is no more detrimental to the neighborhood than the current condition. (Pruitt-Shannon)

Shannon – In favor

Pruitt – In favor

Correira - In favor

Maxwell – In favor

Garber- Miller- In favor

Five (5) in favor. Zero (0) opposed. Zero (0) abstentions. PASSES

4. Finding/Variance Public Hearing – 131 Union Street – Side Yard Setback – Carroll/Bolin

The chair read the public hearing notice on the application of Erin Carroll and Jacob Bolin for a Finding/Variance from Zoning By-Law Sections 230-7.2B(4), Findings, for the change, extension, alteration or reconstruction of a pre-existing, non-conforming structure with a 12.1-foot sideyard setback where 15 feet is required at 131 Union Street (Assessor's Map 26 Parcel 69) in the Residential 3 (R3) zone.

The following documents were introduced at the public hearing:

- Copy of public hearing notice, which ran in the [Mansfield] *Journal-News Independent* on January 1, 2021 and January 8, 2021;
- Application for Variance, filed with the Town Clerk's Office on December 18, 2020;
- "Proposed House Addition at No. 131 Union Street Mansfield, MA" dated December 17, 2020, prepared by RIM Engineering Co., Inc.

Homeowner Jake Bolin and Craig Cygawnoski, RIM Engineering, were present. Mr. Cygawnoski explained the pre-existing, non-conforming house has a 10.1-foot sideyard setback and the proposed addition would be 12.1 feet off the property line. The existing room and deck off the back of the house will be removed for the 25'x25' addition. Mr. Cygawnoski said the proposed addition would not be any more detrimental to the neighborhood than the existing conditions.

Board Comment

Mr. Shannon asked if the addition is one or two stories; Mr. Bolin said it would be two stories.

Public Comment

The chair read the following statement:

It is important to us that you have a platform for your questions and comments during this meeting, therefore to ask questions or make a public comment during tonight's virtual meeting you must have registered and joined the meeting via GoToWebinar where you now have the ability to submit your question or comments through the questions option in your control panel, or you can use the raise your hand option to be allowed to speak.

*For those who have joined the meeting via telephone who would like to ask a question or make a comment, you are now welcome to unmute your phone. We ask that you only have your phone unmuted while you are asking your question. Please mute when you are no longer live. You can unmute your phone by pushing *6. Please then state your name and address, and when acknowledge by the Chairperson you can then state your question or comment. When you are done with your comment please mute your phone again by pushing *6.*

As with any public hearing we ask you to be respectful of the Board members and the other residents who are making their comments by patiently and quietly waiting your turn. Thank you.

Ms. Garber-Miller closed the public hearing.

Motion: That the request for a Finding at 131 Union Street is an increase in the pre-existing, non-conforming condition. (Pruitt-Shannon)

Shannon – In favor

Pruitt – In favor

Correira - In favor

Maxwell – In favor

Garber- Miller- In favor

Five (5) in favor. Zero (0) opposed. Zero (0) abstentions. PASSES

Motion: That the increase in the pre-existing, non-conforming condition, in accordance with the “Proposed House Addition at No. 131 Union Street Mansfield, MA” dated December 17, 2020, prepared by RIM Engineering Co., Inc. is no more detrimental to the neighborhood than the current condition. (Pruitt-Shannon)

Shannon – In favor

Pruitt – In favor

Correira - In favor

Maxwell – In favor

Garber- Miller- In favor

Five (5) in favor. Zero (0) opposed. Zero (0) abstentions. PASSES

5. Correspondence and Minutes

1. January 13, 2021 letter from Bill Clemmey, Foundry, LLC re: Request for Extension of Variances for 4, 6, 8 West Church Street; 15 High Street; 206-214 North Main Street (expires February 3, 2021)

Motion: To grant a six (6)-month extension of the Variances for 4, 6, 8 West Church Street/15 High Street/206-214 North Main Street (Shannon-Pruitt)

Shannon – In favor

Pruitt – In favor

Correira - In favor

Maxwell – In favor

Garber- Miller- In favor

Five (5) in favor. Zero (0) opposed. Zero (0) abstentions. PASSES

2. September 15, 2020 minutes

Motion: To approve the September 15, 2020 minutes as submitted (Pruitt-Shannon)

Shannon–In favor

Pruitt- In favor

Maxwell – In favor

Correira –In favor

List – In favor

Garber- Miller- In favor

Six (6) in favor. Zero (0) opposed. Zero (0) abstentions. PASSES

3. December 8, 2020 minutes

Motion: To approve the December 8, 2020 minutes as submitted (Pruitt-Shannon)

Shannon–In favor

Pruitt- In favor

Correira –In favor

Maxwell – In favor

List – In favor

Garber- Miller- In favor

Six (6) in favor. Zero (0) opposed. Zero (0) abstentions. PASSES

4. Adjournment

Motion: To adjourn at 8:00 p.m. (Shannon-Pruitt)

Shannon–In favor

Pruitt- In favor

Maxwell – In favor.

Correira –In favor

List – In favor

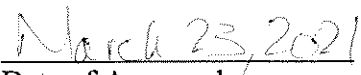
Garber-Miller- In favor

Six (6) in favor. Zero (0) opposed. Zero (0) abstentions. PASSES

Next Zoning Board of Appeals Meeting: March 23, 2021 at 7:30 p.m.



Signature of Clerk



Date of Approval