

**Zoning Board of Appeals Minutes  
July 26, 2017**

**Attendees:**

Present: Andre Bissonnette, Chairman; Anthony Aveni, Member; Gerry Chipman, Associate Member, and Brian Heath, Member

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**70 Lilac Lane – Variance, Section 8.40**

Mr. Andre Bissonnette, Chairman, opened the public hearing on application by filed by Mr. Andrew Gunnison, 853 Locust Street, Raynham, MA 02767, who sought a 4.3' variance from the required 20' side setback requirement under Sections 8.40 of the Bridgewater Zoning By-laws. The applicant proposed to construct a 20' x 24' addition onto an existing dwelling. Said property is owned by Mr. Robert and Amanda McCarthy and is located at 70 Lilac Lane, Bridgewater, MA as shown on Assessor's Map 26, Parcel 84. Area is zone Residential A/B.

Notice of the hearing was mailed to all abutters and parties of interest as required by statute and was published in *The Enterprise* on July 12, 2017 and July 19, 2017. Notice was also posted on the Town Hall bulletin board and a copy was given to the Town Clerk. Mr. Andre Bissonnette, Chairman, opened the hearing with a reading of the public notice and the following information was given:

1. The application was filed with the Town Clerk on June 9, 2017.
2. The abutter's listing is public record, therefore, Anthony Aveni, Member, motioned to waive the reading of the abutters list and Brian Heath, Member, second the motion. The vote was unanimous.
3. A letter dated June 8, 2017 from Steven R. Solari, Building Commissioner/Zoning Enforcement Officer to Mr. Andrew Gunnison, 853 Locust Street, Raynham, MA was reviewed by the Board and read into the record. It stated the following: *"Based on the proposed site plan and the location of the addition, you will need to apply for a Variance with the Zoning Board of Appeals for relief from side yard setback. The property is located in the R A/B District and requires 20 ft. side yard setback. The proposed addition is only 15ft. 9inches from side lot line. You will need to seek relief of 4ft. 3inches. Applicable section of bylaw: Section 8 Land Space Requirements. If you have any questions please contact my office."*
4. Mr. Andrew Gunnison, Contractor, representing the applicant made a presentation to the Board reviewing the project in detail as depicted on the engineered plans presented dated March 22, 2017 entitled *"Variance Plan of Land on 70 Lilac Lane in Bridgewater, Massachusetts"* as prepared by Professional Land Survey Associates, 25R Central Street, East Bridgewater, MA and presented to the Board for review. Mr. Gunnison stated that the topography and the location of the wetlands create a hardship to the land, and provided a Google Earth image for the Board's review.
5. A letter dated July 24, 2017 from Suzanne and John Krikonan, 80 Lilac Lane to the Zoning Board of Appeals was reviewed by the Board and read into the record. It stated the following: *"In regards to the addition proposed for 70 Lilac Lane, Bridgewater, MA. We are in support of a variance. We do not oppose proposed addition. Direct abutter of proposed addition."*
6. A letter dated July 24, 2017 from Brett DeSimone, 10 Lilac Lane to the Zoning Board of Appeals was reviewed by the Board and read into the record. It stated the following: *"In regards to the addition proposed for 70 Lilac Lane, Bridgewater, MA. We are in support of a variance. We do not oppose proposed addition. Direct abutter of proposed addition."*

The Board reviewed and discussed all the facts as presented by the applicant and there were no further comments or concerns. The hearing was closed. Mr. Anthony Aveni, Member, made a motion to approve the variance of 4.3' from the required 20' side setback requirement under Section 8.40 of the Bridgewater Zoning By-laws. Brian Heath, Associate Member, seconded the motion. The vote was recorded as follows: Andre Bissonnette, Chairman – in the affirmative; Anthony Aveni, Member – in the affirmative; Brian Heath, Associate Member – in the affirmative. The reasons for granting the variance were: 1) the topography of the existing lot and the location of the wetlands create a hardship to the land, 2) The proposed addition would be in harmony with the general purposes and intent of the bylaw, and 3) the proposed use does not derogate from the intent of the by-law.

### **Curve Street, Duxburrow Estates 40B**

**Mr. Michael Mainvielle, Member, a direct abutter to this project recused himself from sitting and participating as a Board member.**

Mr. Andre Bissonnette, Chairman, opened the continued hearing and asked the applicant to give an overview of the project for the benefit of the new sitting member Gerald Chipman, Associate Member.

Mr. Rami Itani stated that the Duxburrow Estates 40B project is a proposed 150 single family home subdivision. The homes will range from 1650-2700 square feet of living space, on a 10,000 sq. ft lots. Mr. Itani stated that some of the concerns raised by neighbors were traffic, drainage and the density. In response, Silva Engineering redeveloped the layout of the subdivision to create more open space, and they are working on finalizing the drainage for the site and detailed plans. Mr. Silva stated that they did some additional surveying and more evaluations to address some of the drainage concerns, and have incorporated some improvements in the design to mitigate some of the existing problems. Mr. Silva explained in detail the laws governing stormwater management. Mr. Silva stated that the all the drainage for the project doesn't flow towards the neighbors, but rather towards the south of the project and there is no component to the project that would be direct towards any of the neighboring properties. Mr. Silva explained in detail all the open space areas in the subdivision layout. Once the engineered plans are updated, the project will be peer reviewed by Stantec.

Mr. Lawrence Silva from Silva Engineering Associates informed the Board that they are working with the Water and Sewer Department regarding capacity and a sewer extension line. Mr. Silva explained in detail the proposed extension, the water line and how it would connect and communicate with the water pump stations.

Rodney Larcom, abutter residing at 50 Curve Street, addressed the Board and applicant regarding drainage issues. Mr. Silva explained how the topography is examined and the drainage is determined.

Mary Dahlgren, 190 Auburn Street, expressed her concerns regarding drainage and the wetlands. Mr. Silva addressed her concerns.

William Harding, abutter residing at 215 Curve Street, who will be living near a proposed drainage basin, expressed his concerns regarding that part of the proposed subdivision. Mr. Silva explained the location of the drainage basins in that section of the subdivision, and how it will work in relation to the topography.

Shirley Krasinski, 510 Auburn Street, expressed her concerns regarding the maintenance of the open space and snow removal. Mr. Rami Itani stated that the Homeowner's Association will be responsible for maintaining the open space and the snow removal. The budget for the homeowner's associates was discussed in detail. Mr. Rami Itani stated that approximately \$225 annual fee should be adequate to maintain the subdivision. Mr. Itani stated that the fee could potentially go down if the Town accepts the roadways. Mr. Andre Bissonnette stated that the roadways will be built to the Town standards in the anticipation of the roadways being accepted by the town at some point. The Town Council would be responsible for making the decision of whether or not roadways are accepted by the town.

Mr. Michael Mainvielle, an abutter residing at 25 Curve Street, acting on his own behalf, asked several questions regarding the off-site improvement plans. Ms. Karen Peabody, abutter residing at 5 Curve Street expressed her concerns regarding the traffic flow and reconstruction of Curve Street. Ms. Erin Camara, abutter residing at 525 Curve Street, asked if a sidewalk could be placed on both sides of the street. Mr. Larry Silva discussed in detail the proposed infrastructure for Curve Street including the placement of sidewalks and roadway changes, as well as the water lines and sewer lines, and gas lines were discussed in detail. Mr. Andre Bissonnette, Chair, stated a discussion between the neighborhood and the applicant will need to take place in regards to sidewalks, and what trees to keep. Silva Engineering stated that every effort will be put towards saving trees while considering sidewalks and widening the road.

Mr. Silva noted that the applicant intends on filing with the Conservation Commission for Bordering Vegetative Wetlands jurisdictional review.

Mr. Andre Bissonnette, Chair, summarized the meeting. The applicant and Stantec will meet to review the project. The traffic review will be discussed at the next scheduled meeting.

Mr. Anthony Aveni, Member, made a motion to continue the hearing to September 27, 2017. Mr. Brian Heath, Member, seconded the motion. VOTE: All in favor, none opposed.

### **Zoning Board of Appeals Business**

The Zoning Board of Appeals voted unanimously to be organized, effective immediately, as the following:

- Anthony Aveni, Chairman
- Andre J. Bissonnette, Member
- Brian Heath, Member
- Michael Mainvielle, Member
- Gerald Chipman, Associate Member

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Mr. Anthony Aveni, Member, made a motion to adjourn the regular meeting at 9:30pm. Mr. Brian Heath, Member, seconded the motion. VOTE: All in favor, none opposed. Chairman Andre Bissonnette closed the meeting. Next Zoning Board of Appeals meeting will be held on August 9, 2017 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 Clerk