



TOWN OF SUTTON ZONING BOARD OF APPEALS
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ZONING BOARD OF APPEALS
MEETING MINUTES
August 7, 2014

Approved by: 
Date: 9/4/14

Board members Present: Richard Deschenes; Brittanie Reinold, Nicole Kuchinski, Associate Member

Secretary: Lynn Dahlin

Others in Attendance: Charles Hopkins; Josh Reilly, Nick Reilly; Ron Sampson; Patricia Otto; Thomas Steele; Michael Chizy, Donald Conley; John Slocum

7:30pm – Public Hearing: Special Permit

Charles Hodgkins

140 Worcester Providence Turnpike

R. Deschenes read the hearing notice as it appeared in the Millbury Sutton Chronicle.

Charles Hodgkins explained that he and his partners hoped to open up a computer repair business at this location for home users initially. Customers would bring in computers for repair, reloading, software issues and eventually it was hoped to expand to small businesses and in-home repairs and home pick-ups for customer convenience.

R. Deschenes questioned the hours of operation and it was answered 10am-6pm but noted that there would be short hours of 10am-2pm on Saturdays, and closed on Sundays.

The business would start off with one full time employee and if the business expanded, all 3 partners would work as well.

N. Kuchinski questioned how much foot traffic they were anticipating as it was noted in the application that there was retail as well. It was responded that it would most likely be just the customers dropping off work who would potentially purchase computer related hardware. C. Hodgkins also noted that they would be offering custom builds as well but the business would not be set up for walk ins like "Best Buy". It would be more of a "by request" situation. They would not be holding a large inventory of goods and there wouldn't be storage of disposed computers outside the building. As recyclables, they would be stored inside.

All those present in favor or opposed to the petition:

Michael Chizy, 12 Marble Rd questioned if in future there would be "new" computer sales on site and it was answered that there would be no sales like a retail store but if a customer's computer was beyond repair, they would offer to custom build.

The Board had no further questions, but as there wasn't a quorum, B. Reinold motioned, N. Kuchinski seconded and the vote 3-0 in favor to continue the hearing to September 4, 2014 at 7:35pm.

7:35pm –Public Hearing: Sp. Permit

Ron Sampson

20 Providence Road

New Submittal: Correspondence received 8/6/14, from "Concerned Citizens of Sutton"

R. Deschenes read the hearing notice as it appeared in the Millbury Sutton Chronicle.

Property owner Patricia Otto explained that she and Ron Sampson wanted to open an E-cig home business selling to the public. They had an existing clientele from weekend sales at the Grafton Flea Market but felt that since they had an existing shed at their home, they could use it to open the home business.

Patricia Otto wanted to first off address the correspondence received by the town from "Concerned Citizens" She noted that their concern for related products was not what they were interpreting but solely related to e-cigs and nothing else than Batteries, clarimiziers (sp), pouches, lanyards, liquids and mouth pieces. All are E-Cig related items only.

It was said that there is no smoking involved and that you are actually "vaping". It was also stated that her own physicians don't want her around second hand smoke but indicated that she would not be affected by "vaping". Both she and the applicant would be working for the business and noted that customers would have to be able to sample the different vapors when on site to determine the level of nicotine to be used. It was also noted that vapors also come without nicotine. Product sold with nicotine would not have higher than 24mg, which is the amount of nicotine in a cigarette. As far as traffic, it was felt that they would be lucky to have 10 customers a day.

R. Deschenes wanted clarification that there would be no weekend hours and was told that there would not. They still had clientele at the Flea Market that they wanted to keep.

Initially they hope to hold open hours Monday, Wednesday, and Friday with two alternating days off but if the business takes off it was hoped to be open all five days.

With the Chairman's permission, L. Dahlin reminded the applicant that in the event that the business grows, a home business limits the amount of customers on site at one time and Ms. Otto noted that she was aware that the number was (3). It was noted that even if the business grows, there were now larger stores in the area that are available not making their business location unique.

Nichole Kuchinski questioned what renovations would be done to the property. Ms. Otto explained that they would be increasing parking in front of the home by way of a peastone parking area to begin with and hopefully future paving. There would be 3 parking spaces and an area for the customer to turn around so that there is no backing out onto Providence Road which they recognized as unsafe.

B. Reinold questioned if the location abuts another business and was told that it directly abuts Renaud Electrical and Communications which operated in the back with apartments in the front and was literally on the opposite side of the end of Boston Road.

All present in favor or opposition:

John Slocum, Executive Director of the Sutton Housing Authority located at 5 Church St.: Opposed

Mr. Slocum noted that the Housing for the elderly is non-smoking. He noted that he was working with the State Dept of Public Health and the Dept. of Housing Community Development to make the total piece of property of the Housing Authority Development a non-smoking area and felt that this business would be detrimental to the senior citizens.

Thomas Steele, father of Patricia Otto spoke on her behalf and noted that he himself could not be around smoke and that it was just water vapor. He also was told by his daughter that they could not use the product on site and he wanted it known that the customers "had to" test it on site specific to "flavor" and wanted to see if anything could be worked out or could they perhaps sample outside. R. Deschenes noted that it would have to be looked into.

John Slocum stated that there is nicotine in the vapor. Patricia Otto responded that someone would have to be within ten feet of that person because the vapor dissipated very quickly. J. Slocum responded by requesting that the Board confer with the Health department on the issue.

R. Deschenes read into the record correspondence received on August 6, 2014 from concerned citizens of Sutton. Concerns were parking, unsafe access onto Boston Rd and associated and or potential sales of smoking paraphernalia for tobacco and marijuana use. Ms. Otto noted that she had already addressed those

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issues and would not be applying for a marijuana dispensary license through the state. Mr. Steele responded that he was a former police officer in town, former owner of Tom's Variety and the Center Store, and guaranteed that sales of such items would never happen.

The attending Board members would perform individual site inspections.

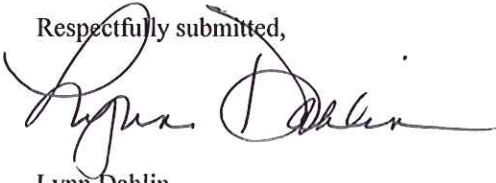
N. Kuchinski motioned, B. Reinold seconded and the vote unanimous to continue the meeting to September 4, 2014 at 7:40 due to lack of quorum.

Board Business:

Minutes: Tabled until September 4, 2014 meeting

7:55pm - Meeting Adjourned

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lynn Dahlin', written over the text 'Respectfully submitted,'.

Lynn Dahlin
Board Secretary