

Zoning Board of Appeals-Town of Wales, Massachusetts

Open Meeting Minutes, Monday January 10, 2022

Wales Town Offices

3 Hollow Rd. Wales Massachusetts 01081

Members Present: Committee Member: Joel Jette (**JJ**), Committee Member: Nate Collins (**NC**), Committee Member: Adam Brassard (**AB**), Alternate Committee Member: Ed Boyce, ZBA Clerk- Sarah Ryan (**SR**)

Others Present: Frank & Dorothy LaRosa (Applicants)

JJ made a motion to open the meeting at 6:00 PM.

**** Agenda Item: Review the Application of 7 Cordially Colony - Frank & Dorothy LaRosa**

Board Members begin discussing the application. The board reviews why the building permit was rejected.

Wales Zoning Bylaw -5.0.2 - Lot Size and Frontage Requirements

5.0.2.1

Buildings other than dwellings. Any building or structure hereafter erected shall be located on a lot having not less than the minimum requirements set forth in Table 5.1. No existing lot shall be changed as to size or shape so as to result in the violation of the requirements set forth in Table

5.1.

No parcel is considered a buildable lot unless at least 90% of the minimum lot size requirement is comprised of contiguous upland and excludes from this build able portion any body of water, including water courses, or any bog swamp, wet meadow, or marsh as defined in M.G.L. Chapter 131 Section 40. (See Section 6.2 of this bylaw.)

The Board reviews the plans submitted by the applicant. Specifically, the applicant wishes to construct a 26 X 22' garage.

The clerk informs the board members that the Board of Health had no issues with the plans submitted. The applicant had filed a Notice of Intent (on 8/19/21) with the Conservation Commission, a public hearing was held on 11/18/21 which resulted in Order of Conditions issued on 11/24/21 for this project.

The board members feel that Mr. LaRosa explained how this project meets the requirements of a permitted variance. The board refers to the precedent set by an abutting property on Cordially Colony, Mr. LaRosa's project is significantly smaller than a project on the same way previously

approved by this board. The board does not feel that this addition is a detriment to the town and after all abutters were notified, there is no one who came forward to aggrieve this proposed project.

Although the board is in agreeance to approve this project, this decision is not setting precedent for similar projects in this area. The ZBA would also like it noted that the premature construction of a concrete slab is something that the board frowns upon, they advise the applicant that in the future, unless given permission, no construction can begin until after approval of a special permit/variance and the 20-day appeal period has lapsed.

JJ makes a motion to accept and approve the plans for 7 Cordially Colony. as presented, **AB** Seconded that motion, no discussion, all in favor.

Once the decision letter is drafted by the ZBA Clerk, the board members will sign and submit to Town Clerk. The Town Clerk will time stamp the decision letter, there is a 20 day wait period, after the 20 days wait period Mr. LaRosa will receive the official decision letter, it will need to be recorded at the Registry of Deeds and then Mr. LaRosa can apply for a building permit with the Building Inspector.

JJ makes a motion to close the public hearing for 7 Cordially Colony, **AB** Seconded that motion, no discussion, all in favor.

JJ makes a motion to accept the minutes of 9/20/21, **NC** seconded that motion, no discussion, all in favor.

JJ made a motion to adjourn at 6:22 PM.