

approved
4/30/19

CARVER ZONING BOARD OF APPEALS

MEETING MINUTES

March 26, 2019

Room 4 @ 7 PM

Present: Chairman Stephen G. Gray; Vice-Chairman Sharon Clarke; Members Eric Mueller, Fran Mello and Alternate Member Alan Germain

Absent: Member Robert Burr

As no recording secretary was present, Minutes were taken by Vice-Chairman Sharon Clarke.

Chairman Gray opened the meeting at 7:05 PM.

The Minutes of the meeting of February 26, 2019 were reviewed.

Alan Germain corrected the spelling of his last name. Thereafter, he made a motion to accept the Minutes as corrected. Eric Mueller seconded. Voted and passed unanimously, 5-0.

Mr. Gray, in his capacity as Chairman, elected to take Case 1-18, 14 Andrews Point Road, out of order according to the published Agenda.

Chairman Gray read the public notice into the record.

A letter dated March 26, 2019 was received from the Law Firm of Serkey and Kelman, which represents Jeffrey Merritt and Joseph Bazzinotti, in which a continuance was requested as Attorney Serkey was unavailable. Attorney Edward Angley, representing the Petitioner, The Thomas J. Cappranella Family Trust, and Thomas J. Cappranella, were present. Attorney Angley consented to the request for a continuance on behalf of his client.

Vice Chairman Sharon Clarke made a Motion to continue the Hearing to April 30, 2019. Eric Mueller duly seconded. Voted and passed unanimously, 5-0.

Vice Chairman Clarke advised the interested parties that they would not receive additional notice of the Hearing, aside from the published Agenda.

Public Hearing Continued Case 73-31-AR

Chairman Gray read the Public Notice into the record. This was a continuance of the Hearing which was opened on February 26, 2019. The Petitioner, Rebekah Flaherty, was in attendance, together with her husband, Adam Flaherty.

A site walk was conducted on March 23, 2019. Chairman Stephen G. Gray, Vice Chairman Sharon Clarke, and Alternate Member Alan Germain were present. Member Eric Mueller had stopped at the property previously. Fran Mello was excused from the site walk but indicated that she was familiar with the property.

A discussion of the property and plans for the addition of up to 18 dogs as a commercial kennel business followed.

Chairman Gray explained the importance of precedent in the granting of Variances/Special Permits, especially concerning the Zoning requirement of 5 acres for a Hobby/Commercial Kennel. Ms. Flaherty has a lot size of just 1.1 acres. Chairman Gray believed Ms. Flaherty is well-intentioned and passionate about animals, but perhaps should seek a larger, more appropriate space. Alternate Member Alan Germain pointed out that the Petitioner was requesting a 76% reduction in the 5 acre requirement based upon her existing lot size. He stated that his opinion was based solely on his concern that granting the requested relief from the zoning requirement would establish a precedent for all Hobby/Commercial Kennels in the Town of Carver.

The Petitioner, Rebekah Flaherty, requested that she be allowed to withdraw without prejudice.

The Hearing was duly closed.

Alternate Member Alan Germain made a Motion to accept the request to withdraw without prejudice. Member Fran Mello duly seconded the motion. A vote was taken and passed unanimously, 5-0.

Chairman Gray announced there was no correspondence to consider. He then called for new business. There being none, a Motion was made by Alternate Member Alan Germain to adjourn. It was duly seconded by Eric Mueller. Voted and passed unanimously, 5-0.

The meeting was adjourned at 7:25 PM.

Respectfully submitted,

Sharon Clarke – Vice Chairman