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Town of North Reading  
Massachusetts

*Board of Appeals*

**MINUTES**  
**Zoning Board of Appeals**  
**June 9, 2022**  
**Teleconference/Virtual Meeting**

**Members Present:** Jennifer Platt, Bob Breen, and Vincent Ragucci  
**Also present:** Kathy Morgan, Secretary, Gerry Noel, Building Commissioner  
**Attendees noted:** Loretta Martinez, Austin Turner (Bohler), Sophie Boyce, Amanda Johnson, Bill Sharkey, Pierre, Jonathan Muise, Phil Healy (Comcast)

Chair, opened the meeting at 7:05 pm

There was some discussion regarding whether the Governor would allow virtual meetings to continue.

Ms. Platt moved to continue virtual meetings for July and August 2022, seconded by Mr. Breen; and voted 3-0 in favor.

**Continued Public Hearings**

**340 Main Street – Special Permit to run a Detail and Repair shop**

Chair opened the continued Public Hearing. Mr. Laws was not present and has not been in touch with the ZBA office.

Ms. Platt moved to continue the hearing to July 14, 2022, to give the applicant another chance to present his request to the Board. Mr. Breen seconded the motion; and it was voted; Mr. Breen – yes, Mr. Ragucci – yes, and Ms. Platt – yes.

**340 Main Street – Special Permit to run a Construction/Landscaping Business**

Chair opened the Public Hearing. Mr. Sa, the owner, was called and informed the ZBA office that he and his wife were sick and could not attend the meeting. There were no abutters present.

Ms. Platt moved to continue the hearing to July 14, 2022, to give the applicant another chance to present his request or advise members of a new tenant. Mr. Breen seconded the motion; and it was voted; Mr. Breen – yes, Mr. Ragucci – yes, and Ms. Platt – yes.

**172 Park Street – Variance for upgrade lighting**

Chair opened the continued hearing. Amanda Johnson (Gensler) and Austin Turner (Bohler) were present for the project. Mr. Turner explained to members that his company, Bohler, works with lighting consultants and has reviewed the design of the lighting at the site. After review by their firm, the lighting was reduced by 50%. He went over the changes made to the design plan, poles moved closer to the building, LED lights being used in some cases, which in some cases, are slightly above the 1 foot candle @ 1.3, 1.4 He talked about the lighting change over the boundary in the right of way, which was 1.6, 1.7. Chair asked him to explain how the new plan is different from what currently exists. Mr. Turner said that currently the site has pole mounted flood lights that illuminate the whole property. The four new pole lights can be manipulated and under the canopy (at the ATM) the light is bright, but focused under the canopy. Mr. Breen asked if there was a possibility of putting the lighting on a sensor. Mr. Turner said that the new pole mounts are very directional and concentrated and pointed down, without the halo glow. Mr. Breen asked if there was an ability to adjust the lighting. Mr. Turner said there is some level of adjustment. Lighting at the exits is at 1.6. Mr. Ragucci asked if it is 3, 4 or 5000K, how it would match with the RMLD street shade. Mr. Breen noted that the new lighting will look different than their neighbors. Ms. Platt asked if upgrades could be made without needing a variance.

Ms. Platt moved to close the Public Hearing; seconded by Mr. Breen and voted; Mr. Breen – yes, Mr. Ragucci – yes, and Ms. Platt – yes.

Discussion: Ms. Platt said she appreciates the effort made by the petitioner and the modifications made. She said it makes sense to upgrade the lighting, but said she is concerned with overshadowing the abutting properties. Mr. Breen said he would rather just have increased lighting around the front and the ATM. Mr. Turner requested that the board reopen the hearing to let them refine the plan even more, match or reduce sidelines, maintain the rear

area where it's a dead spot and give it some illumination. They would also look at reducing the candle light level at the sidelines, and focus more on the front, and also get some clarity about the color, and look into motion sensors.

**Ms. Platt moved to reopen for additional items and a revised plan; seconded by Mr. Breen; and it was voted Mr. Breen – yes, Mr. Ragucci – yes, and Ms. Platt – yes.**

**Ms. Platt moved to continue the Public Hearing to July 14, 2022; seconded by Mr. Breen and voted; Mr. Breen – yes, Mr. Ragucci – yes and Ms. Platt – yes. Members asked that the CPC be asked to comment on new materials submitted by the petitioner at their upcoming meeting on June 21<sup>st</sup>.**

#### **5 Tower Hill Rd – Special Permit for chickens**

Chair read the notice and opened the hearing. Pierre Ancrì, the homeowner, was present. Mr. Ancrì explained that the chicken coop would be positioned 60' from the road, 40' from the house. The coop would be 15' x 50' for ten hens. The plot plan showing the location of the coop was shown. Chair asked that the coop be brought in further from the side line. Mr. Breen asked if he has had any conversations with his neighbors about the chickens. Mr. Ancrì said some, who were happy for fresh eggs. No abutters were present.

**Mr. Breen moved to close the Public Hearing, seconded by Ms. Platt; and voted Mr. Ragucci – yes, Mr. Breen – yes, and Ms. Platt – yes.**

**Mr. Breen moved to grant a Special Permit to allow for ten chickens, but no roosters. Mr. Ragucci seconded the motion; and it was voted Mr. Breen – yes, Mr. Ragucci – yes, and Ms. Platt – yes**

#### **21 Concord St. – Home Occupation Special Permit**

Chair read the notice and opened the Public Hearing. Loretta Martinez, the applicant/homeowner, was present. Ms. Martinez was granted a Home Occupation Special Permit to run her dog treat business at her previous home at 63 Central St. She is now applying for one at this address. She explained to members that she makes dehydrated pet treats and sells them wholesale and retail. She makes the treats at her home and ships them FedEx and Ups. She also mentioned that she is a member of the American Pet Products Association and they recognize her as a manufacturer. Chair noted the standard home occupation special permit conditions. There were no abutters present.

**Ms. Platt moved to close the public hearing and grant a Home Occupation Special Permit with the standard conditions, seconded by Mr. Ragucci; and voted Mr. Ragucci – yes, Mr. Breen – yes, and Ms. Platt – yes.**

**4 Elvira Rd – Variance for an addition**

Chair read the notice and opened the hearing. Jonathan Muise, homeowner, was present. Mr. Muise explained their family's need for a larger house with their children growing and his wife working remotely. The addition will enlarge the family room and enlarge a bedroom on the second floor making a master suite. Their septic system is located behind their house and, therefore, they can only expand in the front. The plans were reviewed. Their neighbors, Sophie Boyce & Nick Robertson from 6 Elvira were present and wished them luck with the project. Mr. Noel noted that the Health Director will need to review the project. Mr. Muise said they aren't adding a bedroom, just expanding one.

**Ms. Platt moved to close the Public Hearing, seconded by Mr. Breen; and voted Mr. Breen – yes, Mr. Ragucci – yes, and Ms. Platt – yes.**

**Mr. Breen moved to allow a 12' variance pursuant to the petition of Jonathan Muise for 4 Elvira, map 14, parcel 51 for a variance from the front lot line pursuant to the plans submitted. Mr. Ragucci seconded the motion; and it was voted: Mr. Breen – yes, Mr. Ragucci – yes, and Ms. Platt – yes**

**Minutes: Members tabled minutes until a full board is present.**

**New Business: Mr. Noel sent members a new price schedule to increase the filing fees to apply to the Board of Appeals. The current fees are not covering the fees for advertising never mind postage or administrative costs. Members asked Mr. Noel to send comparable fees from other towns to see what they are charging.**

**Mr. Breen moved to adjourn, seconded by Mr. Ragucci, and it was voted unanimously in favor.**

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Approved Jennifer Platt Dated 7/20/2022  
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