



Office of
ZONING BOARD OF APPEALS
272 Main Street
Townsend, Massachusetts 01469
Phone: (978)597-1700 x1723 Fax (978)597-1722

William Cadogan, *Chair*
Darlene Sodano, *Vice-Chair*

Kelly Chambers, *Clerk*
Craig Stevens, *Member*

Anthony Genova, *Member*
John Giunta, *Associate member*

MEETING MINUTES
November 19, 2015 at 6:00 p.m.
Room 2

1.0 Preliminaries

- 1.1 Call the meeting to order – Bill Cadogan called the meeting to order at 6:07PM.
- 1.2 Roll Call – Anthony Genova (AG), Kelly Chambers (KC), Darlene Sodano (DS), Craig Stevens (CS), William Cadogan (WC)
- 1.3 Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting: None
- 1.4 Review & approve minutes: KC moved to approve the minutes of 9/9/15. AG seconded. All in Favor (AIF).

2.0 Hearings/Appointments/Work Sessions:

- 2.1 Public Hearing – 18 Main Street – Townsend Fit, LLC d/b/a Planet Fitness – Variance and/or Appeal under Zoning Bylaw §§145-52, 145-64 and 145-66.** The applicant is proposing to install an illuminated sign on the existing structure in the Harbor Village Mall.

WC opened the Public Hearing at 6:08PM. KC read the legal notice. Present for the applicant was Taylor Mandell and Seth Brown.

Townsend Fit, LLC, d/b/a Planet Fitness, (the “applicant”) petitioned the Townsend Zoning Board of Appeals (the “Board”) for a Variance from the Outdoor Lighting Bylaw under Townsend Zoning Bylaw §§145-52 and 145-66 and/or an Appeal of the Building Commissioner’s determination pursuant to Townsend Zoning Bylaw §145-64. The applicant proposes to install an illuminated sign on a portion of the existing Harbor Village Mall at 18 Main Street (Assessor’s Map 41, Block 4, Lot 0) in the Outlying Commercial District. The petition was filed with the Town Clerk on October 15, 2015.

The Board considered the petition in light of the statutory criteria and Townsend Zoning Bylaw requirements, and found as follows:

1. One abutter, Barbara Haywood of 5 Main Street, was present and was concerned that the proposed sign be turned off at night, but was not opposed to the sign.
2. A variance was granted to Hannaford previously to allow their larger illuminated sign.
3. The topography of the land with differing elevations prevents a direct sight line to the area of the building that Planet Fitness will occupy.
4. The distance to the road is significant and the buildings located near the road in the same plaza block visibility to the location Planet Fitness will occupy.
5. The proposed sign is smaller in area than the two other anchor stores in the Mall.
6. A literal enforcement of the bylaw would involve substantial hardship to the successful operation of the business.
7. Relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the bylaw.

Darlene Sodano moved to grant a variance to Planet Fitness at 18 Main Street pursuant to the findings of fact, with the sign design allowed being either Picture A, B, or C submitted by the applicant. Tony Genova seconded the motion with a roll call vote as follows:

Anthony Genova	yes.	
Darlene Sodano	yes.	
William Cadogan	yes.	
Kelly Chambers	yes.	
Craig Stevens	yes.	The motion carries.

3.0 General Business:

- 3.1 Mandatory Referral from PB re: Road Acceptance for Trophy Avenue - Noted
- 3.2 Mandatory Referral from PB re: Scenic Roads Act Hearing for Conservation Commission – Noted.
- 3.3 Draft Board & Committees Handbook for Review from Selectmen – Not necessary.

4.0 Correspondence:

- 4.1 Planning Board Site Plan Review Special Permit for 18 Main St
- 4.2 Letter from BI to resident re: Zoning Bylaw violation – 10 Tamarack Lane
- 4.3 Selectmen’s Media Relations Policy
- 4.4 Selectmen’s Use of Credit Cards Policy

5.0 Schedule

Next meeting: None scheduled

6.0 Adjournment

DS moved to adjourn the meeting at 7:08PM. KC seconded. AIF