

MINUTES
Zoning Board of Appeals
December 9, 2021
Teleconference/Virtual Meeting

Members Present: Jennifer Platt, Bob Breen, and Vincent Ragucci,
Also present: Kathy Morgan, Secretary and Gerry Noel, Building Commissioner
Attendees noted: Michael Hershberg, Phil Healy, NORCAM, Robert Wood, Steve Leavitt, Cheryl,
617-285-8888, Linda Hickey's IPAD, Jose Sa, Michael Pinta and Chris Hayden

Ms. Platt, Chairperson, opened the meeting at 7:00 pm

Continued Public Hearings

33 Anthony Rd – Variance for a two-car garage

Chair opened the public hearing and read the notice. Robert Wood was present and explained his proposal for a two-car garage addition with bedrooms above. The property is on the corner of Anthony Rd and a future street, making the property have two fronts and one is only 35.3' from the property line. This property is in an RA district requiring a 40' setback to the front. Mr. Noel mentioned that the paper street goes to a lot in back which is open for development. Ms. Platt asked if the addition will be one or two stories. Mr. Woods said two. Chair said that a variance is required from both streets, one that is currently non-conforming. A memo received from the Community Planning Commission was read into the record. No abutters made themselves known. Members would like the applicant to submit renderings of the elevations.

The applicant requested that the hearing be continued to January 13, 2022 at 7:00 pm

271 Main St. – Appeal of the Building Commissioner and Variance

Michael Hershberg, representative from VOLTA was present. The proposal was brought before the Community Planning Commission for the location and, although they approved the location, they realized after the hearing that the signage would be scrolling, which is prohibited.

Ms. Platt noted that the applicant is not before the Board because of the electric chargers, but for signage, scrolling signs are prohibited and that there are a limited number of signs that a business can have. Ms. Platt felt the location was not appropriate, and that the area was too congested. Mr. Hershberg said that their model works through signage, which pays for the charging, so they need to be in a high traffic area. They protect their signs well with bollards or whatever is required. Ms. Platt was more concerned with pedestrian traffic not watching where they are going. Mr. Hershberg said they are faced towards the drive isle and would fade out like cellphones and are just quick flashes. Mr. Breen said the bylaws are not up to speed to address these innovations, but this is more about signage than charging and may set a precedent. Mr. Ragucci also said that electrification is here to stay and asked if Mr. Hershberg had been involved in changing other town's bylaws and could share that with the Board. He also asked Mr. Hershberg if the amperage could be regulated during peak usage. Mr. Hershberg said he could send some draft ordinances and said the devices can be turned off or dimmed down. Chair explained that the process of changing the bylaws doesn't happen overnight.

Mr. Breen said VOLTA isn't like other companies in town that has signage. VOLTA doesn't have an address, but is essentially a billboard. Mr. Hershberg said VOLTA is partnering with Stop & Shop to get people to utilize the grocery store and providing electric charging for the community.

Mr. Hayden, member of the Community Planning Commission, was present and said the applicant provided paper plans when they came before CPC and their Board was under the impression that the proposal was for EB charging without the advertising; and then realized in the specifications that the devices only give a trickle charge and might take 2 days to charge a car. He felt the location for the chargers was not appropriate. He is concerned that pedestrians will not look where they are going and will be looking at the signs; and it's a moving sign, which is not allowed in the bylaws. Mr. Hayden said that the CPC sent two memos and would back the Building Commissioner's decision and urged the Board not to approve. The memo's submitted by CPC were read into the record. No abutters made themselves known.

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

Discussion: Ms. Platt said that technology is changing and the Master plan is looking to approve the appearance of Main St. She also encouraged Mr. Hershberg to send along other town bylaws regarding the charging stations, but doesn't see how the Board can approve a variance. Mr. Breen realizes that electric charging stations will most likely be needed, but feels that these units are mostly a billboard. Mr. Ragucci feels there are still so many unknowns and wonders if this would be a Stop & Shop permit or a VOLTA permit – who owns the charging piece?

Mr. Hershberg requested to withdraw his application to avoid a prohibition period.

340 Main St. – Special Permit for a Construction/Landscape business

Mr. Michael Pinta, attorney for the owner was present along with the owner, Mr. Sa. Attorney Pinta gave an update on how the evictions are coming. He fully expects no opposition but has to wait out the process. Mr. Breen asked if the tenants have hired counsel. Mr. Pinta said he has had no response from them. Payne's Auto has a court date for the same day, next Thursday, and has had no contact from them either. Both tenants owe rent to the owner. Because of the drawn out time to schedule the court time, Attorney Pinta would like to request another continuance. Mr. Sa was asked if he has any future plans for the property and to let the Board know when he does.

The Board granted a continuance of the hearing to Thursday, February 10, 2022, at 7 pm

Minutes

Ms. Platt moved to approve the minutes of November 19, 2021; seconded by Mr. Breen; and voted unanimously in favor by roll call, Mr. Breen – yea, Mr. Ragucci – yea and Mr. Platt – yea.

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

Approved _____ Dated _____