



**Zoning Board of Appeals
Meeting Minutes
July 22, 2014**

Members Present: Mark Rutan, Clerk; Robert Berger; Brad Blanchette; Fran Bakstran

Members Excused: Richard Rand, Chairman

Others Present: Kathy Joubert, Town Planner; Elaine Rowe, Board Secretary; Nick Antanavica, Building Inspector; Attorney Todd Brodeur; Andrew Collins; Randy LeClair; Paul Ayoub; Jim Vogel

Mark Rutan called the meeting to order at 7:00PM.

Ms. Joubert introduced Nick Antanavica, Northborough's new Building Inspector/Enforcement Officer.

Public Hearing to consider the petition of New England Baseball Enterprises, LLC for a Variance/Special Permit to allow the indoor commercial recreational use of a health club or athletic facility in a portion of a building to be constructed on the property at 333 Southwest Cutoff in the Major Commercial Development Overlay District

Attorney Todd Brodeur appeared on behalf of the applicant, and introduced Andrew Collins from Roughnecks Baseball and Randy LeClair, Construction Manager for the project. He explained that the project was previously permitted prior to tenants being secured but they now have an interested tenant, Cressey Sports Performance, whose use falls outside the permitted uses for the parcel. Attorney Brodeur stated that, under Section 7-07-030, the proposed indoor commercial recreational use of a health club or athletic facility requires a special permit. He noted that Cressey Sports develops and grooms High School and College athletes for professional careers. He also stated that the proposed facility is not like a typical gym, but is more focused on individualized, customized programs for elite athletes. Attorney Brodeur also commented that, though not a typical gym, the use most closely falls into the category of athletic or health club use.

Ms. Bakstran asked if the facility will be open to the public. Mr. Brodeur indicated that it will not, but will be focused on training athletes interested in the specialized program offered by Cressey. Ms. Bakstran asked for clarification of whether this is an accessory use or a commercial indoor recreational use. Ms. Joubert confirmed that the use will be indoor commercial recreation. Attorney Brodeur noted that this will be a complementary use to that of Roughnecks Baseball, the primary operator on the site. Mr. Rutan asked if Cressey will have

their own facilities or share resources with Roughnecks Baseball. Mr. Collins stated that Cressey will run the strength conditioning program onsite, so anyone from the Roughnecks program who needs the strength training component will be their client as well. He also noted that Cressey will have 4,574 square feet of space for their own use. In response to a question from Mr. Rutan, Mr. Collins confirmed that Cressey will have the same operating hours as those of Roughnecks Baseball.

Ms. Joubert noted that the athletic training business will be one of three uses being added with the addition of the second story to the building previously approved by the Planning Board. She voiced her understanding that a UMASS physician and a Physical Therapist will also be occupying the building. She explained that the board had previously granted special permits for three pads at the front of the site, but noted that one pad is being eliminated and the proposed building is now being pushed further back on the parcel with parking to be located out front.

Mr. Blanchette asked about tenancy in the building. Attorney Brodeur noted that Cressey will be a tenant. Ms. Bakstran asked about parking. Ms. Joubert explained that town staff will address parking as part of the site plan process.

Fran Bakstran made a motion to close the hearing. Robert Berger seconded; vote unanimous.

13-09, 61-65 West Main Street: Variance Extension Request

Paul Ayoub and Jim Vogel, partners in the project, appeared to discuss their request for an extension of the variance that is due to expire September 25, 2014. Mr. Ayoub explained that they have not yet purchased the property, but plan on doing so once all permitting is approved and the hazardous materials remediation plans are resolved.

Ms. Joubert informed the members of the board that an extension of 6 months is allowed by state law. She also noted that special permits are valid for 2 years, and voiced her opinion that the applicant should be able to act on those within the appropriate timeframe.

Mr. Rutan stated that he is still in favor of the proposal, and believes that cleaning up the site will be beneficial. Ms. Bakstran agreed.

Fran Bakstran made a motion to grant an extension of each of the following variances:

- A Variance from Section 7-05-030 Table of Uses Table 1, Part B, Commercial and Industrial Districts, Footnote 9 to allow twenty, one-bedroom multifamily units on a lot
- A Variance from Section 7-06-020 Table 2. Table of Density and Dimensional Regulations to allow a front setback greater than twenty feet.
- A Variance from Section 7-09-030C(2)(a) to allow for parking in front of building 1

- A Variance from Section 7-09-040G(1)(a)[2][b] to allow for two wall signs, up to thirty-two square feet each, on building 1

Brad Blanchette seconded; vote unanimous.

DECISIONS:

333 Southwest Cutoff – Mr. Blanchette voiced his opinion that the indoor recreational facility fits well with the overall project, but he remains concerned about people crossing the street at that location. Mr. Rutan and Ms. Bakstran agreed that the proposed use is compatible with the overall project.

Brad Blanchette made a motion to grant a special permit to allow athletic or health club use. Fran Bakstran seconded, vote unanimous.

Minutes of the Meeting of June 24, 2014 – Fran Bakstran made a motion to accept the Minutes of the Meeting of June 24, 2014 as submitted. Robert Berger seconded; vote unanimous.

Next Meeting – Ms. Joubert indicated that she anticipates one or two applications for consideration at the August 26th meeting. She also reminded board members that the date of the September meeting was changed to September 30th.

Meeting adjourned at 7:37PM.

Respectfully submitted,

Elaine Rowe
Board Secretary