

**Town of Wilmington
Board of Appeals
Minutes – November 18, 2020**

The Board of Appeals held a virtual meeting via zoom. The meeting was called to order at 7:00 PM. Daniel Veerman, Anthony Barletta, Jacquelyn Santini, Thomas Siracusa and Raymond Lepore were present.

Dan Veerman opens the meeting at 7:00 PM and reads into record Governor Baker's Order regarding virtual meetings with instructions to the public on how to participate in the meeting

Case 19-20 Gibraltar Pools & Spas Map 8, Parcel 91A
15 Winston Avenue-case continued from the October 2020 meeting
Applicant, Peter deBernardo from Gibraltar Pools present and states that after remeasuring the conservation setbacks it would not be feasible to request a lesser setback from conservation as the slope of the land is too great near the wetlands. States he is seeking the same-a variance for an above ground pool. Tom Siracusa asks if the Planning Board has sent recommendations regarding this matter and Veerman states that the Planning board did not recommend this project and suggested the applicant place a smaller pool closer to the house. Dan Veerman states that he believes the slope and shape of the land demonstrates a hardship in his opinion. Ray Lepore states he believes the wetlands create a hardship for the applicant. Jacquelyn Santini states that she does not approve as she does not want to set a precedent since the board has never allowed a variance for a pool. Applicant states that a smaller pool would not be feasible and does not want to consider a smaller pool. Tony Barletta states that he would be apt to approve this case as there is a thick tree line which would obstruct the view from the street. No public comments

Anthony Barletta makes a motion to approve Case 19-20 for a variance to place an above ground pool 30' from the side setback where 40' is required due to this parcel being a corner lot.

Raymond Lepore seconds the motion

Roll Call Vote is four to one in favor

Case 19-20 is granted

Dan Veerman-yes

Tom Siracusa-yes

Ray Lepore-yes

Tony Barletta-yes

Jacquelyn Santini-no

Case 20-20
15 Jacobs Street

Laura Osgood

Map 69, Parcel 102A

Applicant present and requesting a variance for an addition 18.5 feet from the side setback where 30 feet is required as she needs a garage and space for her parents as her father is ill and her mother requires help with the care of her father. Applicant states that she was told she could do this by the building dept clerk but was later told that due to the property being on a corner lot she would not be able to meet the 30' setback from the street. Applicant states that there are several homes in Wilmington which do not meet the setbacks. Tony Barletta asks if the garage can be removed from the addition which would make the addition smaller and less intrusive on the setback. Applicant states she must have the garage as her parents need to be able to be out of the elements since her father is in a wheelchair. Jacquelyn Santini states that she has denied several similar cases in the past and does not want to make a precedence. Ray Lepore states that since the home is on town sewer he would be inclined to vote to approve.

Dan Veerman asks for public comments-none

Ray Lepore makes a motion to approve the Variance as per plans submitted

Tony Barletta makes a motion to second for discussion only and asks applicant if the addition could be smaller and more reasonable to the setbacks

Applicant states she can not make smaller and must have a garage

Ray Lepore's motion fails for a second

Jacquelyn Santini makes a motion to Deny Case 20-20 for a variance as the applicant has failed to show a hardship

Anthony Barletta seconds the motion to deny

Roll Call Vote is 3 to 2 to deny Case 20-20

Case 20-20 is denied

Dan Veerman-yes

Tony Barletta-yes

Jacquelyn Santini-yes

Ray Lepore-no

Tom Siracusa-no

Case 21-20
3 Factory Street

Dottie and Jesse Plouffe

Map 27, Parel 4B

Applicants present and state they are requesting a Special Permit S 6.6.7.7 for the ground water protection district, they state they have submitted a plan for an infiltration system which was approved by the Planning and Engineering Department.

No public comments

Jacquelyn Santini makes a motion to approve Case 21-20 for a Special Permit for the ground water protection district

Ray Lepore seconds the motion

Motion is granted by Roll Call Vote-unanimous

Dan Veerman-yes

Jacquelyn Santini-yes

Tom Siracusa-yes
Ray Lepore-yes
Anthony Barletta-yes

Case 22-20
15 Dorothy Avenue

Debra and Keith Petrie

Map 90, Parcel 94

Applicants present and requesting a Special Permit S 6.6.7.7 for the ground water protection district, applicants state that they have submitted a plan for an infiltration system which was approved by the Planning and Engineering Department
No public comments

Jacquelyn Santini makes a motion to approve Case 22-20 for a Special Permit for the ground water protection district
Ray Lepore seconds the motion
Motion is granted by Roll Call Vote-unanimous
Dan Veerman-yes
Jacquelyn Santini-yes
Tom Siracusa-yes
Ray Lepore-yes
Anthony Barletta-yes

Case 23-20
37 Marcus Road

Kevin Larkin

Map 092, Parcel 014

Applicants present and requesting a Special Permit S 6.6.7.7 for the ground water protection district, applicants state that they have submitted a plan for an infiltration system which was approved by the Planning and Engineering Department
No public comments

Jacquelyn Santini makes a motion to approve Case 23-20 for a Special Permit for the ground water protection district
Ray Lepore seconds the motion
Motion is granted by Roll Call Vote-unanimous
Dan Veerman-yes
Jacquelyn Santini-yes
Tom Siracusa-yes
Ray Lepore-yes
Anthony Barletta-yes

Board agree to have the January meeting on January 6, 2020 instead of January 13, 2020 due to scheduled vacations-all agree to 1/6/2020

Dan Veerman discusses a letter he received from the Town Manager regarding in person meetings. Tom Siracusa states that he would prefer to have the meeting virtually during the Covid crisis. Dan Veerman asks if the letter from the manager could be sent to the board members for their review by the clerk

October 14, 2020 minutes are approved by Roll Call Vote-unanimous

Jacquelyn Santini makes a motion to adjourn at 8:07 PM

Ray Lepore seconds the motion

Meeting is adjourned by roll call vote:

Dan Veerman-yes

Tom Siracusa-yes

Tony Barletta-yes

Jacquelyn Santini-yes

Ray Lepore-yes

A handwritten signature in black ink, appearing to read "Kelly A. Malatesta", is written over a horizontal dashed line.

Kelly A Malatesta
Recording Secretary