

Minutes of the Meeting

And

- 1) James Hammond – Special Permit,
- 2) West Boylston Nursing Home d/b/a Oakdale Rehabilitation and Skilled Nursing Center – Variance,
- 3) Ernie's Touchless Car Wash, Inc. – Special Permit
- 4) Metro West Surplus Army / Navy - Variance

April 19, 2007

Present: Matthew Colangelo, Chairman Philippe W. Chevalier, Vice Chairman, Charles C. Witkus, Clerk, Barbara M. Deschenes, Linda Ann Isgro, Paul Hennessey, and Paul Trippi

Also Present: Sam Colangelo, Andrew Liston, Christopher Pallotta

Mr. Colangelo called the meeting to order at 7:15pm in the Selectman's Meeting Room. He introduced Board Members and explained the public hearing procedure, along with the by-laws, variance, and decisions.

Petition of James Hammond – Special Permit

Mr. Colangelo opened the public hearing by reading notice of the hearing and the petition. There were thirteen signatures on the sign-in sheets. Mr. Hammond explained that the exiting barn has an in-law apartment, but it is not attached to the existing house. It is tied into the sewage and is 15' away from the house. Mr. Witkus asked if the project had already been built and Mr. Hammond stated that it was built after his father-in-law passed away. Mr. Witkus asked if he had building permits and Mr. Hammond stated that he did not and was told to come to the Zoning Board. Ms. Isgro asked if the building inspector would be able to approve plumbing, etc. and Mr. Hammond assured the board that he would do whatever needs to be done to receive the permit. Mr. Colangelo then read into the minutes a letter received by Mr. Mark Brodeur. Mr. Hammond replied that the electric permit was done when the apartment was built, that the apartment was inspected, and that there are separate meters, and shows a diagram to the board of how the deck is attached to the house. Mr. Trippi questioned the foundation and existing structure.

Mr. Colangelo then opened the meeting to the public. Mr. Jay Duggan stood and told the board that he would not oppose the zoning changes as Mr. Hammond has been a good neighbor. Mr. Hammond's mother-in-law stated that she will be living in the in-law apartment. Mr. Chevalier raised concerns about the residential strip along high tension wires. The board agreed that there clearly have been incorrect steps and the conditions must be resolved before any permit is granted. Ms. Isgro asked if the abutting railroad tracks were general or single residence. Mr. Chevalier suggested that we table the meeting to another time and for Mr. Hammond to go to the building inspector to see what

exactly needs to be satisfied. He motioned that the meeting be continued to May 3rd and Mr. Witkus 2nd the motion.

W.B. Nursing Home d/b/a Oakdale Rehabilitation & Skilled Nursing Center – Variance

The meeting was opened at 7:55 p.m. It was noted that the Oakdale Nursing Home was requesting a continuance. The notice and petition was read by Mr. Colangelo, and he filed a disclosure of appearance. He then removed himself. Mr. Chevalier motioned to continue the meeting to May 3rd. Ms. Deschenes 2nd the motion, Mr. Witkus voted yes, Ms. Isgro voted yes.

Ernie's Touchless Car Wash, Inc. – Special Permit

The meeting opened at 8:20 p.m. Mr. Colangelo read the notice and petition. Mr. Liston and Mr. Pallotta stated that the previous special permit has lapsed and that Mr. Bagdaddy was in the hospital. Site drawings and diagrams were shown with explanations. Mr. Pallotta explained that the special permit has lapsed due to family circumstances and that he had financing and time now to complete the project. There would also be an elimination of one driveway from two. Mr. Witkus inquired about the office area/man-on-site and said that the bathroom not being public was a problem. Mr. Pallotta responded that he didn't recall other public bathroom's at car washes. Ms. Deschenes asked if the bathroom would be public and Mr. Pallotta said absolutely.

Mr. Liston explained the recycling of water and Ms. Isgro asked at what rate of gallon per day the town water would be used. Mr. Liston stated that the water district had already approved the town water. Mr. Chevalier asked if there were any changes since the last approval. Mr. Colangelo said that the order of conditions would all be the same; hours of operation, etc. Provide occupancy permit date review six months after. All previous conditions apply. Mr. Chevalier moved to grant special permit with new date. Role call – all yes. Vote sheet signed. Certificate of No Appeal to be issued in twenty days.

Metro West Surplus Army / Navy - Variance

The meeting opened at 8:40 p.m. The notice and petition was read by Mr. Colangelo. Mr. Maddox said that the 1st week of January, 2007, the building inspector stated that there was a complaint of signage in regards to the GI mannequin. The mannequin was removed and throughout January, February, and March the profits were down. Art Gecco uses the GI mannequin as a landmark for their business and advertisement. Mr. Maddox is requesting a variance to use the mannequin in the front of his business. He produce a copy of the letter from Art Gecco which was read into the minutes. He said he was able to pull a permit for the month of March; however, the cost is \$25 and he could only apply every 180 days. He stated that the mannequin is only out during business hours. Mr. Maddox said the mannequin has been out in front of the business for seven years and no permit had been required. Mr. Chevalier said it was not a sign. Ms. Deschenes read from page 52 definition of signs. Ms. Isgro discussed difference of variance and specil permit.

Mr. Chevalier was asking clarification of the GI being a sign. Mr. Colangelo would argue a variance as the by-laws do not describe the GI as a sign. ZBA is trying to determine the signage; possibly by a display of wares which is restricted in by-laws. Mr. Chevalier referred to page 23. Mr. Isgro discussed the position of the mannequin in the parking lot and has concerns that Mr. Maddox is not the property owner. Ms. Isgro and Mr. Maddox review the plot plan showing the pad for the GI. Mr. Chevalier suggests further discussions with the building inspector for more feedback and continue the meeting to May 3rd. Mr. Colangelo agrees; contact the building inspector and produce permission from the owner. Mr. Chevalier motioned to move to 8 p.m. on May 3rd, Mr. Witkus 2nd the motion, all in favor, all yes.

Other business:

- Approval of Minutes
- Update of 40-B
- Correspondence, memos, minutes from other board committee meetings
- Election of Officers:
 - Ms. Deschenes voted Mr. Chevalier to Chairman – 5 hands
 - Mr. Chevalier voted Mr. Colangelo to Vice Chairman – 4 hands
 - Ms. Isgro voted Mr. Witkus to Clerk – 5 hands

The meeting was adjourned at 9:40 p.m.

Respectfully submitted:

Donna Jean Ramonas, Secretary

Matthew P. Colangelo, Chairman

Phillippe W. Chevalier, Vice Chairman

Charles C. Witkus, Clerk

Barbara M. Deschenes

Linda Ann Isgro

Paul W. Hennessey, Associate Member

Paul A. Trippi, Associate Member

Minutes accepted on _____