

OFFICE OF
BOARD OF APPEALS

TOWN OF NORWELL

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Members

Lois S. Barbour, Chair
Philip Y. Brown, Vice Chair
David Lee Turner, Clerk

Associate Members

Thomas P. Harrison
Ralph J. Rivkind

December 12, 2017

Mr. Thomas Barry,
Inspector of Buildings
Town of Norwell
345 Main Street
Norwell, MA 02061

Re: ZBA File No. 17-20
Appeal of Denial of Building Inspector
75 Wildcat Lane

Dear Mr. Barry:

On December 6, 2017, the Board of Appeals reviewed Lorraine Pollack's appeal of the Inspection Report you issued in connection with the residence at 75 Wildcat Lane, Norwell. The Inspection Report noted that the owner had "advertised/marketed for rent – "studio." The Inspection Report further noted that the "Norwell Zoning Bylaws do not allow multi-family or mixed uses within Residential "A" Zone" and that "uses beyond single family home require zoning approval and building permits."

The Board of Appeals agrees that you are correct that the owner should not advertise or market for rent a "studio" and you are correct that the Zoning Bylaws do not allow multi-family or mixed uses within Residential "A" Zone. However, after taking evidence at the hearing, which includes the facts that her boarder or lodger sometimes uses her kitchen facilities, occasionally takes meals with her, has a room, and does not have a separate entrance, the Board of Appeals has concluded that Ms. Pollack's use of the property is a Permitted Accessory Use under § 2313(c). This section allows "the taking of not more than four (4) boarders or lodgers at any one time". We have cautioned Ms. Pollack, and she has agreed through her signature below, that she cannot advertise that she has a "studio" for rent. Rather, she

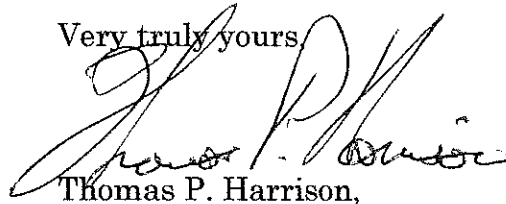
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can advertise that she is seeking a boarder or lodger. Because this is a permitted accessory use, there was no need for her to seek a Special Permit and Section 6 Finding.

Therefore, upon a motion duly made and seconded, Members Harrison, Rivkind, and Brown VOTED to grant withdrawal of the appeal, as the requested relief is not required but is a Permitted Accessory Use under the Norwell Zoning Bylaw § 2313(c).

We appreciate your work on this.

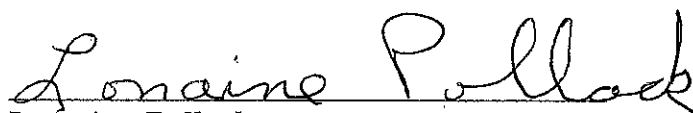
Very truly yours,


Thomas P. Harrison,
Panel Chair

File with Norwell Town Clerk

Copy to Applicant

Agreed To:


Lorraine Pollack

12-19-17
Date

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