

**Zoning Board of Appeals Minutes
April 11, 2018**

Attendees:

Present: Anthony Aveni, Chairman; Gerry Chipman, Member; Brian Heath, Member; Michael Mainvielle, Member; and Anna Klimas, Associate Member

490 and 448/486 Main Street – Appeal of Building Inspector’s Decision

Mr. Anthony Aveni, Chairman, opened the continued hearing from the March 14, 2018 meeting, and read into the record a letter dated April 9, 2018 from Silva Engineering Associates. It stated the following:

“Re: 484/486 & 490 Main Street

Dear Board Members,

On behalf of our client, Silva Engineering Associates (SEA) would like to request to withdraw without prejudice the variance submittal for the above referenced location. If you have any questions, please feel free to contact me. Sincerely, Lawrence P. Silva, P.E., S.E. President”

Mr. Brian Heath, Member, made a motion to accept the applicant’s withdrawal without prejudice request. Mr. Gerald Chipman, Member, seconded the motion. All in favor, none opposed.

Zoning Board of Appeals Business

Review of Minor Modification Request for Residence at Lakeshore aka AXIS

Mr. Anthony Aveni, Chairman, opened the continued hearing from the March 14, 2018 meeting. The Board, Rebecca Baptista from Silva Engineering, and Steve Ventresca from Nitsch Engineering discussed in detail the peer review findings as outlined in a letter from Nitsch Engineering dated April 10, 2018; and subsequent response letter dated April 11, 2018 from Silva Engineering.

Mr. Brian Heath, Member, made a motion to accept the proposed garages as a minor modification to the existing Residence at Lakeshore 40B project. Mr. Gerald Chipman, Member, seconded the motion. VOTE: All in favor, none opposed.

Review of Scrivener's Error on 0 Plymouth Street, Map 24, Parcel 50 and 51 Decision Letter

A letter dated April 3, 2018 from Peter L. Freeman, Attorney from Freeman Law Group LLC to the Zoning Board of Appeals reviewed by the Board and read into the record. It stated the following: "On behalf of my client, Claremont Lakeside Bridgewater LLC, I am writing to request that the Zoning Board of Appeals (the "Board") correct a scrivener's error in the written "Record, Decision and Comprehensive Permit, Claremont Lakeside Bridgewater LLC — VIVA Bridgewater" (the "Decision") granted by the Board on February 28, 2018. In preparing this Decision, a typographical error was made regarding the number of units in the first line of Page 2. The Decision states, ". . . . one building of 202 units and one building of **198 units** . . ." which is incorrect (**emphasis added**). It should state, ". . . . one building of 202 units and one building of **98 units** . . ." As the VIVA Bridgewater project as applied for and presented to the Board during the course of the hearings was for a total of three hundred (300) units, this is clearly a scrivener's error. See Condition A.1. "The total number of dwelling units that may be constructed at the Subject Property shall be limited to a maximum of three hundred (300) dwelling units, as shown on the Plans of Record." As this is a matter of simply correcting an inadvertent clerical error and does not involve any substantive or discretionary matters on the part of the Board, a public hearing is not required. It is an administrative matter, and as such, we would request that you approve the correction of this scrivener's error to accurately reflect the number of units (a total of 300 units) granted under this Decision by the Board. Thank you."

Mr. Brian Heath, Member, made a motion to correct 198 units to reflect 98 units in the first sentence at the top of the second page of the VIVA 40B Decision letter dated March 9, 2018. Mr. Gerald Chipman, Member, seconded the motion. VOTE: All in favor, none opposed.

Mr. Brian Heath, Member, made a motion to adjourn the regular meeting at 7:23pm. Mr. Gerald Chipman, Member, seconded the motion. VOTE: All in favor, none opposed. Chairman Anthony Aveni closed the meeting. Next Zoning Board of Appeals meeting will be held on April 25, 2018 at 7:00pm in the Council Chambers located on the second floor of the Municipal Office Building, 66 Central Square, Bridgewater.

Respectfully submitted,



Jane K. Brown
Administrative Assistant