

**Zoning Board of Appeals Minutes
March 22, 2017**

Attendees:

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

20 Country Club Drive – Variance, Section 2.96

Mr. Andre Bissonnette, Chairman, opened the hearing by way of reading the public hearing notice into the record to review an application filed by Jeffrey Ingargiola, 20 Country Club Drive, Bridgewater, who sought to construct a two-car garage with an in-law apartment with 900 square feet of living space. A variance of 300 square feet from the allowable 600 square feet of living space under Section 2.96 of the Bridgewater Zoning Bylaws is requested. Said property is owned by Jeffrey and Amanda Ingargiola and is located at 20 Country Club Drive, Bridgewater, MA as shown on Assessor's Map 108, Parcel 46. Area is zoned Residential A/B. The following information was given:

1. The application was filed with the Town Clerk on February 28, 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, Associate Member, second the motion. The vote was unanimous.
3. The Board reviewed a letter dated February 22, 2017 from David R. Moore, Interim Building Commissioner/Zoning Enforcement Officer to Jeff Ingargiola, 20 Country Club Drive, Bridgewater. It stated the following:
"I have reviewed your plan for a proposed 30'x30' addition to your home. The finished space on the second floor appears to meet all of the requirements per 780 CNIR. Mass. State Building Code, Chapter 2, Definitions, for a dwelling unit. A dwelling unit can be classified as Expanded Living Space under Section 2.93 of the definitions section of the Town Zoning Bylaws. In order to do so it is limited to 600 square feet. Your proposal is for 900 square feet. Therefore, you must seek a variance from Section 2.93 to allow for the additional living space. You have 30 days from the receipt of this decision to appeal it to the Zoning Board of Appeals or you may directly seek a variance from the regulations at any time. If you have any further questions please contact my office."
4. Mr. Jeff Ingargiola, explained the proposed project as depicted on the engineered plans presented, entitled "Plot Plan for Jeffrey Ingargiola, 20 Country Club Drive, Bridgewater, MA" as prepared by James M. Larking, Larkin Designs and Consulting LLC, 852 Route 12, Westmoreland, NH 03467 and presented to the Board for review. Mr. Ingargiola also provided a letter dated March 22, 2017 outlining his need for the variance. It stated the following:
"My name is Jeffrey Ingargiola and I reside at 20 Country Club Dr. I am here tonight to ask for your consideration for a variance for the in-law apartment that my family wants to add on to my home. Our plans that are attached are for 900 square feet. I understand that the bylaw is for 600 square feet however, we are planning on being here for the foreseeable future and that includes my mother. One of the reasons for the variance request is that she will be staying with us while she grows old and we are trying to let her maintain her independence for as long as possible. Part of her maintaining her independence would be her having a kitchen to provide herself meals. Also, my mother offered to live here partly to assist with the care of my son who has a disability. My family and I are trying to accommodate my mother's needs as we both begin this next step together. I have spoken to my neighbors about the addition and they have no issues with the size. This is a wonderful neighborhood to raise a family in and we think this request would not be a detriment to the community. We hope as you consider our request you will have a better understanding of our family's situation and needs. Thank you for your time as you review the plans provided."
5. Ms. Karen Eagles, an abutter residing at 525 Pine Street, spoke in support of the proposed project.
6. The Board reviewed and discussed the facts as presented, along with the plans depicting the proposed addition, and determined that there were facts to support that the request would be without substantial detriment to the public good and there would be no substantial derogation from the intent and purpose of the zoning by-law; however there were no facts to support that there is a hardship to the land.
7. The Board stated that if the garage size was decreased to 30x28 then a variance would not be required.

8. Mr. Steve Solari, Building Inspector and Zoning Enforcement Officer, reviewed the plans and agreed with the Board regarding making the garage smaller to eliminate the need for a variance, and told Mr. Ingargiola that he would work with him to make sure you don't need anything."
9. Mr. Ingargiola agreed that he would reduce the size of the proposed garage to 30x28 and requested to withdraw his application for a variance without prejudice.
10. Mr. Anthony Aveni, Member, made a motion to accept the applicants request to withdraw his application without prejudice. Brian Heath, Associate Member, seconded the motion. VOTE: All in favor, none opposed.

Zoning Board of Appeals Business

37 Bolton Place – Modification to a Special Permit

The Zoning Board of Appeals reviewed engineered plans dated March 22, 2017 entitled "*Board of Appeals Special Permit Modification plan in Bridgewater, MA (Plymouth County), 37 Bolton Place, Map 2, Lot 18*" prepared for Thomas J. Pratti, 39 Bolton Place, Bridgewater, MA as prepared by E.T. Engineering Enterprises, Inc. 481 Bedford Street, Bridgewater, MA as it related to the modification request outlined in a letter dated March 10, 2017 from Thomas and Lisa Marie Pratti, 39 Bolton Place, Bridgewater. It stated the following:

"I came before you back in January of 2016 for zoning relief to raze an existing home located at 37 Bolton Place and relocate a new home on the property which also cured a number of zoning setback deficiencies. I am before you today seeking a minor modification to this approved plan. Currently the plan shows the home situated with a 44' front set back and a 52' rear set back. I have moved the foundation back 10' to solve an issue that arose during pre-construction meetings. Because of a high water table issue, the foundation will be 5+ feet above current grade, with the land sloping down from rear of the property to the street. With the approved placement of the home, I would only have about 40' to slope 3+ feet of fill to the street, I have moved it back in order to have 50' which give me a much gentler grade change to the street. Even with this move I will still be in compliance with all setback requirements. I ask you to vote and approve a minor modification to the plan. Respectfully, Thomas & Lisa Marie Pratti, 39 Bolton Place, Bridgewater, MA 02324"

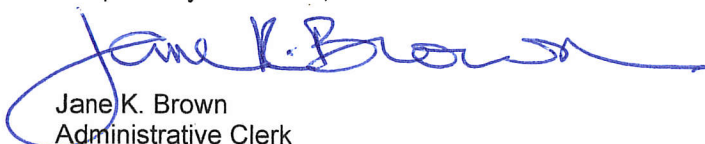
Mr. Anthony Aveni, Member, made a motion to accept the modification as presented and accept the plan as the plan of record. Mr. Brian Heath, Associate Member, seconded the motion. VOTE: All in favor, none opposed.

Apiary Estates 40B – Regulatory Agreement

Attorney Robert Kraus presented to the Zoning Board of Appeals a copy of the Apiary Estates Homeowners Association articles and bylaws and the Conflict Provision from Michael Busby from Mass Housing as requested by the Board at the February 22, 2017 meeting for their review. The Board reviewed the materials as presented and Mr. Anthony Aveni, Member, made a motion to sign the Acknowledgement of the Regulatory Agreement for the Apiary Estates 40B project. Mr. Brian Heath, Associate Member, seconded the motion. VOTE: All in favor, none opposed. Mr. Andre Bissonnette, Chairman, signed the document.

Anthony Aveni, Member, made a motion to adjourn the regular meeting at 9:00pm. Mr. Brian Health, 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 April 12, 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