



# TOWN OF NORTHBOROUGH

## Zoning Board of Appeals

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Approved 8.27.19

### Zoning Board of Appeals

#### Meeting Minutes

July 23, 2019

**Members in attendance:** Brad Blanchette, Chairman; Dick Rand, Mark Rutan, Paul Tagliaferri, Fran Bakstran, Leslie Harrison

**Others in attendance:** Fred Litchfield, Town Engineer; Robert Frederico, Inspector of Building/Zoning Enforcement Officer; Scott Weiss, Gutierrez Construction Co., Inc.; Joseph Vasapolli, Gutierrez Construction Co., Inc.; Thomas Michalak, Senior Engineer, Beals & Thomas; Henry Squillante, 72 Crestwood Drive; Michael O'Connell, 169 Rice Avenue

**Chairman Blanchette opened the meeting at 7:00pm.**

**To consider the petition of Gutierrez Construction Co., Inc., for a Variance/Special Permit, to allow a proposed 400 square-foot fire pump house building to be less than the required forty feet from the front yard setback, on the property located at 350 Bartlett Street, Map 67, Parcel 6, in the Industrial District**

Mr. Weiss presented the plan for the project, stating a proposed protection water booster pump station, an accessory structure of 400 square-feet, is to be located within the front yard setback. The property is in the Industrial District, which requires a structure to be no less than 40 feet from a front yard setback.

The fire pump house building as proposed will be approximately 25 feet from the front property line, therefore a Dimensional Variance is required from Section 7-06-030, Table of Density and Dimensional Regulations, Industrial District, Minimum Yard Setbacks, Front Setback, of the Northborough Zoning Bylaw, to allow the proposed structure to be 25 feet from the front yard setback.

Mr. Weiss explained the lot in question is especially affected by the topography of the site. The proposed buildings at 330 and 350 Bartlett Street will be located approximately 12 and 40 feet above the top of Bartlett Street, higher than any surrounding property. This higher elevation of the buildings is at an elevation above the elevation that adequate water pressure can be provided by the municipal water supply system. As a result of the higher elevations, traditional fire booster pumps contained within the buildings are insufficient. Since it is infeasible to excavate and lower the entire property elevation, a separate fire protection water booster pump station is required to be installed in close vertical proximity to the elevation of the water line in Bartlett Street.

The Northborough Water Department and Northborough Fire Department both require the pump station to be located as close as possible to Bartlett Street for pump effectiveness, emergency access and maintenance reasons.

Granting of the relief requested will allow a small shed building to be located approximately 15 feet closer to Bartlett Street. The building will be in conformance with other structures in the Industrial

District; will not create an eyesore; and will still be located far enough back from Bartlett Street so as not to restrict visibility.

The relief will provide a significant public safety benefit, ensuring adequate fire protection supply for the safety of fire and safety personnel. The need for the added shed-like building is due to the unique nature of the property with the highest elevation in the area. The location of the building, closer to Bartlett Street, satisfies the engineering and safety requirements of the Water and Fire Departments.

In response to questions from the board members, Mr. Weiss stated there will be no need for fencing or any other structures around the subject building; no generators will be required; regarding illumination of the site, there will be only one light on the building that will be placed on the door for access to the driveway; the building will be pre-fab; will be painted like the other buildings on the subject site; and will look like a smaller version of the pump house on Shops Way.

Mr. Rutan motioned to close the hearing, Ms. Bakstran seconded the motion, and the vote was unanimously in favor of the motion.

**To consider the petition of Chris Oestreicher & Kasey Oestreicher for a Variance/Special Permit/Special Permit, Groundwater Protection Overlay District, to allow the use of an off-leashed dog-walking area for professional dog walkers, primarily employed by the Applicant who is the owner of Wiggles & Tails Dog Service, LLC, on the property located at 125 Rice Avenue, in the Residential C District and Groundwater Protection Overlay District Area 3**

Mr. Blanchette read an email from Applicant Chris Oestreicher to Kathy Joubert, Town Planner, re: Notice of Granting Extension for ZBA hearing, 125 Rice Avenue, dated July 9, 2019, as follows:

*Dear Kathy,*

*This letter is to give Notice to the Town of Northborough permission to extend the Date of ZBA Hearing for requests pertinent to our Special Permit application for our property located at 125 Rice Avenue. We wish to extend to the August 27th ZBA meeting, but it could be as late as the September ZBA meeting if we can't meet the next submission deadline. Although we were able to retain an Environmental Services Company, we were unable to retain a Civil Engineer until Monday of this week. I apologize for any inconvenience this may have caused. I am waiting for a response from our Civil Engineer to determine whether we can meet the July 25th submission deadline for the August 27th ZBA meeting. I will follow-up with you as soon as I receive a formal proposal for services. Please use this e-mail address in the future as your e-mail of June 25th went to my spam folder so I had no idea it even came. Must be an issue with my-email service provider.*

*Thank you,  
Chris & Kasey Oestreicher, Owners  
125 Rice Avenue  
Northborough, MA*

Ms. Bakstran motioned to extend the date of the ZBA hearing for requests pertinent to the Special Permit Application for the property located at 125 Rice Avenue to Tuesday, September 24, 2019 at 7pm. Mr. Rand seconded the motion and the vote was unanimously in favor of the motion.

Abutter Michael O'Connell, 169 Rice Avenue, was present, had some questions relating to the Application and was encourage by the members to submit his questions and/or comments to the Planning Department by email or regular mail.

## **OLD/NEW BUSINESS**

**Decision – 350 Bartlett Street:** The members agreed the proposed project, as presented, will be a good thing for the Town.

Mr. Rutan motioned to allow the proposed 400 square-foot protection water booster pump station to be not less than 25 feet from the front yard setback, on the property located at 350 Bartlett Street; Mr. Rand seconded the motion and the vote was unanimously in favor of the motion.

### **Election of Officers:**

Ms. Bakstran motioned to elect Mr. Blanchette as Chairman, Mr. Rand seconded the motion, and the vote was unanimously in favor of the motion.

Mr. Tagliaferri motioned to elect Mr. Rutan as Clerk; Mr. Tagliaferri seconded the motion and the vote was unanimously in favor of the motion.

### **Approval of Minutes:**

**Minutes of May 28, 2019** - Ms. Bakstran motioned to approve the minutes of the May 28, 2019 meeting; Mr. Rand seconded the motion and the vote was unanimously in favor of the motion.

**Minutes of June 25, 2019** - Mr. Tagliaferri motioned to approve the minutes of the June 25, 2019 meeting; Mr. Rutan seconded the motion and the vote was unanimously in favor of the motion.

### **Master Plan Update:**

Ms. Bakstran noted the next meeting of the Master Plan Committee will be held on Thursday, September 12<sup>th</sup> at 7pm at the Northborough Free Public Library.

Respectfully Submitted by,

Debbie Grampietro

ZBA Administrative Assistant