

**CITY OF GARDNER
ZONING BOARD OF APPEALS
CITY HALL ANNEX, ROOM 101
GARDNER, MA 01440
(978) 630-4007 • Fax (978) 632-3313**

MINUTES

**Zoning Board of Appeals Public Hearing Meeting – July 19, 2016
115 Pleasant St., Room 103
Gardner, Massachusetts**

Sitting in on Hearing:

Raymond E. LaFond, Chairman
Michael D. Gerry, Third Member
Randall W. Heglin, Clerk

In Attendance:

See sign in sheet

Meeting Called To Order by: Raymond LaFond, Chairman, @ 7:00 P.M. Room 103, 115 Pleasant St.,
Ground Rules Read. No objection to videotaping/recording of the meeting.

Public Hearing

Case #2016-07-01. An application from Conrad Donell, Trustee for Sunshine Realty Trust c/o Thomas A. Gibbons, Esq., of 10 Madigan Lane, Ayer, MA for modification of the Special permit issued by the Zoning Board of Appeals, dated December 18, 2007 and modified on July 15, 2014 to construct a maintenance and storage garage at Sapphire Park-off Pearl Street, Gardner, MA Parcel ID #W-32-18-1, located in a Rural Residential II & Single Family Residential I zoning district (RRII & SFR1). The use requested requires modifications to the existing Special Permit issued by the Zoning Board of Appeals.

Thomas Gibbons, Esq. appeared before the Board and explained that Conrad Donell is requesting a Special Permit to modify the Special Permit that was issued on December 18, 2007 and modified on July 15, 2014 so that he could build a 2 bay 26' x 28' garage for storage purposes of maintenance equipment only. They will not have water or sewer. He also added that no salt or sand will be stored there. Atty Gibbons stated the purpose of the building would be helpful for maintenance of the grounds.

Conrad Donell showed them the plans. He stated that it will not affect any abutters and is out of the 100 foot buffer zone.

Ray LaFond asked the Mr. Donell get the plans updated.

Ray LaFond received a email from Jeffrey Legros from the Conservation Commission. The Conservation Commission does not have any major concerns related to the building of a garage or current status of the completion of the individual phases associated with the project. Mr. Donell told him the building would be greater than 100 feet from the wetland boundary. The Conservation Commission would also like confirmation of this and would also hopes that erosion controls are placed between the work and the wetland resource during the proposed construction of the garage.

Ray LaFond asked that a set of plans be submitted that the Zoning Board and Conservation Commission can review and that it shows where the erosion controls will be placed.

Mike Gerry asked Mr. Donell about the siding and roofing of the garage.

Mr. Donell stated that it will match the garages that are there and will be consistent with what exists there today. He also stated that they will be using the same siding and roofing as all the other buildings. The garage will be

put in a wooded area and he will take some of the trees down around it. There will not be any increase in traffic as they will be using their own vehicles. There are no homes near where the garage will be placed and the only utilities there will be electricity and gas.

The Board asked that there be exterior lights with a motion detector.

Ray LaFond moved that the Board render a Decision. Randy Heglin made a motion to approve Amendment #2/Modification with the following conditions:

- Set of plans be drawn up with exact location of the proposed structure.
- 100 ft. or greater from wetland area.
- Motion lights must be installed on the outside of the building.

Plan must be submitted to the Zoning Board and Conservation Commission for approval and must show the setback of 100 ft. or greater. Erosion control must be noted on the plan and motion lights on the exterior of the building. Seconded by Mike Gerry. Sovoted. Vote 3-0.

Ray LaFond closed the hearing.

Correspondence

The Board received an invitation to the Chamber of Commerce's 71st Annual Summer Outing and Golf Tournament. To be placed on file.

Copy of a letter from the Department of Environmental Protection to Jeffrey Legros, Conservation Agent dated June 1, 2016, regarding Draft Waterways License #14131 – Waterways Simplified License App #W15-4498 City of Gardner Public Access Pier/Dock, Kendall Pond, Gardner, Worcester County. The letter stated that the DEP has tentatively approved the Simplified License Application. A valid license shall be issued.

A copy of correspondence and a plan from Whitman & Bingham Associates for the proposed parking at 95 Mechanic Street dated July 20, 2016 which was submitted to Trevor Beauregard, Director Community Development and Planning to be put on the agenda for the next Development Review Board meeting.

Minutes

Motion to accept the minutes of the June 7, meeting by Randy Heglin. Seconded by Michael Gerry. So voted. Vote 3-0.

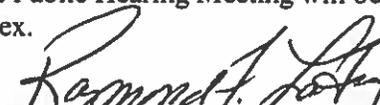
Ray LaFond asked that David Antaya and Anthony Asmar be called to come in the office and sign the minutes of the past three meeting minutes for the ones they were present for.

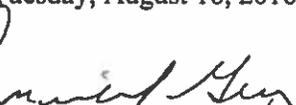
Adjournment

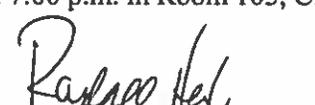
No other items on agenda. Ray LaFond made a motion to adjourn, seconded by Mike Gerry. So voted. Vote 3/0.

The meeting adjourned at 7:41 P.M.

Next Public Hearing Meeting will be on Tuesday, August 16, 2016, 2016, at 7:00 p.m. in Room 103, City Hall Annex.


Raymond F. LaFond, Chairman


Michael D. Gerry, Third


Randall W. Heglin, Clerk

All detailed conversations, questions, comments & concerns are documented on DVD identified as July 19, 2016.