



Halifax Zoning Board of Appeals

Meeting Minutes

April 10, 2023

The Halifax Zoning Board of Appeals held a public meeting/hearing on Monday, April 10, 2023, in the Board of Selectmen's Meeting Room at Halifax Town Hall, 499 Plymouth Street, Halifax, MA with the following Board members in attendance: Vice Chairman - Kozhaya Nessralla, Members – Gerald Joy, Robert Durgin, and Tina Kenyon; Clerk - Peter Parcellin; Associate Member – Marline Amedee

https://youtu.be/ogrl4Y_v6rc

Vice-Chair Kozhaya Nessralla calls the meeting to order at 7:00pm and informs the audience that this meeting is being recorded. Nessralla then recuses himself and Parcellin takes over the meeting.

Appointments

- 7:00pm – Hearing – Petition #987 – Kozhaya Nessralla, 416 Plymouth Street – Special Permit open-air business and agricultural use for green house in a Business Zone (**Filed: 2/21/23**)

Nessralla is looking to relocate his business that was previously at 314 Plymouth Street. The hours of operation will be 8AM – 6PM. The only difference from the previous location to the new location will be a temporary greenhouse. He will be using the existing entrance and exit to the Plaza. There is preexisting parking that is designated for the location including handicap parking. Parcellin makes a motion to accept petition #987 as presented.

Amedee seconds.

All in Favor (5-0-0)

- 7:10pm – Hearing – Petition #988- Scott Clawson, 21 Plymouth Street – Special Permit for In-Law Addition (**Filed: 3/8/23**)

Clawson is looking to add an in-law addition to his existing home at 21 Plymouth Street for his daughter's family to help manage the family business. The in-law will not be used for income or producing apartments. They will be sharing sewer, electrical and water utilities. Durgin makes a motion to waive the on-site inspection. Parcellin seconds. All in Favor (5-0-0)

Parcellin makes a motion to accept petition #988 as presented.

Amedee seconds.

All in Favor (5-0-0)

- 7:20pm – Hearing (Continued) – Petition #982 – R&J LLC, 0, 314 Plymouth Street – Special Permit for Light industrial/storage in Business Zone (**Filed: 9/12/22**)

Applicant is looking for a special permit to have storage in a business zone. The buildings will be located off the road and the closest building will be 400ft away. All the buildings will be painted New England Barn Red. The water maintenance is a big concern, and the board wants to make sure Mrs. Alger is satisfied with the conditions that are presented to her. The driveway to the project lines up with the traffic light located on RT106. There is a curb opening on the driveway that will connect to the proposed project on the abutting parcel. There will be arborvitaes placed along the lot line to block the view of the 2-story building from the Alger residence. There will be no outside storage on the property. The storage facility is on the smaller side compared to other facilities that are developed.

Durgin makes a motion to waive the site visit. Kenyon seconds. All in Favor (5-0-0)

Parcellin makes a motion to accept petition #982 with specific conditions.

Specific conditions: No outside storage, architectural storage on all the buildings, everything is according to updated plans on January 20th, 2023, pending approval from Planning Board, Conservation Commission, and easement from Alger residence, and planting of arborvitaes in front of the 2-story building.

Kenyon seconds.

All in Favor (5-0-0)

- 7:30pm – Hearing (Continued)– Petition #984 – James Rodriguez, 9 Lake St – Special Permit & Variance to raze and rebuild home (Filed 11/23/22)

Rodriguez is presenting a modified plan where he is no longer asking for a variance and just asking for a special permit. The setbacks of the proposed dwelling are greater than the existing dwelling setbacks. The rear set back was at 1.4 feet and is now 2.5 feet the side setback was at 5.3 feet and is now 5.6 feet. One bedroom home with office upstairs. The Board discusses if they are able to grant a special permit for raising a roof height or if it is against the By-Laws. The newly proposed height of the dwelling would be 21 feet from the foundation to the peak of the roof. The Board is seeking advice from Town Council to see if they are able to grant a special permit for the height of the roof. Rodriguez requests a continuance until The Board meets with town council to discuss the change in the height of the roof.

Parcellin makes a motion to accept the request to continue Petition #984 until May 1st and to reach out to Town Council on whether or not they can approve a special permit for a restoration for an additional second storage.

Kenyon seconds.

All in Favor (5-0-0)

- 7:40pm – Hearing (Continued) – Petition #986 – Deangele Duarte, 359 Plymouth Street – Special Permit Contractor Storage and Office Space (Filed 1/19/23)

The applicants came back with revised plans from the recommendations they received from the last meeting. They added some awnings, doors, and fences to help fit the look of the town. The Board discusses the main purpose of the building. The materials are for business use only, and they will not be sold to customers. The applicant explains the layout of the building and how they will keep the light industrial portions hidden from view. They are also keeping the potential detrimental offensive materials at bay with the layout they presented. Residents speak their concern regarding the storage of porta potties and how they do not want them stored on the property. The owner states porta potties are stored at another location.

Durgin makes a motion to waive the onsite inspection.

Kenyon seconds

All in Favor (5-0-0)

The Board continues the hearing until the next meeting. The applicant is going to condition the project to fit what the Board is looking for.

Kenyon makes a motion to continue the hearing until May 1st.

Durgin seconds.

All in Favor (5-0-0).

- 7:50pm – Hearing – Petition #989 – Robert & Laura Doleski, 30 Orchard Circle – Special Permit for In-Law Addition (Filed: 3/20/23)

Applicant is seeking a special permit for an in-law addition at their existing home at 30 Orchard Circle. The addition will be for Laura's parents so that they can live with her and her family while they get older. They went in front of the Conservation Commission for an Order of Conditions since they are close to the wetlands. They are adding a bedroom and will be updating the septic system. They will be sharing the current utilities. A neighbor was concerned with the runoff with the new construction and wants to know where the rainwater will go. The Board states that the residents should talk to the Conservation Commission about the water runoff.

The Board discusses a site walk of the property to see where the addition we be located on the property.

Durgin makes a motion for a site walk on Saturday 4/29/23 at 9am.

Kenyon seconds.

All in Favor (5-0-0)

Parcellin makes a motion to continue the hearing until May 1st at 7:15PM.

Durgin Seconds.

All in Favor (5-0-0)

- 8:00pm – Hearing – Petition #990- Roy Keene, 312 Wood Street – Variance Detached Garage (Filed: 3/20/23)

The applicant wants to put a detached garage at the end of his driveway. As for the way the property runs, there is nowhere else for the applicant to put the garage. The septic is located on the right side of the house and the proposed garage will be on the left side of the house. The board discusses a site walk to see the property and determine if there is a hardship for the location of the garage.

Durgin makes a motion for a site walk on Saturday 4/29/23 at 9:30am.

Kenyon seconds.

All in Favor (5-0-0)

Parcellin makes a motion to continue the hearing until May 1st at 7:20PM.

Durgin Seconds.

All in Favor (5-0-0)

Meeting Minutes

- December 12, 2022
 - The Board approved the minutes.
- February 13, 2023
 - The Board approved the minutes.

Bills

- Plympton-Halifax Express – Pet #987 - #990 Advertisement #11877 = \$360.00
 - The Board paid the bill.
- W.B. Mason – Invoice #237158974 – Office Supplies = \$32.82
 - The Board paid the bill.

Correspondence

- 3/24/23 – Memo and site plans from Planning Board – 314 Plymouth Street / Mixed Use Development – Comments
 - No comments from The Board
- 3/28/23 – Memo from Conservation Commission- 21 Plymouth St & 416 Plymouth St – meet with ConCom to discuss projects.
 - No comments from The Board

Adjournment

- M/Kenyon, S/Parcellin. Unanimously approved (5-0-0) to adjourn at 10:10pm with all in favor. (Voice Vote: Durgin – Yes; Parcellin – Yes; Joy – Yes; Kenyon – Yes; Nessralla – Yes)

DOCUMENTS

1. Agenda for 2/13/2023
2. Application Packet - Petition #987
3. Application Packet - Petition #988
4. Application Packet - Petition #982
5. Application Packet - Petition #984
6. Application Packet - Petition #986
7. Application Packet - Petition #989
8. Application Packet - Petition #990
9. Meeting Minutes 12/12/22
10. Meeting Minutes 2/13/23
11. Expense Bill Schedule Plympton-Halifax Express – Pet #987 - #990
12. Expense Bill Schedule W.B. Mason – Invoice #237158974
13. 3/24/23 – Memo and site plans from Planning Board – 314 Plymouth Street / Mixed Use Development – Comments
14. 3/28/23 – Memo from Conservation Commission- 21 Plymouth St & 416 Plymouth St – meet with ConCom to discuss projects.

Respectfully submitted,



Date: 5/12/2023

Vice-Chairman, Kozhaya Nessralla
Halifax Zoning Board of Appeals