



TOWN OF NORTHBOROUGH Zoning Board of Appeals

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Approved 9.25.18

Zoning Board of Appeals Meeting Minutes March 27, 2018

Members in attendance: Richard Rand, Chairman; Mark Rutan, Clerk; Fran Bakstran; Paul Tagliaferri; Brad Blanchette; Jeffrey Leland

Others in attendance: Kathy Joubert, Town Planner; Fred Litchfield, Town Engineer; Bob Frederico, Inspector of Buildings/Zoning Enforcement Officer, Elaine Rowe, Board Secretary

Chairman Richard Rand called the meeting to order at 7PM.

Continued consideration of the petition of Daniel Yarnie, dba Yarnie Property Management, LLC, for a Variance/ Special Permit/ Special Permit with Site Plan Approval/ Special Permit, Groundwater Protection Overlay District, to allow the use of a hair salon and 3 residential apartment units in the building located on the property at 89 West Main Street, Map 62, Parcel 64, in the Downtown Business District & Groundwater Protection Overlay District Area 3

Mike Sullivan, Connorstone Engineering; Dan Lewis, Architect; and the Applicants, Rebecca and Daniel Yarnie, were present at the continued public hearing. Mr. Sullivan stated there have been multiple revisions to the plan. He responded to a letter from the Town Engineer, Fred Litchfield, and the plans submitted at the meeting reflect those revisions. Mr. Sullivan and Mr. Litchfield reviewed the subject letter with the board. In addition, a letter from Mr. Litchfield on behalf of the Groundwater Advisory Committee was reviewed by Mr. Sullivan and Mr. Litchfield.

Mr. Lewis stated there have been some minor modifications to the plans after meeting with the Design Review Committee on March 12th, but the building and the floor plans are the same.

Discussions were held regarding groundwater issues, sight distance and traffic flow on the site, along with the need for a MassDOT access permit for work within West Main Street (Route 20).

Mr. Rand confirmed with Mr. Sullivan that the board members have been provided with the latest plan, and Mr. Sullivan stated it is the latest plan.

Ms. Bakstran asked about the proposed one way out onto West Main Street and Mr. Sullivan stated the exit is a right-turn-only onto Route 20 (West Main Street). In addition, Mr. Sullivan stated the Town Engineer requested the driveway be angled to indicate it is a right-turn only.

She also asked if the doghouse windows are a façade only and if there is not a third floor. Mr. Lewis confirmed it is not a third floor, just an attic.

Ms. Joubert stated the applicant has been to the Design Review Committee several times and the final plan was presented by Mr. Lewis. There is no official memo from the Design Review Committee, but there are plans that the committee approved and will need to be reference in the decision – the building elevations plan and the landscaping plan, both dated March 9, 2018; and the revised dormer detail plans dated March 23, 2018.

Ms. Joubert noted she thought the railing was going to be changed to black. Mr. Lewis stated they preferred to look at it and decide. He noted he didn't think black was required and they prefer white. Mr. Abu asked for screening so things on the balconies will not be seen.

Mr. Litchfield reviewed his Groundwater Advisory Committee letter and his Engineering Department letter, both dated March 26, 2018. He stated the Groundwater Advisory Committee was fine with the project but wanted a condition in the ZBA decision that specifically stated what kind of containment they will have in the building.

Regarding his Engineering Department review letter, Mr. Litchfield stated he issued the letter to Mr. Sullivan yesterday; asked him to issue a revised set of plans today; Mr. Sullivan issued the plans today and he hasn't had chance to review them.

Mr. Sullivan stated everything from Mr. Litchfield's Engineering Department letter has been incorporated and he will provide a narrative if needed. He noted they ran out of time because they are tying directly into a state highway for drainage and they have to get approval. Any revisions to drainage will need Mr. Litchfield's approval. He will probably be OK with the plan, but he requested to leave it open until Mr. Litchfield is satisfied so the Applicant does not have to come back before the board for additional approval.

Ms. Bakstran asked how the board could be assured that the change would not substantially affect the entire project. Mr. Litchfield explained the Town drainage that runs down Monument Drive connects to the same state system further down the road so it is not likely the state will say no, but if they did, the Applicant would have to find another way to address drainage. He stated he thinks the state is concerned about the capacity of all the pipes in the street, and said he will be happy to work with the Applicant to make sure it is addressed. Mr. Sullivan stated they don't want to make a huge issue about it, but are just hoping to be able to handle it with the DPW and Mr. Litchfield, if they have to revised the drainage.

Ms. Joubert stated that, through staff review, they are trying to limit left turns in and out of properties on Route 20. The state may say that they don't want to be limited. The Town tried to do the same thing with Cumberland Farms and the state overrode them.

Mr. Sullivan said he had a conversation with MassDOT and they didn't seem to have a problem with it, but we don't have any approvals yet. Mr. Litchfield asked that, if the right-turn-only is eliminated, would they want the Applicant to come back and further explore what the traffic pattern should be on the site.

Ms. Bakstran asked if the state determines the line of sight. Mr. Litchfield said it's good engineering practice. Mr. Sullivan replied the sight distance is a problem coming out to the

right. That, in and of itself, would preclude someone from allowing a left-hand turn. He stated Mr. Litchfield believes this is the best scenario.

Mr. Rand asked for the board to have colored plans and Mr. Litchfield noted Mr. Sullivan is supposed to provide a narrative detailing all of the changes to the plans.

Ms. Joubert noted originally the application was submitted with 3 apartments over commercial space, and then was amended to include 6 dwelling units. When the Applicant began working with architect Dan Lewis, the number increased to 7 units. She stated the square-footage of the proposed building has not changed. Mr. Lewis noted the square-footage of the building actually went down, but the footprint is the same.

Ms. Bakstran stated 6 dwellings are shown on the plan she has. She asked about the number of parking spaces. Mr. Sullivan stated 16 spaces are provided. Ms. Joubert noted the Design Review Committee asked Mr. Sullivan to verify that parking is appropriate for 7 units. In addition, the plan for retail parking shows 9 spaces, but she doesn't see that on the plans. Ms. Bakstran asked Mr. Sullivan to clarify that all the parking provided is appropriate.

Mr. Tagliaferri asked if this project will have an effect on the schools. Ms. Joubert replied the dwelling units will have 2 bedroom units.

Abutter Dave Kannally, 3 Liberty Drive, who was present at both the February and March meetings, expressed his concerns regarding the slope of the site; grading; the lighting of the rear of the site; maintaining a buffer between his property line and the proposed building; and the parking area. He wanted to verify that there will be no change to the amount of trees left at the back of the property. Mr. Sullivan confirmed there are no plans to make any changes there.

Mr. Leland motioned to close the hearing; Mr. Rutan seconded and the vote was unanimously in favor of the motion.

Continued consideration of the petition of ZHS Trust for a Variance/Special Permit/Special Permit with Site Plan Approval, to allow the construction of a building with 3 above-ground stories and a 2-story basement for the use of assisted living, independent living, or a mix of both, on the property located at 39 & 43 King Street, Map 82, Parcels 30 & 31, in the Business West District and Groundwater Protection Overlay District Area 3

Applicant Rashid Shaikh, ZHS Trust; John Grenier, Engineer, JM Grenier Associates, Inc., and Sid Silveira, Architect, DMS design llc, were present for the continued public hearing.

The Applicant submitted revised site plans, dated 3.21.18, titled Site Development Plan for 39 & 43 King Street, prepared by J.M. Grenier Associates Inc. and Blackstone Valley Mapping & Consulting and Mr. Grenier reviewed the changes to the site plans which include removal of the proposed subsurface covered garage to allow for the reduction of the width and length of the northerly and southerly side of the building from 63 feet to 57 feet; a proposed access across 38 King Street that will allow right and left turning movements onto Southwest Cutoff (Route 20); the relocation of the patio to the southern portion of the site; a parking area containing seven employee parking spaces added to 38 King Street and 37 parking spaces provided at 39 King Street for a total of 44 parking spaces; the grade in the back of the site has been improved at the request of the Conservation Commission; an initial response from

MassDOT was favorable for a proposed curb cut through 38 King Street; and an initial response from the Board of Health was favorable for the proposed septic system.

Mr. Silveira noted signage has been moved and vegetation has been added along the buffer to abutting properties. The courtyard and its vegetation have been relocated. The building is still to be three stories above ground with a basement. The proposed curb cut that the Applicant has requested from MassDOT will not be restricted to the subject property; there are no plans to restrict access to anyone.

A proposed sign, to be located on 38 King Street, will require a Variance as it will be for the purpose of advertising the "King Street Assisted Living" facility at 39 & 43 King Street, which is on a lot other than the lot on which the sign will be erected.

In response to questions from Mr. Blanchette, Mr. Silveira, stated the number of dwelling units is still 66; the sign has been pushed closer to King Street, and was approved by the Design Review Committee; and there will be directional signage.

Mr. Rand asked Mr. Litchfield if King Street will become a dead end. Mr. Litchfield stated his recollection was that access would be promoted through 38 King Street, but King Street will remain in place. The Town could potentially restrict both ends of King Street as a right-turn-only. The plan as shown would not require abandonment of any portion of King Street. Ms. Joubert noted there is a driveway for Cramaro at that portion of King Street.

Mr. Shaikh clarified the Cramaro driveway locations. He stated he is flexible at this point regarding sacrificing 38 King Street, but it will depend on input from MassDOT. He stated they liked the plan, but he thinks they may need to have a conversation with the Engineering Department and MassDOT.

Ms. Bakstran asked if the drawing on the plan, where the narrow double lines curve, is where the road is shifting. Mr. Grenier clarified the edge of the pavement and the roadway. She also asked if there will be a way to dissuade anyone from going down King Street instead of using the new curb cut.

Ms. Bakstran stated it was said that the application with the Board of Health for septic systems for 66 units is similar to the needs of the 16-units in the Applicant's first project. She asked if a formal approval is still needed from Board of Health. Mr. Shaikh stated they have talked to the Board of Health agent. Mr. Grenier stated the design takes into account the area for the septic system, and they have already done soil testing.

Ms. Bakstran stated the board needs to ensure that all conditions discussed are reflected in the decision, including signage for the establishment now proposed at 38 King Street. It was noted a Variance will be required for the proposed sign on 38 King Street, as it is not located on 39-43 King Street, the property it is advertising.

Mr. Litchfield stated that, once the project is built, it might be appropriate to seek a Variance to put a sign off-site.

Mr. Rutan stated he would rather make a less confusing proposal than have something that would add to discomfort of the public.

Ms. Bakstran stated there has to be some assurance that the certification process for the proposed facility is just a formality; and not that the board might get stuck with a 66-bed facility that cannot be occupied. She emphasized that their concerns must be included in the decision.

Mr. Shaikh stated he has been in contact with Elderly Affairs and they said certification is not offered to a person, but to a facility with sponsorship. He noted there is really nothing at this time that can be done for certification. Mr. Silveira stated they went with them (Elderly Affairs?) because of their expertise. Mr. Shaikh said they are trying to ensure all these things are done at the right times.

Mr. Rand asked if the road to be put in through King Street would need a deed restriction or easement, and who will maintain it. Mr. Litchfield stated the proposed driveway from King Street to Route 20 is a driveway. The Town cannot force the Applicant to force him to restrict it and he indicated that he will not. Ms. Joubert suggested Mr. Shaikh put up **“PRIVATE PROPERTY”** signs, but he is aware that people are going to use it, and at the same time, the Town doesn't want to take responsibility of it. Mr. Litchfield stated it is simply a driveway that connects two streets.. Town staff is clear that it is not to be a public road. Mr. Shaikh stated he is flexible and willing to comply with the board's wishes and they need to respect that MassDOT may have other input. Mr. Litchfield stated the town and state work well together, but do not always agree. While we fully intend to work with the Applicant and MassDOT, it doesn't mean we will actually agree.

Ms. Bakstran asked about the setback to the automotive shop on the far side. Mr. Grenier replied it has not changed; it meets zoning. He noted the building was 62 feet wide and was reduced to 57 feet wide when the underground garage was removed. Mr. Sheikh noted the Fire Chief is happier with the reduced size of the building.

Linda DeWolfe, 29 King Street, stated she appreciates some of the conditions that have been met, but she still thinks the project is way to dense for the area and not a good fit.

EJ Sowden, 15 King Street, asked how many trees will be added to the site if the project moves forward. The Applicant stated he will comply with the requirements and has gone through the process with the Design Review Committee. Mr. Silveira explained there will be a total of 20 trees and 5 different species.

Mr. Sowden stated he likes the new entrance and would like to see the end of King Street turned; the end of street needs to be changed. Mr. Rutan asked if they would object to it being totally cut off. If the Town was to purchase 38 King Street driveway, run King Street 90 degrees, and close off King Street. Ms. DeWolfe stated it would affect the Cramaro property and his driveway; and tractor-trailers would be forced down King Street. Mr. Rutan suggested they could abandon the last few feet and come straight out. Mr. Sowden agreed with that.

Mr. Litchfield stated if it was a condition of approval abandonment takes time and required Town Meeting approval. It wouldn't happen for this year.

Mr. Rutan asked if the rest of the residents on King Street Mark would be upset if the street was cut off, or would they see it as an improvement. Ms. DeWolfe replied traffic flies down King Street.

Mr. Tagliaferri asked if it is possible to add speed bumps or resident only traffic. Mr. Litchfield stated speed bumps are will not be supported by the Department of Public Works and signs are almost impossible to patrol. He noted there could be consideration given to a barricade. The Police Chief has not found there to be a lot of traffic or accidents. He noted there may be ways, through patrols, to capture those who are speeding down King Street to beat the light.

Amy Johnson, 34 King Street, stated the change would be amazing and welcome; she agrees with that. She explained her request would be taller commercial fencing behind the trees to screen her house.

The Applicant stated there is already a 6-foot fence on the property line and he is not sure who owns it; and they will be adding quite a few trees. He reiterated that he is flexible and has given the board his commitment. MassDOT has their own ideas and ways of doing things, and may have better ideas.

Ms. Bakstran stated trees are a better natural barrier so the landscape design will provide a better buffer.

Mr. Litchfield stated he would like to see the plans revised to address his last comment letter, dated March 26, 2018. The Applicant confirmed he has seen the letter and is agreeable to all the conditions.

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

To consider the petition of Elias DeQuino for a Variance/Special Permit to allow three new additional wall signs with proposed sticker lettering on the canopy of the existing gas station located on the property at 35 West Main Street, Map 82, Parcels 30 & 31, in the Business West District and Groundwater Protection Overlay District Area 3

Applicant Elias DeAquino, Ultra Signs, representing the owner of the Top Energy gas station, Ammar Alzاهر, presented the Application.

Mr. DeAquino explained Mr. Alzاهر wants to add 3 additional wall signs with vinyl sticker lettering on the existing canopy, in addition to signs that are already on the property. He noted Mr. Alzاهر told him he did not have enough money to use the ¼" raised lettering on the proposed additional canopy signs that are required by the town's bylaw. Mr. DeAquino stated the vinyl sticker lettering he will use is made by 3M and, in his experience, the product is rated very highly.

Mr. DeAquino noted two of the proposed wall signs are 4-feet high and 26-feet wide (each 104 square feet in area); and the third wall sign is 4-feet high and 38-feet wide (152 square feet in area).

Mr. Rand noted there is no information in the application. Ms. Joubert explained Mr. DeAquino came in to the Planning Office and filled out the page sheet for a Variance which he had not filled when he turned in his application. She noted the missing page was requested several times and the Applicant came in with what he has today.

The Applicant stated the sign inspector said the bylaw requires a ¼" applied in order to put up vinyl signs, but the price is double and the vinyl stickers are more affordable. In addition, the owner of the garage spent money to fix up the gas station and now he needs to go with the vinyl to save costs. He noted, the owner may upgrade in the future; and he showed the board members color samples of the proposed stickers.

Responding to questions from Ms. Bakstran, Bob Frederico, Inspector of Buildings/Zoning Enforcement Officer, stated the bylaw stipulates a sign must be a minimum of ¼" thick. Looking at the building, it is festooned with signs and he would suggest as a condition if the Variance is approved, that the rest of the building get cleaned up of all other signs that should not be there. There are a lot of signs on the building and it is very cluttered. He explained the signs he has up now violate the sign bylaw.

Ms. Bakstran stated the owner should be required to adhere to the sign bylaw before the new signs are installed.

In response to a question from Mr. Leland about the sign, Mr. Frederico explained it is per wall and the canopy would have 4 walls to it.

Mr. Blanchette asked about the tax issue and Ms. Joubert stated it has been resolved.

Mr. Frederico noted the freestanding sign on the site may also need to come down, and he agreed to work with the owner to bring the property into compliance with the bylaw.

Mr. Blanchette asked about lighting on the site and Mr. DeAquino said there will be no new lighting.

Mr. Rutan asked if there is any danger that the vinyl will sheer off or weather poorly. Mr. DeAquino stated it is 3M vinyl and Mr. Frederico stated he cannot make any promises, but in his experience with 3M, when it sticks, it's stuck for good.

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

To consider the petition of Geraldine Zang for a Variance/Special Permit to allow the use of a home business for the tutoring of teens and young adults on creating resumes, interview skills, conducting internships, job searches and networking, in the single-family home located at 85 Northgate Road

Applicant Geraldine Zang and her husband, Jim Pascoe were present and Ms. Zang explained she wants to set up a home-based business in her single-family home at 85 Northgate Road, where she lives with her husband and two children. Her business would include tutoring teens and young adults on creating resumes, interview skills, conducting internships, job searches, networking, and setting up Linked-in profiles. She stated she would be available to meet with the students for one hour a day Monday-Friday from 3:00pm to 8:00pm; and on Saturday from 10:00am to 3:00pm. Ms. Zang noted that, should students have any food allergies or allergies to cats, she would meet with them elsewhere in a public place, such as the town's library, with the permission of their parents.

Ms. Zang confirmed the hours of operation for Mr. Rutan, which are Monday-Friday from 3:00pm to 8:00pm; and Saturday from 10:00am to 3:00pm. She noted she will schedule her appointments in 50-minute intervals.

Mr. Rutan asked Ms. Zang if she would have any objections to appointments not going beyond 9pm, and Ms. Zang had no objections. He also asked her if she will have any Sunday hours, and she responded she will not.

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

DECISIONS:

85 Northgate Road

The board members agreed that it is reasonable and not negatively impacting the neighborhood or traffic. Mr. Blanchette felt the hours are reasonable. Ms. Bakstran noted any proposed signage will need to be approved. Mr. Rutan stated he would like to restrict the hours to not later than 9pm.

Mr. Rand noted three letters of objections to the Applicant's petition were submitted anonymously.

Ms. Bakstran motioned to grant a Special Permit to allow the use of a home personal service business for the use of tutoring teens and young adults on creating resumes, interview skills, conducting internships, job searches, networking and setting up Linked-in profiles, on the subject site at 85 Northgate Road, with the condition that the hours of operation shall be Monday through Friday, 3:00pm to 9:00pm; and Saturday from 10:00am to 3:00pm. Mr. Rutan seconded the motion and the vote was unanimously in favor of granting the Special Permit.

35 West Main Street

Mr. Rand stated he is happy to year that the extra signs are to be removed and the site cleaned up. Mr. Rutan stated it should be a large improvement. Ms. Bakstran confirmed that the Applicant can put up the vinyl signs if he takes down the other signs; and Mr. Frederico it.

Mr. Blanchette motioned to grant a Variance to allow vinyl sticker lettering on three additional wall signs proposed to be on the existing canopy and a Variance to allow three additional wall signs on the existing canopy and to allow those three additional signs to together total 360 square feet in area, on the subject property at 35 West Main Street. Mr. Leland seconded the motion and the vote was unanimously in favor of granting the Variances, with the following conditions:

1. Prior to the issuance of any sign permit, the existing signage shall be reviewed with the Inspector of Buildings/Zoning Enforcement Officer and the property owner shall remove any sign that is not in conformance with the Northborough Zoning Bylaw.
2. The proposed new signage shall not be installed until the nonconforming signage on the building and throughout the site have been removed.

It was noted that Mr. Frederico will work with the Applicant about what needs to be removed.

39-43 King Street

Mr. Rand stated he likes the new plan. Mr. Rutan stated the entrance is a big win. He doesn't see making the cutoff of King Street a condition, but it opens it up for the Town to evolve in that direction. Mr. Rand stated he liked the smaller building and layout. Mr. Rutan stated he likes that the building doesn't have the parking garage underneath it.

Ms. Bakstran stated it is still a very tall building without having good egress on three sides. It's a dense development for a small parcel. She stated she doesn't think it can be developed in a way that it is not detrimental to the neighborhood. She noted she understands that bylaws are not perfect and there is a difference between what can be done and what should be done. She said she has reservations about the project; about its appropriateness at the end of the street. Ms. Bakstran stated she appreciates the work done to try to make it better, but it's still too big for the area.

Mr. Tagliaferri stated he has safety concerns and it makes sense that people would use King Street as cut through. There will be a business with 45 spaces and workers, without having an appropriate solution for the residents north of King Street. However, developing the property is also of interest.

Ms. Bakstran stated she appreciates all of the changes that have been made to the project, but she doesn't personally think it has to be approved.

Ms. Joubert noted that, if it was approved, they could address the Variance for the freestanding sign.

Mr. Rutan stated he doesn't think it is inappropriate for the size of property and believes that is the general consensus of the board. It will be a win for safety to evolve toward closing off the end of King Street; to a safer traffic flow for everyone. He noted there is a downside and he appreciates that people see it as too big for the property, but is in favor of safety win.

Mr. Blanchette agreed with Mr. Rutan, stating he also likes that the project will not impact schools. However, he also agrees with Ms. Bakstran's feelings on the project.

Mr. Tagliaferri stated the right turn only will make it safer.

Mr. Leland stated any development on that street will be tough, and he is looking at it as the lesser of two evils. In addition, it prevents 38 King Street from being developed, which will make the street safer.

Mr. Rutan stated historically, there have been proposals for 38 King Street and they were all horrible ideas. The fact that it will be used as a cut-through and for parking is another win.

Mr. Rutan motioned to Grant a Special Permit to allow the use of an assisted-living facility in the Business West District; a Special Permit with Site Plan Approval to allow an assisted living facility on the property located at 39-43 King Street; and a Variance to allow a proposed freestanding sign to be located on the property located at 38 King Street for the purpose of

advertising the proposed assisted-living facility on the property at 39-43 King Street. Mr. Leland seconded the motion and the vote was 4 members in favor and 1 member opposed.

Mr. Litchfield recommended that the curb cut permit be issued, and in hands of the building inspector, prior to the issuance of a building permit. In addition, he stated the items in his letter to the Zoning Board of Appeals, dated March 23, 2018, should be conditions in the decision.

Ms. Bakstran asked about addressing lighting for the sign. Ms. Joubert stated the sign has to conform to the zoning bylaw.

89 West Main Street

Mr. Blanchette stated he thinks the building is too big for the property, but what they are asking for Variances are modest.

Ms. Bakstran stated it is pure greed that the Applicants have to maximize. The building is large, on a slope and it's not nice. The number of apartments never officially changed from 3 apartments to 7; and they don't need doggie windows. She noted, if she lived on Monument Drive she would be annoyed. If they don't get the curb cut or sewer connection, the project will be dead in the water. She reiterated that the building is too big.

Mr. Tagliaferri agreed with Ms. Bakstran. He said he thinks the property needs to be developed, and what is there is an eyesore. The width of the residential apartments is like a trailer park going into downtown in a town that is looking for a moratorium on duplexes. He noted the project could add half a classroom to a school.

Mr. Rutan noted he's not sure the 2-bedroom apartments will attract many families with children.

Ms. Bakstran stated it's a lot to ask on that piece of property, and they will need to put conditions in it to make it as palatable as possible.

Mr. Litchfield noted he requested analysis of all the pipes to the ultimate discharge point and if any are found to be inadequate, the Applicants have to improve the pipes or reduce the flow. In response to a request to clarify the drainage system, Mr. Litchfield stated that some of the rooftop flows to an area that infiltrates into the ground. He noted it's all about stormwater, and noted sewer is available for them to tie into.

Mr. Litchfield noted the conditions in his two review letters will be included in the decision.

Mr. Tagliaferri asked if there is an issue with the fact that this project was advertised as having 3 dwelling units and has not grown to seven dwelling units. Ms. Joubert explained the original advertisement for 3 unites was done per state statute, and through the process, the plan was revised. The Applicant did everything they needed to do and there is no requirement on the Town's part to readvertise.

Mr. Leland asked about the notice requirements and Ms. Joubert replied notices are sent to abutters that are 300 feet from the subject property. Mr. Leland noted there are probably 20 – 30 residents in that area and only one of them attended the meetings.

Ms. Bakstran motioned to grant a Special Permit and Site Plan Approval to allow the use of a proposed building for a hair salon business on the first floor and 7 residential dwelling units on the second floor, on the property located at 89 West Main Street; Mr. Leland seconded the motion and the vote was unanimously in favor of the motion.

Mr. Rutan motioned to grant a Variance to allow parking in front of proposed building; and a Variance to allow the front setback to be expanded to 70 feet, on the property located at 89 West Main Street with conditions per Mr. Litchfield's Engineering Department review letter dated March 23, 2018, and his Groundwater Advisory Committee letter dated March 26, 2018; and subject to review of the plans dated 3/27/2018. Mr. Leland seconded the motion and the vote was unanimously in favor of the motion.

Mr. Litchfield noted no building permit will be issued until a MassDOT curb cut permit has been issued.

Old/New Business

Approval of Minutes: Ms. Bakstran motioned to approve the minutes of **September 26, 2017**, Mr. Blanchette seconded the motion and the vote was unanimously in favor of the motion.

Ms. Bakstran motioned to approve the minutes of **February 27, 2018**, Mr. Leland seconded the motion and the vote was unanimously in favor of the motion.

2018 Town Meeting: Ms. Joubert informed the board that the Planning Board continued their public hearing for their 5 zoning articles for Town Meeting to April 3rd. The articles included

- Amend the section number in Site Plan Approval
- Zoning and general prohibition of recreational marijuana
- Approval of medical marijuana in the Highway Business District
- Article on Duplexes – The Planning Board may entertain an amendment to the Planning Board next Tuesday at which developer Tony Abu may present language to insert to allow a waiver of the required frontage, because the bylaw is proposing to increase frontage requirements.

Master Plan Steering Committee: Ms. Bakstran stated the Committee kicked off their meeting last week. The committee is diverse, with a lot of energy, and the consultants are great. They will be meeting every other month and will be talking about a lot of interactive activities with the public to get their feedback; to develop a guide and vision of where they want the town to go; and for the committee to then develop a plan.

Bond Release for Church Street Village: Mr. Litchfield distributed his letter regarding the bond release, stating the current bond amount Church Street Village is \$22,500 as of the last bond reduction granted by the ZBA on October 24, 2017. At that time, the bond was reduced by \$7,500 as a result of the approval of the drainage calculations submitted by Robert I. Parente, P.E. for Basin #4; and the remaining bond was to remain in place until the drainage calculations for Basins # 1, 2 and 3 were approved. Mr. Litchfield explained he has reviewed the As-Built Drainage Calculations for the composite flow from Basins #1, 2 and 3 to Church Street as submitted by Robert J. Parente, P.E., dated January 21, 2018, and recommends the board

release the remaining bond amount of \$22,550. Mr. Litchfield noted this action closes out the bond for this project and no further action will be required of the board.

Mr. Leland motioned to release the remaining bond amount of \$22,500, Mr. Rutan seconded the motion and the vote was unanimously in favor of the motion.

The meeting adjourned at 9:15pm.

Respectively Submitted,

Debbie Grampietro
ZBA Administrative Assistant