



Approved 8.22.17

**Zoning Board of Appeals
Meeting Minutes
March 28, 2017**

Members in attendance: Richard Rand, Chairman; Mark Rutan; Brad Blanchette; Jeffrey Leland

Members excused: Fran Bakstran

Others in attendance: Kathy Joubert, Town Planner; Joe Atchue, Building Inspector; Elaine Rowe, Board Secretary; Jignesh Rajgor; Ravi Dasari; Jodi Delray; Janet Croshaw; Brian Russell

Chairman Richard Rand called the meeting to order at 7:00PM.

Public Hearing to consider the petition of Jignesh Rajgor, Guru Prasad and Ravi Dasari for a Variance/Special Permit to allow the change of use of a warehouse for a packaging company to an indoor commercial recreational use (a Jumper's Jungle Fun Center) in Unit 1 of the building located at 100 Otis Street, Map 105, Parcel 28

Jignesh Rajgor and Ravi Dasari discussed their plans to construct a Jumper Jungle franchise on the property, which provides a playspace for children to engage in open play. Mr. Rajgor explained that the business will also host children's birthday parties, but there will be no cooking done onsite. He also noted that adults are required to remain on the premises and supervise their children while they are using the facility. Mr. Blanchette asked about the food supplier to be used for the birthday parties. Mr. Dasari indicated that pizza will be ordered from an outside vendor. In response to questions from Chairman Rand and Mr. Blanchette, Mr. Rajgor explained that the maximum capacity for the facility will be 20 to 25 children and hours of operation will be 9:00AM to 6:00PM on weekdays; 9:00AM to 8:00PM on weekends.

Ms. Joubert asked about anticipated traffic volume and parking. She noted that a site plan was not submitted, but the plan on file at the Registry of Deeds shows 14 dedicated spaces for the business. Mr. Rajgor commented that the core business is expected to be on weekends, when the neighboring businesses will be closed. Ms. Joubert asked about staffing. Mr. Rajgor stated that there will be one or two employees onsite during the week and three to four on weekends.

Chairman Rand asked about truck traffic from nearby businesses. Mr. Rajgor indicated that the businesses in the front of the building do not involve heavy truck use.

Janet Croshaw, 30 Lawrence Street, asked for clarification about the location within the building. She also commented that New Castle Building Products, located at the end of Lawrence Street, utilizes huge tractor trailer trucks that could pose a risk to the children using the applicant's facility.

Brian Russell, 10 Hillside Road, asked if the abutters received notice of tonight's hearing. He voiced serious concern about locating a playspace for children in this building that has absolutely no infrastructure for pedestrians. Ms. Joubert confirmed that meeting notices were sent to the abutters, and noted that the notice is mailed to the property's owner of record.

Jodi Delray explained that she is the owner of the Liquid Ice business located within the building at 100 Otis Street. She noted that her business operates 24 hours a day, 7 days a week and receives truck deliveries no less than 3 to 5 times each day. She also expressed concern about children running around the parking lot and facility. Ms. Delray suggested that parking will likely be an issue and questioned appropriate access should an emergency vehicle be needed.

Mark Rutan made a motion to close the hearing. Jeffrey Leland seconded; motion carries by unanimous vote.

DECISIONS

100 Otis Street - Mr. Rutan voiced his opinion that this is not an appropriate use for the site, given the safety concerns for small children. Members of the board agreed.

Mark Rutan made a motion to deny the special permit as an inappropriate use for this location, primarily due to safety concerns for the perspective customers and their children.

Chairman Rand commented that the vote is not an indication that the board is not supportive of the business itself, they just do not feel that this specific location is appropriate for it.

Minutes of the Meeting of November 22, 2016 – Mark Rutan made a motion to approve the Minutes of the Meeting of November 22, 2016 as submitted. Jeffrey Leland seconded; motion carries by unanimous vote.

Next meeting – Ms. Joubert explained that Ziad Ramadan will be before the board in the near future to request a bond reduction for his project on Hudson Street.

King Street – Mr. Leland asked about the status of the appeal for the project on King Street. Ms. Joubert noted that Town Counsel is aware of the action but there has not yet been a request for any files. She suggested that the developer may wish to investigate the possibility of reaching an agreement with the board, but there has been no discussion.

In response to a question from Mr. Rutan, Ms. Joubert explained that there is a medical marijuana grow facility proposed on Lawrence Street, which will be required to go through the Site Plan Review process.

Mr. Leland asked about the Planning Board's proposal for a moratorium on duplexes. Ms. Joubert noted that the board has not yet voted on it, but has discussed having an amendment ready on the floor at Town Meeting in the event that it appears that the article may fail.

Chairman Rand asked about the revision to the regulations on common driveways. Ms. Joubert explained that the regulations already exist within the Subdivision Rules and Regulations, so that action is simply an attempt to clarify the intent by referring developers to the Subdivision Regulations.

Meeting adjourned at 7:41PM.

Respectfully submitted,

Elaine Rowe
Board Secretary