

**SEEKONK ZONING BOARD  
REGULAR MEETING  
MINUTES**

**May 4, 2015**

Present: Ch. Grouke, Roger Ross, Robert Read, Keith Rondeau and Ronald Blum  
Neal Abelson (case #2015-03 for Ch. Grouke)

7:04 Chairman Grouke called the meeting to order.

Ch. Grouke This is the meeting of the Town of Seekonk Zoning Board of Appeals, May 4, 2015. I am going to go over our Rules and Regulations. I am going to read each petition as it was advertised and call upon the petitioner or their representative to present their case. All testimony, including the testimony and statements of the petitioner and/or the representatives or witnesses will be taken under oath. The Board will ask questions of the petitioner and witnesses. Any questions from the podium will go through the Chair. We will hear from anyone in the audience to speak either in favor of or against the petition or with any questions. At the close of the evidence, we have a discussion and then take a vote. We also usually make a decision on the same night, although we are not required to do that. There are times that we may postpone a petition for another meeting either for a site visit or to gather some information. Once we have closed the public hearing and taken our vote, it is then reduced to writing and filed with the Town Clerk within 14 days of the date the vote is taken. Any person who feels that he is negatively affected by our decision, as long as he has the proper legal standing, has the right to appeal to the courts of the Commonwealth of Massachusetts; and anyone considering taking such an appeal has to have the proper legal standing and comply with very strict time limitations that are applicable to a court appeal. The time limits are very strict.

**Request for Extension of Special Permit**

Case # 2014-02 48 Case Avenue

Jack Auger Auger Realty, 48 Case Avenue, Seekonk, Ma. Sworn in. I am requesting an extension of time, it took a little more time than I anticipated to begin the project. I am looking for a 12 month extension.

R. Ross You said it's going more slowly than you anticipated, can you fill us in as to what happened?

J Auger            We went through the Conservation Commission and got all the approvals from them; then winter came and that is my busy time of year so I wasn't able to get going on it as quickly as I needed.

R. Ross            So there were other permitting issues after you got this Board's approval?

J. Auger            Yes.

R Ross made a motion to grant the petition and extend the permit granted under decision 2014-02 and that it be extended for a period of 12 months from the original expiration date, seconded by R Read **and so voted by**, Ch. Grouke, R. Ross, R. Read, and R. Blum

**VOTE: (Approve 4-1)**

K. Rondeau voted not to approve the requested continuance.

R. Ross            As the Board members already know, tonight is the last meeting that Mr. Chairman Ted Grouke and Ron Blum, member, will be sitting with this Board. Their terms are expiring and they have chosen not to seek reappointment. Ted has served this Town and this Board for 21 years and Ron for 15 years. Given my relatively short period of time on this Board, I find this to be an incredibly long period of service to this town and its residents. Both Ted and Ron will be more formally recognized later by the Town through its BOS, but at least I, speaking for the rest of the Board, would like to acknowledge their service and thank them for their service to this Town and its residents.

**Public Hearings:**

**2015-01 Brian Sadler**, 16 Highland Ave, Seekonk, MA 02771, Owner, by Michael Hannigan, Kay Gee Sign & Graphics, 200 Southbridge St., Auburn, MA, 01501, Petitioner, requesting an appeal of the Zoning Enforcement Officer's Decision, and if necessary, a **Variance and/or Special Permit** under Section 12.3.3.1 of the Town of Seekonk Zoning Bylaws to allow a non-accessory off premise sign for a business located at 10 Highland Avenue. The proposed off premise sign to be located at 16 Highland Ave., Plat 8, Lot 2 in a Highway Business Zone containing 120,451 sq. ft

Michael Hannigan      Kay Gee Sign, representing the owner, sworn in. The sign we are looking for is actually, we matched it to the Longhorn Steakhouse Restaurant sign; it is exactly the same sign in all proportions. That is an existing sign. The reason we are looking for the Variance is because Big Bob's property does not extend all the way back to (Route) 195 and he is trying to advertise on 195. The lot ends and the Acura dealer owns the land directly adjacent to 195. So, he had made a deal with the Acura dealer and if this is approved, they will have a formal lease agreement and put the sign there. The sign in question will be 600-700 feet from Highland Ave and only visible from 195. My last point is that Big Bob's is a locally owned franchise; he owns five stores and is a Massachusetts business owner. His office is located in Auburn; I am representing Big

Bobs at his request to get the sign. The building is located more than 300' from 195 and blocked by trees, the sign is placed as far away from the Acura sign as possible without losing significance.

Ch Grouke Do you have the ability to put a sign on your lot? Your lot does not go all the way back to 195?

M Hannigan No, it is approximately 300 ft away from the highway. It wouldn't be effective, the sign would have to be so big (inaudible).

R Ross The sign will be illuminated?

M. Hannigan Yes.

R. Ross Do you have any idea what the hours will be that the electricity will be turned on?

M. Hannigan The hours are negotiable, I think at this point he would be happy to have a sign.

R. Ross It will just be a steady sign, there will be no messaging on it?

M. Hannigan No.

Ch. Grouke For the members of the Board, the Building Inspector in his letter said that he was denying the request based on 12.3.3.1; I couldn't find that section. In any event, we have prohibition against any off-premise signs. I take it that it's a black and white statement in our bylaws.

R. Ross It is.

Ch. Grouke You are asking for this sign because of the fact that you want the visibility on 195, that is the reason correct?

M. Hannigan Yes, typically a non accessory use would be "I want to put a sign on the other side of the city" this is actually a matter of a few feet. The lot is directly adjacent to his lot.

Ch. Grouke Is there anyone to speak in favor of the petition? None. Is there anyone to speak in opposition to the petition? None. Are there any other off-premise signs in this town?

K. Rondeau There are two right now and the two are; it's an on-going issue and it's a problem, and this company has been directed to take the signs down before and it is the New England Golf Carts, down on Route 6 in the industrial area, and currently he has signs on both sides attached to a wire fence pointing down to New England Golf Carts. Previously he had a displayed golf cart and sign that was on the premises of the Speedway and he was ordered to take it down and all he did was move it across the street. It is still off premise, it is still not in compliance with the sign bylaw, those are the only two I know of.

R. Ross I take it that neither of those owners ever came before this board.

- K. Rondeau That was before this board and it was denied. The prohibited signs you were looking for is under 8.8.8.3 (the newly revised Zoning Bylaws)
- Ch. Grouke The concern I have is that is a stark, black and white statement, “off premise signs are hereby prohibited”, I do see a possible floodgates argument in this situation.
- R. Ross A slippery slope.
- Ch. Grouke I see what you are saying and the reasons why you need it but it is just open and shut in terms of how our bylaws are written so it is a concern.
- K Rondeau I would hesitate to vote for this because it is clear cut in our bylaws and we have had several petitions before us and we have been consistent in denying them. As for me, Mr. Chairman and Mr. Ross just stated it could open the floodgates, there are a lot of businesses on Route 6 who would love to have a sign on 195 and they are just not entitled to it. It would open the floodgate.
- M. Hannigan If I were to come back with a proposition to put a larger sign on the building so you could see it from the highway, obviously it would be a significantly larger sign.
- R. Ross You would have a dimensional issue then, you can only have a sign so big.
- K Rondeau The other problem is you are only abutting on one street, if you owned the land all the way to the back, and then there could be some possible relief. I am saying possible, I am not saying it would happen.
- M. Hannigan Then we wouldn't need a variance. We are here because it is empty space where it is proposed. It sounds like we are up against it; I would like to continue without a finding and table for another date. I'll let him know.
- R Ross I don't have objection in principle but it seems if we just table it without a date certain, if you file to come back, it would require additional advertising.
- Ch. Grouke We could pick a date and we could just continue this.
- K Rondeau I don't see a reason to continue because it is what it is. It is clear cut what your request is and it is clear cut as to what the prohibition is to that and there is no way I would change my mind.
- R. Ross I don't want to prejudge what this man's customer of 10 Highland would have to say, but I can't imagine he would say anything that would persuade me to change my position on this.
- Ch. Grouke I would be inclined to go ahead with a continuance because you would rather have the owners and the decision makers, you are the sign person. You would rather let them make their decision if they want to come in. If you request a continuance, I would be inclined to go ahead with it myself.

K Rondeau Mr. Chairman, the public hearing does state that the petition was going to be represented by, or the petitioner was going to be Michael Hannigan, so he has full authority at this meeting as the petitioner.

Ch. Grouke So the petitioner has requested a continuance for a future date, shall we act on that? Are we done with discussion? We will treat it as a request to continue.

R Read made a motion to approve the request to postpone the public hearing; seconded by R Blum **and so voted by**, R. Read, R. Blum and Ch. Grouke.

K. Rondeau and R. Ross voted not to approve the requested continuance.

**VOTE: (Approve 3-2)**

2015-01 was continued until June 15, 2015 at 7:00pm

**2015-02 Gail Ardito Trust 2012**, Joseph Ligeri, Trustee, 239 County Street, Seekonk, MA 02771, Owner, by Gail Ardito, 251 County Street, Seekonk, MA, Petitioner, requesting an appeal of the Zoning Enforcement Officer's Decision, and if necessary, a **Special Permit** under Section 5.3 of the Town of Seekonk Zoning Bylaws to allow the reconstruction of an existing two-family residential dwelling which was damaged by fire – footprint to remain as-is on a pre-existing, legal, nonconforming lot, at 239 County Street, Plat 10, Lot 13 in an R-3 Zone containing 15,115.32 sq. ft.

David Ardito I am going to speak for Gail, I was the original lawyer for the purchase of the property, since then I have retired. I will give a brief history of the property. As you know, this property was previously owned by Russell and Susan Saucier and there was a fire in 2010, they had a long legal battle and they tried to sell the house and came to us and asked if we would purchase the property and Gail (Ardito) purchased it September 12, 2012, cleaned it up as best she could and now she's in a position to go into the house and fix it, renovate it and wanted to continue it as a 2 family. Her original idea was that she would live in one apartment and rent out the next so she could be next door to her building (Village Green School) but that may or may not change. She is looking for a special permit to go back to its original standing as a 2-family house. It has not been inhabited since the fire in 2010 but its clean inside. We cleaned it as best we could the yard is mowed. We are staying on the footprint, not going up higher, and staying exactly where it is.

Ch. Grouke Is there anyone here who would like to speak in favor of this petition?

John Hanley 35 Howland Street, sworn in. As a neighbor who almost abuts, our concern has been the ongoing mess, lack of action and a lot of people in power to do something to improve that property. We were thankful when she bought it, and thought it was finally going to get restored. I moved to town in 1975 and it was a two-family house when I moved to town

and functioned as a two-family house right up until the fire with little or no problem. Within 1000 ft of the property, there are currently 6 houses that are two-family houses and as a matter of fact, there are two of them that are that are 3-family houses. We the neighbors would urge anything you can do to get this situation moving and corrected so we don't have to keep looking at this disgusting eyesore.

Ch. Grouke Is there anyone else who would like to speak in favor of this petition? (None) Is there anyone who would like to speak in opposition to the petition? (None) Are there any more questions for Mr. Ardito?

K Rondeau On the information we have in our packet, the assessors, on the information you were relying on the documentation on two assessor's parcel information for 2-family information. On one dated 10/4/07 it states it was an in-law apartment not a 2-family and the second one that states boarded up, it doesn't have any entry that characterized it as 2-family which it always does. Assessor's information will always identify it has a two family, neither of these identifies it as a two family and one identifies it as an in-law apartment and even from the pictures, I see one entry and a back door but that's it. There were two main floors with a basement and only 200 sq ft was finished so where does the 2-family come in?

Atty. Ardito How they could say it was any type of a family home after fire, there was nothing there, everything was destroyed and it would be an educated guess because of some of the points you made; one entrance, etc. As for the first one, when you say in-law apartment, what is an in-law apartment under the Seekonk bylaws?

K. Rondeau An in-law apartment has different criteria, there is a common area/passageway between the two, however according to this back in 2007 it had an in-law apartment; it did not have a 2-family.

Atty. Ardito You just heard from someone who said it has been a two family forever. I would like to cross-examine whoever drew that paper up as to how they came to that conclusion.

J. Hanley I know when I moved to town in 1975, the house was owned by Mrs. Yaghjian and she made the second floor into an apartment and her brother lived in it for three or four years and one of the school teachers in town, Miss Mary Coyle rented the apartment. I had occasion, because at the time I was president of the teachers union to enter that apartment probably 1980-1984 maybe at least once a week because she was my union secretary and I was president of the union. At that time, we went into the back door, there was no access to the first floor; it was a separate set of stairs to go up. There was never since 1975, no common space as he is referring to that I am aware of. You went up a separate set of stairs. In fact, I remember when Mary was there, there was a conflict over the availability of a fire escape. In addition I sincerely question the 2007 reference, because I know it was being rented by the owner of the time as an apartment. They were not family members; they were people renting the apartment. Whoever says it wasn't, that's an outright lie.

- K Rondeau      There is one other hurdle that I want to clarify, does section 5.5 apply? Which is, after two years, a nonconforming use after not being used, does it revert back to what the use should be?
- R Ross            On that point, that issue of what constitutes abandonment of a legal nonconforming use, has been problems for the courts for years. There has to be some kind of an overt act that demonstrates that the prior use is in fact being abandoned. In this case we had a fire 5 years ago. Granted, there is quite an interval but whether it was intentional, negligent, an act of God whatever it was, it was a fire and I can't see any way I can infer from that possibility that there was an overt act of abandonment. In my opinion, I don't think that should be an issue, it shouldn't be an obstacle here.
- K Rondeau        I bring it up because it was purchased in 2012, 3 years ago, I want to clarify that point so if they go to register the deed and...
- Ron Blum         I agree with Roger, it was not like they converted it into a single family and now they want to convert it back into a two family.
- Atty. Ardito     My understanding of abandonment is what you described. Since Gail purchased the property she has maintained the property, has had work done to some windows, it has not been abandoned. This gentleman will tell you we keep the grounds as clean as possible. It's a big yard, we mow, inside the house has been cleaned up we can't do any work before we get permits but we fixed windows, it has not been entirely abandoned.
- K. Rondeau      It's not the abandonment of the property, it's the abandonment of the use.
- R Read            I agree with Roger and Ron, we should not get into abandonment. Secondly, the in-law apartment note, we don't know who wrote that, it could be a secretary hired the day before. I would rather base it on the neighbor's opinion rather than this in-law apartment note.
- R Ross            Is there separate electrical service?
- Gail Ardito      Yes. Since I've been at Village Green, there has always been someone there. I think they were separate but what happened in between was someone got into the house and took any copper. As far as I know it always was separate. I want you to know, I insure that house, I have all safety in that house. My intention is to go and take what I have, the shell of the house, and renovate. It's salvageable; I am not going to take it down.  
(Inaudible)

R Blum made a motion to approve the petition as submitted; seconded by R Read **and so voted unanimously by**, R. Read, R. Blum, Ch. Groucke, K. Rondeau and R. Ross

**VOTE: (Approve 5-0)**

R Ross made a motion to uphold the decision of the building inspector and close the public hearing; seconded by R Blum **and so voted unanimously by**, R. Read, R. Blum, Ch. Grouke, K. Rondeau and R. Ross

**VOTE: (Approve 5-0)**

**The Board took a brief recess**

**2015-03 Jeffrey A. & Linda M. Seyboth**, 73 Gregory Drive, Seekonk, MA 02771, Owners, by Stephen E. Navega, Esq., 447 Taunton Ave., Seekonk, MA, Petitioner, requesting an appeal of the Zoning Enforcement Officer's Decision, and if necessary, a **Special Permit** under Section 5.3 of the Town of Seekonk Zoning Bylaws to allow construction of a 30' x 30' addition to an existing structure on a pre-existing, legal, nonconforming lot, at 465 Taunton Ave., Plat 15, Lot 99 in a Mixed Use/R-2 Zone containing 12,240 sq. ft

**Edward Grouke stepped out because of conflict – Neal Abelson heard petition for Mr. Grouke**

Stephen Navega I am an attorney with an office at 447 Taunton Avenue, I am also a resident of the town residing at 175 Warren Avenue, I am here today representing Jeff and Linda Seyboth, their son Ryan is here, he operates Seekonk Small Engine Repairs. He repairs small engines, snow blowers, lawn mowers, and things of that nature. This, as you know, is the old Taunton Avenue Garage; it has been in existence and run by the Propatier family prior to the Seyboths owning it. Ryan owns the property now and runs his business out of there; he has an extensive back area with a lot of equipment in the process of being repaired. He has cleaned up the exterior and made the building more presentable as a showroom area. He has become busy and the rear lot is used for outdoor storage and repairs in elements because of lack of indoor space. The use has been consistent as a repair shop since as long as I can remember, prior to 1942 and the Town bylaws. The Propatiers were the inspection station for the town for years. The property is a Mixed use/R-2 and I am seeking a Special Permit under section 5.3 as this property is configured in such a way as the setback requirements are nonexistent. Because it's pre-existing, legal, nonconforming, I would suggest that it would be appropriate to allow the special permit. He has requested a 30' x 30' addition onto the building; this would get a lot of that equipment inside to be worked on and repaired and clean up the back area in general. It think it will enhance the aesthetics of the area while still being in harmony and in keeping with the intent of bylaws, which is the criteria the ZBA must use to determine a Special Permit. Also, as you know, under 5.3, the extension or alteration of a structure or uses may be extended or altered if not substantially more detrimental than the existing non-conforming. I would suggest to you that this would be an appropriate use for that nonconforming. This is really straight forward, a 30' x 30' addition on the back of the building.

R Read            Isn't there a building already there?



- Atty. Navega No, that's just a storage pod. He would prefer to keep them (the pods) there for storage and things of that nature. But whatever the Board suggests, but I know he wants to keep them there.
- N. Abelson That one piece is back pretty far, at least 30'. There is quite a bit of stuff being stored outside; it would be nice to help clean it up.
- Atty. Navega The addition will allow the technicians to work on the equipment inside. This will be a single level steel structure building.
- K. Rondeau This is right on the lot line abutting the parking lot of the church.
- Atty. Navega The house is between it, that is the buffer; the old Propatier house.
- R. Ross You are hampered with the setbacks, you've got the hockey stick, so basically it appears to me you are looking for all setback relief and the area; side, back and area.
- Atty. Navega Yes.
- N. Abelson It would help clean up the back.
- R. Ross Is there anyone to speak in favor of the petition? (None) Is there anyone to speak in opposition to the petition? (None)
- R. Blum We have had nothing from the neighbors?
- C. Testa No.
- K. Rondeau He has proven in the past, he has cleaned up the lot. I know he is a young businessman but he has been mindful of the neighbors so far vs. what it was before. It looks like this will clean it up even more and get him and his work force out of the elements.

R Read made a motion to uphold the decision of the Building Inspector and close the public hearing; seconded by N. Abelson **and so voted unanimously by**, R. Read, R. Blum, N. Abelson, K. Rondeau and R. Ross

**VOTE: (Approve 5-0)**

K. Rondeau made a motion to approve the petition as submitted for all setbacks and the area as requested; seconded by N. Abelson **and so voted unanimously by**, R. Read, R. Blum, N. Abelson, K. Rondeau and R. Ross

**VOTE: (Approve 5-0)**

**2015-04 Harry Leiser Revocable Trust**, 62 Mott Ave., New London, CT, 06320, Owner, by Harry Leiser, 62 Mott Ave., New London, CT 06320, Petitioner, requesting an appeal of the Zoning Enforcement Officer's Decision, and if necessary, a **Variance** under Section 12.4.1 of the Town of Seekonk Zoning Bylaws to allow the re-installation of seasonal banners attached to parking lot pole lights, at 1058-1080 Fall River Ave, Plat 7, Lot 16 in a Highway Business Zone containing 85,978 sq. ft.

Harry Leiser I haven't been before a Board in Seekonk in about 5-6 years. I have owned this property for 31 years. I live at 62 Mott Ave., New London Ct., I am the trustee of the Harry Leiser revocable trust; sworn in. I have a compelling desire to make the shopping center as aesthetically pleasing as possible. I put a lot of energy into doing that, I have six other places in CT, RI, and another one in Massachusetts. It is very important to me that they look nice. We plan on spending 70-80K to add some aesthetic appeal and I was a little disappointed when I came back up here to see the banners missing. This is what the banners look like. This is what my actual property looked like before the banners were removed. As you can see, they are not promotional in any way whatsoever. We change them seasonally; there was a sail boat in the summer, flowers in spring, snowflake in winter, and orange leaves in autumn. These banners do not move, they are fixed to my poles and I would guess there are 16 banners. We are looking to, it is my architect's rendering, we want to put some back lighted awnings to make it stunning with the banners. This is a Photoshop with the awnings back lighted. We have worked together to have each tenant with identifiable color, no lettering on the awnings, just the tenant's own signs above. I am so concerned with aesthetics that I have to pay for channel letter individually lighted, I don't care for box signs, I am compelled to make it pleasing. We do the same in Norwich, CT, they are beautiful. My sons ran the shopping center for a while and were told to take the signs down; and I don't really know who told them to take the signs down but they had been here since 2002. I have no idea why, they looked beautiful. They are expensive, spring-loaded banners; the wind will blow them away if they aren't well made, it's a shame. It's interesting that the Town's own sign bylaw, the Town has aesthetic guidelines too. In section 8.8.1.2 the town sign shall include any advertising devices. It's not even an advertising device, it's an architectural device.

Roger Ross The photos you submitted, do you want them marked as exhibits? Ted, the Photoshop awnings, I wrote Exhibit B, and the other photos are marked exhibits A, B and D.

H. Leiser If you've ever been to Legacy Place in Dedham, I really went all out. We have back lighted awnings in Dedham. There will not be any promotional information on them, with the exception of the 5-Guys sign, he won't.

Ch. Grouke We are just considering the banners tonight.

H. Leiser The photos tonight are all from Seekonk, some are from Norwich, CT.

Ch. Grouke Is there anyone to speak in favor of the petition?

- Neal Abelson 1588 Fall River Ave, Seekonk, MA sworn in. Chairman of the Planning Board, I used to work in the plaza, I saw the changing of the pennants, they are very low profile, just seasonal, just seasonal, no advertising, there were only 8. He has always kept the plaza very nice, really clean.
- R. Read Do you know why those banners were removed?
- N. Abelson Probably someone thought it was a promotional thing; but it wasn't really a promotional thing, it was only a seasonal thing.
- H. Leiser I was given a rumored reason, because someone else was made to take theirs down because they were stringy things, pinwheels and crazy stuff.
- R Ross I am looking at the Building Inspector's letter reference to section 12...
- R. Blum That's what 12.4.1 says, "no temporary or permanent special promotion signs, banners, streamers, or placards erected suspended, etc."
- H. Leiser If you read it, it also says no special promotion signs, comma, comma which means its all related to promotional signs, banners or streamers.
- R. Blum I think it is promotional signs, banners, etc., even though yours are not promotional in any way.
- K Rondeau Does he need to be before us?
- R Blum This is the new one (Zoning Bylaw Book), it is under Section 8.8.4.1, page 82. The wording has not changed from the old one to the new one. I can see why he said that because it is a banner. I understand the Building Inspector but I understand the other side of it, I don't personally have a problem with it.
- R Ross Yes, I think a fair reading that Ron cited and read suggests that the Building Inspector was correct.

R. Ross made a motion to uphold the decision of the building inspector; seconded by R. Blum **and so voted unanimously by**, R. Read, R. Blum, Ch. Grouke, K. Rondeau and R. Ross

**VOTE: (Approve 5-0)**

- K Rondeau Do we need to amend it to include that it is now under section 8.8.4.1?
- R. Ross I think it was filed before the Attorney General approved it, the application was filed on April 6<sup>th</sup>, do you know when the A.G. approved our bylaws?

R. Ross made a motion to close the public hearing; seconded by R. Blum **and so voted unanimously by**, R. Read, R. Blum, Ch. Grouke, K. Rondeau and R. Ross

**VOTE: (Approve 5-0)**

R. Ross made a motion that based on testimony from Mr. Leiser, Mr. Abelson and the evidence that was submitted, it seems to me that this would only enhance the aesthetic appeal of the building; it wouldn't be detrimental to the area. It's seasonal in nature; they get changed 4 times per year to reflect the season. I feel this is a very good petition and I would vote to grant the petition as submitted, seconded by K. Rondeau **and so voted unanimously by**, R. Read, R. Blum, Ch. Grouke, K. Rondeau and R. Ross

**VOTE: (Approve 5-0)**

### **Executive Session**

Executive Session under G.L. c 30A, sec 21 (a)(3): for the purpose of discussing litigation strategy relating to Ronald J DiPietro and Velta L DiPietro v. Seekonk Zoning Board of Appeals, Bristol Superior Court, C.A. No BRCV2013-00966 (ZBA Case 2013-12)

Roger Ross made a motion to remove the matter of Executive Session from the agenda. I thought there may be something to discuss but there is nothing of substance to advise the Board of at this time in Executive Session seconded by K. Rondeau **and so voted unanimously by**, R. Read, R. Blum, Ch. Grouke, K. Rondeau and R. Ross

**VOTE: (Approve 5-0)**

### **Work Session:**

#### **Approval of Minutes** 02-09-15 and 02-12-15

Ross made a motion to approve the minutes from 2-09-15 and 02-12-15; seconded by R. Read **and so voted by**, R. Read, Ch. Grouke, K. Rondeau and R. Ross

**VOTE: (Approve 4-0) 1 Abstain**

Ron Blum abstained as he was not present at those meetings.

K Rondeau You have in front of you a decision from back in 2007. This is regarding 1120 Taunton Avenue, Paul Cabral. I requested Chris make this decision available for us to review tonight because I drive down Taunton Ave and I notice more and more heavy equipment being stored there. We had allowed him to store 2 pickup trucks; it keeps growing. There were at least 10 heavy construction paving vehicles there Sunday morning and most were Rhode Island plates/registrations. He is storing vehicles from his company from his RI Company and in strict violation of our decision. I wanted to get the Boards consensus on this to have the Building Inspector/Zoning Enforcement Officer make a site visit and take appropriate action. He may not find it all on Monday or Tuesday morning as they take off early in the morning but he could find them there Saturday or Sunday afternoons or most evenings. This is a direct...

R. Ross It was specifically denied. He filed a petition to store vehicles and he was denied. For the record, I was not part of that vote.

K Rondeau I would like to forward this to the Building Inspector for investigation and enforcement.

R Ross motion to direct correspondence to the Building Inspector relative to decision and case 2007-01 with respect to property located at 1120 Taunton Avenue, with specific reference to the denial in paragraph 2 of the decision denying the petitioner the authority to park commercial vehicles on the lot and to see if the petitioner is in violation of that prohibition and to take any enforcement action necessary if any, seconded by K. Rondeau **and so voted unanimously by**, R. Read, R. Blum, Ch. Grouke, K. Rondeau and R. Ross

**VOTE: (Approve 5-0)**

G Sagar I would like to expand on what Mr. Ross said earlier. Back in 2000 when I was first appointed to the Zoning Board, Mr. Blum and I appointed together, first as Alternates and we were thrown right in dealing with cell towers. Mr. Grouke, your style has been warmly received by many in the town; it is a nice standard on how to conduct a meeting. My 15 years of being here you have always treated everyone with respect and given everybody an opportunity. What people don't realize in this town is the vote you and I made on a very controversial decision on common driveways and it clarified for people in this town their individual property rights. You have been a great asset as a member for 21 years and as Chairman. Mr. Blum you have contributed a lot also. Since the two of you have decided not to be reappointed, I believe at the Selectmen's meeting, I will be appointed a regular member as will Mr. Halajko, it will leave 2 alternate seats

available if you change your mind at any point in time. All your time and experience will be a big loss; we thank both of you for your service. Mr. Grouke, as Chairman and a spokesman for this Board for so many years, it is a job well done.

K Rondeau It has been very pleasurable to serve with both of you. You have both taught me a lot about comportment in meetings and zoning. I appreciate that and you have been an asset to the town for many years and we will sorely miss you.

Roger Ross There is a BOS meeting scheduled for May 20 at the usual time and your attendance is requested.

Ch. Grouke It has been great working with everybody.

**Redesign ZBA Application:**

R. Ross Suggested the Board continue the discussion to redesign the ZBA application until the next meeting.

**Adjournment:**

N. Abelson made a motion to adjourn the meeting, seconded by R. Read **and so voted unanimously by** Ch. Grouke, Roger Ross, Robert Read, Keith Rondeau and Neal Abelson

**VOTE: (Approve 5-0)**

The meeting was adjourned at 8:27 PM.

Respectfully submitted by:

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Christina Testa, Secretary