



2. Hours of operation will be 5:00 AM – 9:00 PM. There will be no 24 hr. operation.
3. In order to mitigate noise concerns for residential abutters, deliveries of (perishable food items) shall be made only at the front door facing Main Street to minimize noise to neighbors and such deliveries shall occur no earlier than 6:00 AM. (If there are any complaints, the complaints will be addressed to the City's Code Enforcement Officer and a fine may be imposed).
4. Standard deliveries, as in paper goods (non-perishable products) will be made only after 10:00 AM. Deliveries will be made to the front door, facing Main St. to minimize noise to the neighbors. (If there are any complaints, the complaints will be addressed to the City's Code Enforcement Officer and a fine may be imposed.)
5. Delivery trucks making deliveries to the site cannot park on Cotting Ave.
6. All trucks deliveries will enter from Main St. and exit onto Cotting Ave.
7. Snow will be removed from site if accumulation is 2 inches within 24 hours.
8. There will be no idling of trucks while making deliveries on the site.
9. Dumpster pickups will only be made during the early afternoon hours. (If there are any complaints, the complaints will be addressed to the City's Code Enforcement Officer and a fine may be imposed.)
10. A fence will be erected according to the approved plans presented along the south boundary. The applicant will work with Mr. Ferris (the abutter) and the City concerning the design, type and height of this fence.
11. A fence will be erected according to the approved plans presented between the lot in question and 74 Main St. in order to replace the existing chain link fence. The applicant will work with Mr. Aykanian (the abutter) and the City concerning the design, type and height of this fence.
12. Some of these conditions will be enforced by the Code Enforcement Officer and/or any other city departments who are designated by the city to enforce these conditions.
13. The applicant will go before the City Council for a Special Permit and to the Site Plan Review Committee.
14. No Building Permits can be issued until such time as the applicant presents to the Building Inspector evidence that said variances with its restrictions and the plan (as mentioned in Restriction #1) has been filed with the Registry of Deeds or Land Court as applicable.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section II (last paragraph) provides that no variance or special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the city clerk that twenty days have elapsed after the decision has been filed

in the office of the city clerk and no appeal has been filed or that, if such appeal has been filed, that it has been dismissed or denied, is recorded in the Registry of Deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The fee for such recording or registering shall be paid by the owner or applicant.

If the rights authorized by a variance are not exercised within one (1) year of the date of grant of such variance, such rights shall lapse; provided however, that the permit granting authority in its discretion and upon written application by the grantee of such rights may extend the time for exercise of such rights for a period not to exceed six (6) months; and provided, further, that the application for such extension is filed with such permit granting authority prior to the expiration of such one year period.

Respectfully submitted,

John Sahagian  
Acting Chairman

Submitted to the City Clerk's office on August 5, 2013.