ZONING BOARD OF APPEALS



TOWN OF SUTTON ZONING BOARD OF APPEALS

4 UXBRIDGE ROAD **·** SUTTON, MA 01590 **·** (508) 865-8723 **·** FAX (508) 865-8721

MINUTES

March 5, 2015

Approved by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Zoning Board Members Present: Rick Deschenes, Chairman; Jeffrey Fenuccio, Clerk;

Michael McGovern; Richard Haskins; Brittanie Reinold

Secretary: Lynn Dahlin

All others present: Patrick Doherty; Attorney Lawrence Brodeur, Fletcher Tilton P.C.; Gianni Romeo

**7:30pm - Public Hearing Continued: 171 Worcester Prov. Turnpike, Galaxy Sutton, LLC**

Patrick Doherty explained that because of the Board’s concern regarding the size of the Rte 146 Sign, he had performed a survey of the signs along the corridor and found that their proposed sign was in fact the largest and tallest along the corridor. He had submitted by email an alternate design similar to what they had done for the Boston Road sign. He noted that they had decreased the mass of the sign but preserved the area meant for tenants. It was noted that there was a three foot reduction in height and two foot reduction in width. He added that they were comfortable going with the alternative design though felt that the original design was more appropriate for the size of the development.

M. McGovern felt the second design was more in character with signage along Rte 146 and thanked them for offering the second option.

The Board had no further questions.

M. McGovern motioned, R. Haskins seconded and the vote unanimous to close the public hearing.

**7:35pm – 56-58 Main St.: Special Permit Extension Request, Thomas Finacom**

R. Deschenes noted that the applicant was not present but was requesting an extension of the multi family use special permit issued two years ago citing on-going conservation issues and the ongoing process of changing lot lines as the reasons. R. Deschenes noted that the zoning bylaw allowed the Board to grant up to a two year extension if they felt it was appropriate.

M. McGovern motioned, R. Haskins seconded and the vote unanimous to grant a two year extension of the Special Permit for the property located at 56-58 Main St.

Arrival of Board Member J. Fenuccio

**Board Business:**

**Decision: 460 Central Turnpike, Felter’s Mills LLC**

R. Deschenes informed the Board that the applicant was submitting a last minute request to withdraw his application and asked the Board for their input.

M. McGovern noted that because the petitioner was not present for the hearing and it was now closed he felt that the petitioner was withdrawing in order to re-file and address the Board.

J. Fenuccio questioned if he had a different plan and added that he had no problem with approving the request for a withdrawal without prejudice in which the Board agreed.

M. McGovern motioned, R. Haskins seconded and the vote 4-0 to accept the petitioner’s request to withdraw his petition without prejudice on the condition that the request be submitted to the Board in writing.

Gianni Romeo (Felter’s Mills LLC) was present and had thought that he would be able to present new information once the withdrawal was complete. His intent was to discuss the original plan of land which he had with him. When he asked who he could speak to about his new information, McGovern answered that all he needed to do was re-file.

L. Dahlin recommended that he first research whether or not he could actually revert back to the original plan as he hoped, noting that she did not believe that he could because the land had been already legally subdivided differently and the plan he wanted to use no longer existed. She added that the Board was giving him the opportunity to find out what could potentially be done and then if needed, come back.

**Meeting Minutes:**

J. Fenuccio motioned, M. McGovern seconded and the vote unanimous to approve the February 5, 2015 meeting minutes as presented.

**Decision: 171 Worcester Prov. Turnpike, Galaxy Sutton, LLC**

M. McGovern motioned and R. Haskins seconded to approve the sign variances as requested for Galaxy Sutton LLC.

Discussion:

* The Board found that they could not approve the original proposed signage but could approve the “redesigned” Rte 146N Free standing internally illuminated multi tenant sign as they felt it was much more appropriately sized for the area at 252-sq.feet.
* The Board found that they could not approve the second freestanding internally illuminated multi tenant sign located at the Boston Road entrance as proposed but could approve the redesigned monument style sign consisting of (130) sqft.
* The Board found that they could approve the (176) sqft internally illuminated grocery store front wall sign(s) as requested.
* The Board found that they could approve the (68.3) sqft internally illuminated grocery Store sign mounted on the north side of the Grocery Store as requested.

J. Fenuccio amended the motion to approve the following:

* A (252) sqft Rte. 146N freestanding sign as shown in Figure 4, titled Pleasant Valley Crossing Rte 146 Main ID Sign Alternate Design dated February 10, 2015, and drawn by Mid Point Engineering & Consulting.
* A second (130) sqft free standing internally illuminated sign located at the Boston Road entrance and as shown as figure #3 from Mid Point Engineering & Consulting,
* A (176) sqft internally illuminated grocery store front wall sign, and
* A second (68.3) sqft. internally illuminated wall sign to be mounted on the north side of the grocery store.

2nd: R. Haskins

Vote: 5-0-0 in favor

8:00pm - Meeting Adjourned

Respectfully submitted,

Lynn Dahlin

BOA Secretary