ZONING BOARD OF APPEALS
MINUTES OF MEETING
OCTOBER 24, 2013

Town of Bedford
Bedford Town Hall
Lower Level Conference Room

PRESENT: Angelo Colasante, Chair; Jeffrey Cohen, Vice Chair; Carol Amick, Clerk; Jeffrey Dearing; Todd Crowley; Michelle Puntillo

ABSENT: Donald Drouin

Mr. Colasante introduced himself and read the emergency evacuation notice. The Zoning Board of Appeals (ZBA) members and assistant introduced themselves.

PRESENTATION: Ms. Amick read the notice of the hearing.

PETITION #009-14 – Ken's NY Deli, at 82 Great Road, seeks a Special Permit per Article 39.5 Section 2 of the Sign By-Law to illuminate awning sign.

James Garabedian, the owner of Ken's NY Deli, introduced himself and stated that he was appearing before the Board to seek approval for three gooseneck lighting fixtures over the awning of his business at the Blake Block. He stated that the fixtures were the exact ones approved for Ginger Japanese Cuisine. He added that the Historic District Commission (HDC) had approved the aesthetics of the lights, and he now needed Zoning Board approval for the illumination.

Ms. Amick asked whether the proposed fixtures would be the same height as the fixtures at Ginger restaurant. Mr. Garabedian said he would try to make them at the same level, but the Ginger sign was higher and the setup was slightly different, so he wasn't sure it was possible. Mr. Cohen said that the HDC approved the fixtures in a certain spot and he wasn't sure whether it was under this Board's purview to dictate where the fixtures should be placed; it was only the Board's responsibility to look at the lighting and determine that the illumination met the requirements of the Sign By-Law.

Mr. Colasante asked what the restaurant hours would be. Mr. Garabedian replied that he was approved for 7:00 AM to 10:00 PM, Sunday through Saturday. Mr. Colasante stated that the Board usually put a condition on Special Permits for sign illumination that the lights must be on a timer to be turned off between the hours of 11:00 PM and 6:00 AM; he asked whether the applicant would have a problem with that condition. Mr. Garabedian said he would be fine with such a condition.

Mr. Cohen said that the Blake Block site was currently in violation of lighting overspill for the rear parking lot lights; the lights were supposed to be covered with baffles to block the overspill, but that was never done. He said that Bruce Blake, the property

owner, was notified about this in April and still he had not made any of the required changes to the site. He stated that Mr. Blake has clearly not listened to, or taken seriously, the Town's and the Planning Board's demands to install the baffles.

Mr. Garabedian said he thought that condition was unfair, as the Board was essentially using him as leverage to get Mr. Blake to do what the Town wanted. Mr. Cohen said that the Board had 14 days to write its decision and there was a 20 day appeal period, so the applicant wouldn't even be able to install his lighting fixtures for over a month, anyway. Ms. Amick added that, if this condition were placed on the permit, the applicant would still be able to install the lights, just not turn them on until the other issue had been resolved.

Ms. Puntillo asked whether there were any lights underneath the awnings.
Mr. Garabedian replied that there were not.

Mr. Colasante opened the hearing to the public. With no comments or questions from those in attendance, Mr. Colasante closed the public hearing.

DELIBERATIONS:

Mr. Colasante said that the conditions of a Special Permit were that the project was in keeping with the intent and purpose of the By-Law and was not injurious or detrimental to the neighborhood. He said he felt this project met those conditions, and now it was simply a matter of deciding whether the Board wanted to include the condition suggested by Mr. Cohen.

There was extensive discussion about whether to include the condition requiring the landlord to put the baffles in the parking lot lights. Mr. Dearing said that he had a problem with holding a tenant "hostage" because of a landlord's negligence.
Mr. Crowley agreed. Mr. Cohen pointed out that this application technically came from Mr. Blake; Mr. Garabedian was simply a tenant acting and speaking on Mr. Blake's behalf. He said this was Mr. Blake's building, and by putting this condition onto the Special Permit, it should ensure that Mr. Blake will take more care to meet the Town's requirements. Mr. Cohen said that if this condition were not included, he would abstain from voting on the application.

Ms. Amick said that Mr. Cohen was the Chair of the Planning Board and had been on the Zoning Board for many years, and she felt that the Board should defer to his expertise in this case.

After further conversation, Mr. Dearing said that he would vote in favor of this Special Permit with or without the site lighting condition, because he wanted the applicant to be able to light his sign, but he wanted to state for the record that he was opposed to the condition. Mr. Crowley agreed with Mr. Dearing's statement.

Mr. Colasante called for a motion.

MOTION:

Ms. Amick moved to grant to Ken's NY Deli, at 82 Great Road, a Special Permit per Article 39.5 Section 2 of the Sign By-Law to illuminate awning sign, substantially as shown on Exhibits A and B, with the following conditions:

1) The lights shall be on a timer so that they will be off between 11:00 PM and 6:00 AM; and

2) The lights may be installed but may not be turned on until baffles required in the parking lot at the rear of the Blake Block building have been installed by the property owner.

Mr. Cohen seconded the motion.

Voting in favor: Colasante, Cohen, Amick, Dearing, and Crowley
Voting against: None
Abstained: None

The motion carried unanimously, 5-0-0.

Mr. Colasante explained that the Board had 14 days to write a decision, after which time there was a 20-day appeal period. The applicant was then responsible for getting the decision recorded at the Registry of Deeds.

PRESENTATION: Ms. Amick read the notice of the hearing.

PETITION # 013-14 – Hazel Wood Hopkins, for Safety Partners, at 19 Crosby Drive, seeks a Special Permit per Article 39.5 Section 5(7)(a) to locate wall sign above first floor of building.

Hazel Wood Hopkins introduced herself and explained that her client, Safety Partners, was requesting representing a non-illuminated wall sign to be installed above the first floor level of the industrial building at 19 Crosby Drive. She said that the proposed sign was 24 square feet, which was within the Board's purview to grant by Special Permit. She noted that the proposed sign would be located on the side of the building, because it is the side of the building, not the front, that faces Crosby Drive and would therefore give the clients the most visibility.

Mr. Colasante opened the hearing to the public. With no comments or questions from those in attendance, Mr. Colasante closed the public hearing.

DELIBERATIONS:

Mr. Colasante said that this application was quite straightforward and he could support it, although he did worry about other signs potentially being placed on the building in the future for other tenants. Mr. Cohen said that the Board took each application on a case by case basis and could look at other signs in the future if necessary, but only one sign was before them tonight. He stated that this sign met the two requirements of a Special Permit, in that it was not injurious or detrimental to the neighborhood and was in keeping with the intent and purpose of the By-Law. The other members agreed.

MOTION:

Ms. Amick moved to grant to Hazel Wood Hopkins, for Safety Partners, at 19 Crosby Drive, a Special Permit per Article 39.5 Section 5(7)(a) to locate wall sign above first floor of building, substantially as shown on Exhibit A.

Mr. Dearing seconded the motion.

Voting in favor: Colasante, Cohen, Amick, Dearing, and Crowley
Voting against: None
Abstained: None

The motion carried unanimously, 5-0-0.

Mr. Colasante explained that the Board had 14 days to write a decision, after which time there was a 20-day appeal period. The applicant was then responsible for getting the decision recorded at the Registry of Deeds. Once the decision is recorded, the applicant may apply for a Sign Permit at the Code Enforcement Department.

PRESENTATION: Ms. Amick read the notice of the hearing.

PETITION #010-13 – Jennifer Soillis, at 330 South Road, seeks a modification to Special Permit #050-93 to allow commercial kitchen for wholesale baking.

Ms. Soillis introduced herself and her husband, Christopher. She stated that she would like to convert a section of the existing kitchen at 330 South Road to be used for commercial baking for wholesale purposes. She said that there had been an existing kitchen inside the house, but last winter a pipe burst so they had to gut it, and that was how the kitchen remained at the present. She stated that she hoped to create a new commercial kitchen for her own baking, with no employees other than herself.

Mr. Colasante asked how the applicant intended to operate, and what her proposed hours were. Ms. Soillis replied that she planned to drive to the property after her kids got on the bus and operate during school hours. She said that she would be baking goods to deliver to local coffee shops, and her first goal was to supply her sister-in-law's breakfast and lunch restaurant. Mr. Colasante asked whether a condition on the Special Permit that stated the working hours would be 8:00 AM to 4:00 PM would be amenable. Ms. Soillis said it would be.

Ms. Amick asked whether the applicant envisioned a broader scale or more employees over time. Ms. Soillis said she had no plans to enlarge the business at this time, and hoped to keep herself as the only employee.

Ms. Amick asked whether there was a dumpster on site, or whether the applicants planned on getting one. Ms. Soillis responded that there was not a dumpster on site, and she didn't foresee that she would ever accumulate enough trash to need one; she said that the Town's trash barrels would be enough.

There was conversation about Board of Health guidelines and the Town and State certifications necessary to open a commercial kitchen.

Mr. Cohen asked whether there was a deep fryer in the kitchen. Ms. Soillis replied that there was not.

Mr. Colasante opened the hearing to the public.

John Pimentel, owner of 26 and 28 Genetti Circle and resident of 26 Genetti Circle, said he has had issues with this property for years. He said this property had multiple businesses on it, some of which are extremely loud and operate without any care to the neighborhood. He said there were landscaping trucks, tow trucks, and plows operating out of this site, many of which run their equipment early in the morning and on Sundays and holidays; there had been instances, he added, when plows had plowed the site at 2:00 or 3:00 AM during snowstorms. He stated that he had been complaining to Code Enforcement about this site for years, and was very opposed to another business being allowed there.

Robert Luongo, of 32 Genetti Circle, said he also has had issues with this property for many years, including loud trucks being on at all hours of the morning and night, debris all over the site, and a general lack of respect to the entire neighborhood.

Mr. Pimental and Mr. Luongo talked with the Board about the kinds of businesses that have been caused noise disturbances over the years. Mr. Luongo said that the business responsible for the most disturbance – a landscaping company – had moved out, which has helped, but the site was still a nuisance to everyone in the area. Mr. Pimental said that his tenants have threatened to move out because of all the noise and disturbance at this property.

There was extensive discussion about the history of the lot and how it came to have so many businesses on it.

Mr. Soillis said that he was not an absentee landlord; he had always taken care of any and every issue that had ever been brought to his attention. He said he could not, however, address any issues of which he was not aware.

Mr. Colasante said that it seems to him that the commercial kitchen was a secondary concern to the history of the lot. He said he would like to get a better understanding of how things have evolved over time before he makes a judgment on whether another business should be allowed.

Mr. Luongo said he didn't think it was a good idea to bring a food establishment into this property. He said he understood that it would be a small operation, but it still potentially opened the door for food waste, flies, rodents, and an overflow of trash.

Ms. Amick said she was hesitant to act on this Special Permit request without knowing the full history of the property and its changes over the years. Mr. Colasante said it was clear that the Board needed more information. He suggested continuing this hearing and getting more information, both from the applicants and from Code Enforcement. The other Board members agreed.

Mr. Colasante said it might be beneficial if the Board were to conduct a site visit; he asked the applicants whether that could be arranged. Ms. Soillis said that would be fine, and she would be happy to meet the Board members there to walk the property with them.

Ms. Amick suggested the Board request the applicants prepare a list of the current tenants at the property. Mr. Colasante said that was a good idea, and asked the applicants whether that would be possible. Mr. Soillis said that would not be a problem and he would be happy to do that.

MOTION:

Ms. Amick moved to continue Jennifer Soillis, at 330 South Road, seeking a modification to Special Permit #050-93 to allow commercial kitchen for wholesale baking to December 12, 2013 at 7:30 PM.

Mr. Cohen seconded the motion.

Voting in favor: Colasante, Cohen, Amick, Dearing, and Crowley
Voting against: None
Abstained: None

The motion carried unanimously, 5-0-0.

PRESENTATION: Ms. Amick read the notice of the hearing.

PETITION #006-14 – Carleton-Willard Homes, Inc., at 106 Old Billerica Road, seeks a modification to Special Permit #79-3 to construct new activities pavilion and dining bistro per Sections 4.3.5 and 10.3.3.1(f) of the Zoning By-Law; and a modification to Special Permit #79-3 to expand parking per Sections 7.4 and 10.3.8 of the Zoning By-Law.

Attorney Tom Swaim, of Holland & Knight, greeted the Board members and stated that Carleton-Willard Homes (CWH) had responded to the comments made by the Department of Public Works (DPW) and the Conservation Commission, and had also held a neighborhood meeting to address the neighbor's concerns and questions. He talked in detail about drainage and stormwater questions that had been brought up by the DPW and Con/Com, and what they had done to address them. He also talked about the landscaping, noting that they had added two rows of staggered evergreens between the CWH property and the abutting neighbors; those trees were approximately eight to ten feet in planting height and would be 40 feet high at mature height. He said that they were also proposing to add two red maples and one littleleaf linden to add color and extra screening.

Mr. Swaim stated that another of the Board's and neighbor's concerns involved the light coming from the large open window in the Activities Center. He said that concern had been addressed by a proposal to furnish the window with automatic, light sensitive shades that would close automatically at sundown, thus blocking out the interior lights from the outside.

Mr. Colasante noted that there was also a concern about lighting along the access road. Mr. Miller responded that no street lights would be installed along the access road; the only lighting along that roadway would come from building-mounted lighting at the egress doorways, which were required by Code.

Mr. Cohen read into the record a letter from the Conservation Commission, dated October 18, 2013, in which Con/Com requested the ZBA set a condition on this Special Permit to open the fence connecting Myers Lane with the Carleton-Willard trails. Mr. Swaim stated that the access to the open space at the property was created by a Conservation Restriction approved by the Secretary of State and recorded with the Registry of Deeds. He said that changing the Conservation Restriction was a long and arduous process that involved Town Meeting approval and assorted other approvals that could take a year or more. He stated that he would request that the ZBA did not place such a condition on the Special Permit. Mr. Cohen said it sounded like the Board could not simply put such a condition on the Special Permit without creating a great hardship for Carleton-Willard.

Angelo Colasante, of 2 Old Stagecoach Road, thanked the Board for encouraging CWH to hold a neighborhood meeting. He said that the applicants had come up with a beautiful plan that should screen the new facility quite well. He stated that he would like the Board to consider adding the following conditions to the Special Permit: To maintain and replace the trees in perpetuity, and to install the trees prior to construction. Mr. Swaim said that CWH would have no issue with those conditions.

Christopher Doucet, of 14 Wagon Wheel Drive, said he appreciated Carleton-Willard meeting with the neighbors to work through their questions. He said the only final request he had was for CWH was to bow the tree line on the far east side so that it would

curve slightly away fromhis property. Mr. Miller said he believed they could do that without a problem.

Ms. Puntillo asked whether the applicants had considered varying the screen trees, rather than planting all evergreens. Mr. Miller said they had considered it, but they were concerned that the trees would grow at different rates.

There was further discussion about the landscaping, and Mr. Cohen noted that the Board should include a condition regarding landscaping in its motion.

Steve Hagan, a resident of 2 Williams Street and the Chair of the Conservation Commission, said it sounded to him like the reasons that Con/Com's request could not be met were quite legitimate, and he had no problems with the Board omitting the condition. He said he would, however, appreciate it if CWH wrote a letter to Con/Com explaining those reasons so that the Commission had something on record. Mr. Swaim said that he would be happy to draft such a letter and send it to the Commission.

With no further comments or questions from those in attendance, Mr. Cohen closed the public hearing.

DELIBERATIONS:

Mr. Cohen stated that the request was to modify Special Permit #79-3, and a modification to a Special Permit still required the Board to determine the same requirements that it would for granting a new Special Permit: that the project was in keeping with the intent and purpose of the By-Law and was not injurious or detrimental to the neighborhood. He said he felt this project met those conditions, and he applauded CWH for reaching out to the neighbors to address their concerns. He said he could easily support this Special Permit with conditions. The other Board members agreed.

MOTION:

Ms. Amick moved to grant to Carleton-Willard Homes, Inc., at 106 Old Billerica Road, a modification to Special Permit #79-3 to construct new activities pavilion and dining bistro per Sections 4.3.5 and 10.3.3.1(f) of the Zoning By-Law; and a modification to Special Permit #79-3 to expand parking per Sections 7.4 and 10.3.8 of the Zoning By-Law, substantially as shown on Exhibits A and B and subject to the following five conditions:

1. Provide vegetative screening along the property line at the end of Old Stagecoach Road, substantially as shown on Exhibit B, as amended per abutter's comments regarding curving cedar trees behind 14 Wagon Wheel Drive; said screening to be maintained by Carlton-Willard in-perpetuity, including replacement of vegetation that dies, with in-kind species that match the original as-planted specimen in height and caliper.

2. Construction of Activities Pavilion shall commence after planting of vegetative screening.

3. Fire access road shall have no street lights installed. The only lighting permitted along the access roadway shall be building-mounted lighting at egress doorways as required by Code.

4. Windows on the newly constructed Activity Center shall be furnished with daylight-sensing automatic shades, set to close at sundown.

5. Relocate proposed tree at new catch basin outlet south of the entrance drive per DPW memo, dated October 15, 2013.

Mr. Dearing seconded the motion.

Voting in favor: Colasante, Cohen, Amick, Dearing, and Crowley
Voting against: None
Abstained: None

The motion carried unanimously, 5-0-0.

Mr. Colasante explained that the Board had 14 days to write a decision, after which time there was a 20-day appeal period. The applicant was then responsible for getting the decision recorded at the Registry of Deeds. Once the decision is recorded, the applicant may apply for a Sign Permit at the Code Enforcement Department.

Mr. Cohen wished the applicants luck with the project. Mr. Swaim thanked the Board for its time.

PRESENTATION: Ms. Amick read the notice of the hearing.

PETITION #012-14 – Pamela Brown, Esq., for 198 Concord Road, seeks a Special Permit per Section 7.1.2 of the Zoning By-Law to allow a lot division with existing non-conforming frontage.

Ms. Brown greeted the Board and stated that the lot at 198 Concord Road was an oversized residential lot whose only non-conformity was lot frontage. She said that the proposal before the Board involved subdividing the lot and taking the excess land at the rear of the property for New England Nurseries to buy. She noted that this subdivision could have been done by right if the lot frontage were 25 feet greater.

There was conversation about the shape of the lots and the use of the existing and proposed lots. Mr. Colasante asked whether there were plans to build on the second parcel once the lots were subdivided. Ms. Brown said there were not, and the lot would be unbuildable anyway; they simply wanted this extra land for New England Nurseries to use.

Mr. Colasante opened the hearing to the public.

DELIBERATIONS:

Mr. Colasante said that the project required a Special Permit, and he felt that in met the requirements of a Special Permit, in that it was not injurious or detrimental to the neighborhood and was in keeping with the intent and purpose of the By-Law. He added that the second lot, after the subdivision, would be unbuildable, so he had no concerns with the application. The other Board members agreed.

MOTION:

Ms. Amick moved to grant to Pamela Brown, Esq., for 198 Concord Road, a Special Permit per Section 7.1.2 of the Zoning By-Law to allow a lot division with existing non-conforming frontage.

Mr. Cohen seconded the motion.

Voting in favor: Colasante, Cohen, Amick, Dearing, and Crowley
Voting against: None
Abstained: None

The motion carried unanimously, 5-0-0.

Mr. Colasante explained that the Board had 14 days to write a decision, after which time there was a 20-day appeal period. The applicant was then responsible for getting the decision recorded at the Registry of Deeds.

PRESENTATION: Ms. Amick read the notice of the hearing.

PETITION # 011-14 – Pamela Brown, Esq., for 50 Concord Road, seeks a Special Permit per Section 7.1.2 of the Zoning By-Law to increase size of pre-existing non-conforming repair garage.

Ms. Brown stated that this application was to allow the continued use of an existing grandfathered business. She said that she represented Richard Iovino, who had recently bought the commercial garage at 50 Concord Road and wanted to continue using it in the same capacity. She said that Mr. Iovino's plan was to demolish the existing structure and rebuild it, making a new structure that was more modern and attractive. She noted that the height and setbacks of the proposed structure complied with the requirements of the Zoning By-Law, and the only reason this application was necessary was to allow the continued use of a commercial business in a residential zone.

Ms. Brown stated that the ZBA application packet for this project featured a plot plan showing existing conditions, but did not include a proposed plot plan. She handed out a

proposed plot plan and explained that it had been tweaked over the past weeks but then changed a great deal yesterday due to a meeting with the direct abutter on the east side of the property. She noted that the abutter, David Lynch, was concerned about the main entrance of the proposed building facing his lot at 52 Concord Road, so they have now faced the entrance in the opposite direction, away from his property, with green space added at the east side of the property facing Mr. Lynch's property.

Mr. Colasante said it appeared the applicants planned to either maintain or replace the existing fence. Ms. Brown said that was correct, and it would be the same height as the current fence.

There was discussion about the landscaping of the lot. Ms. Brown noted that there was an existing parking encroachment at the front of the property that would be removed and replaced with green space to make it more attractive.

Mr. Colasante said his recollection of the original garage was that it had a single door and five bays. Mr. Iovino said that was correct, and added that the proposed garage would have three doors and three bays. Ms. Brown noted that the number of cars being worked on at any given time would be reduced from five to three.

Ms. Amick said that it appeared from the proposed plot plan that the setbacks would all be in keeping with those allowed under the Zoning By-Law. Ms. Brown said that was correct; the setbacks would be 22 feet and 34 feet on the sides, respectively, and 64 feet from the front. She added that the new height would be approximately six feet higher than the old building, but it would still be under 27 feet high, which was ten feet below the By-Law's maximum allowable height of 37 feet.

Mr. Colasante opened the hearing to the public.

Mr. Colasante read into the record a letter from David Lynch, dated October 22, 2013. The Board discussed the items in the letter with Ms. Brown, who noted that many of the comments within it had already been addressed. Mr. Colasante asked Ms. Brown to address the first point in Mr. Lynch's letter, which read, "The previous operation has been closed for 10 months. Did the special permit expire after 6 months?" Ms. Brown replied that the use of a property expires after two years, not six months, if its use isn't continued.

Mr. Colasante referenced Mr. Lynch's question regarding plans for the back of the lot. Ms. Brown said the back of the lot would be used for vehicle storage anyway. Mr. Iovino added that vehicles would only be stored at the back, not at the front as has been done in previous years.

Mr. Colasante asked about site lighting. Ms. Brown said that there would be standard security lights similar to what was currently there – one at the front and one at the back. There will also be a light over the entrance door.

Mr. Colasante asked about the "history of code enforcement issues" mentioned in Mr. Lynch's letter. Mr. Iovino said that he just bought the property within the past couple months, and although he wasn't aware of any Code issues in the past, he would be sure that the operation ran as it was always intended to.

Ann Kiessling, of 41-42 Concord Road, said she lived across the street and had some concerns about the use of this business. She said she worried about an increase in traffic and towing in the area. Ms. Brown stated that there would not be any increase of the business, and Mr. Iovino planned to run it the same way it had always been run. Mr. Colasante said he could understand the neighbors' concern, and he wanted to be sure that the Board could approve the use without the garage turning into a Jiffy Lube. Ms. Brown said it wouldn't be anything nearly that extensive; it would only be an extension of the existing use. She said they only had to appear before the Zoning Board because Christopher Laskey, the Code Enforcement Director, felt that the building modification was a modification to the non-conforming use.

Ms. Kiessling asked about the sale of cars. Ms. Brown replied that Mr. Iovino has a permit through the Selectmen's office to sell up to three cars.

There was further discussion about the use of the site and what was allowed for the business. Ms. Brown stressed that the size of the building would only be slightly increased, and stressed that Mr. Iovino had no plans to enlarge the business – he only wanted to modernize the building.

Ms. Kiesling asked whether there was any specific way to measure the increase in the use. Mr. Cohen said that there was not any specific way to his knowledge, because the use was grandfathered and was not operating under a Special Permit.

With no more comments or questions from those in attendance, Mr. Colasante closed the hearing to the public.

DELIBERATIONS:

Mr. Colasante said that the Board's only mission here was to determine whether or not to approve the continued use of a grandfathered business. He said that the requirements of a Special Permit were that the project was in keeping with the intent and purpose of the By-Law and was not injurious or detrimental to the neighborhood. He stated that he felt it met those requirements, especially since the use is one that has existed for decades.

Mr. Cohen agreed, adding that the applicants obviously met with the neighbor prior to this meeting to address his concerns, which was always appreciated. The other Board members stated that they could also support this Special Permit given the specific building parameters of the plot plan created by Ms. Brown.

MOTION:

Ms. Amick moved to grant to Pamela Brown, Esq., for 50 Concord Road, a Special Permit per Section 7.1.2 of the Zoning By-Law to increase size of pre-existing non-conforming repair garage, substantially as shown on Exhibits A (plot plan with color graphics, dated 10/23/13), Exhibit B (revised elevation plan as initialed by applicant), and Exhibit C (photographic site plan), with the condition that the new structure will comply with zoning setbacks.

Mr. Cohen seconded the motion.

Voting in favor: Colasante, Cohen, Amick, Dearing, and Crowley
Voting against: None
Abstained: None

The motion carried unanimously, 5-0-0.

Mr. Colasante explained that the Board had 14 days to write a decision, after which time there was a 20-day appeal period. The applicant was then responsible for getting the decision recorded at the Registry of Deeds. Once the decision is recorded, the applicant may apply for a Building Permit at the Code Enforcement Department.

Ms. Brown thanked the Board members for their time.

Adjournment

MOTION:

Ms. Amick moved to adjourn the meeting.

Mr. Crowley seconded the motion.

Voting in favor: Colasante, Cohen, Amick, Dearing, Crowley, and Puntillo
Voting against: None
Abstained: None

The motion carried unanimously, 6-0-0.

The meeting adjourned at 10:55 PM.

1-9-14

Angelo Colasante, Chair Date

Respectfully Submitted,

Scott Gould
ZBA Assistant