

Minutes of the Meeting
And

- 1) Continuation of James Hammond – Special Permit,
- 2) Continuation of Metro West Surplus Army / Navy - Variance
- 3) Continuation of West Boylston Nursing Home d/b/a Oakdale Rehabilitation and Skilled Nursing Center – Variance

May 3, 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

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.

James Hammond – Special Permit

Mr. Hammond stated that he spoke with the Building Inspector and that he is now awaiting a survey to determine if a special permit is required. The survey should be completed within two (2) weeks. Mr. Hennessey questioned the frontage of the property and Mr. Chevalier read into the minutes a letter dated 4/17/07 from the Railroad Company. Mr. Witkus questioned Mr. Hammond how much money was actually saved by not following the proper procedures. Mr. Hammond replied that he wasn't trying to save money, but due to his father's passing, it was a hardship. Mr. Chevalier motioned to move to 7:15 p.m. on June 7th, Mr. Witkus 2nd the motion, all in favor, all yes.

Metro West Surplus Army / Navy - Variance

The meeting opened at 7:25 p.m. Mr. Maddox produced a letter, which was read into the minutes, from the property owner, Mr. Mark Meola, stating that he has no issues with the GI Mannequin. Mr. Colangelo said that he spoke with the building inspector and was told that the GI Mannequin was not allowed under zoning by-laws. Ms. Isgro expressed concern with the four (4) curbs in front. Mr. Maddox stated that the Mannequin is 48' from the road. Mr. Colangelo said that not having a problem for seven (7) years, this is now a hardship. Mr. Hennessey agreed that there is a 24% of business loss and Mr. Maddox added that his customers are having a hard time locating his store. There was a discussion amongst the Zoning Board as to what actually makes a sign. Ms. Deschenes stated that it is a display advertising wares, but questioned if it was grandfathered. Mr. Witkus discussed inside and outside sales. Ms. Isgro stated that a standing sign should require a special permit rather than a variance. Mr. Chevalier stated that if the mannequin is for sale, perhaps Mr. Maddox should file for an administrative appeal. Mr. Maddox then requested a withdrawal. Mr. Chevalier motioned to withdraw and Ms. Isgro 2nd the motion. All yes.

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

The meeting was opened at 8:00 p.m. There were eleven (11) signatures on the sign-in sheet. Mr. Bagdaddy, attorney for Mr. Oriol submitted a new plan. The original variance granted in 1987 needs to be upgraded; he stated that the revised plans show 1400 sq. ft with a parking lot eliminated, reduced greatly and less intrusive. The neighbors and abutters have concerns and Mr. Bagdaddy feels the concerns can be addressed. Mr. Colangelo asked about the oil tank and Mr. Bagdaddy replied that

there would be four (4) underground with none above ground. Mr. Colangelo questioned parking area needed and Mr. Bagdaddy explained that there would be a few more parking spaces added, as parking is tight around the holidays. Mr. Oriol said that at shift change parking is also a little tight so the added parking space would come in handy. Ms. Isgro addressed the dumpster issue, operational pick-up time frame. Mr. Bagdaddy said they would be moving the dumpsters and Mr. Colangelo said that an order of conditions would be no earlier than 7 a.m. Mr. Chevalier agreed that a letter of site plan review issues would be sent to the Planning Board. Mr. Witkus questioned why the house and barn next door are not being demolished and Mr. Bagdaddy replied that at this time it was not economical and in their budgetary plan until needed if other additions are required. These renovations are solely to improve residents and balance of staff. Mr. Colangelo then opened the meeting to the public.

Mr. Russ White, abutter, passed out notes which were read into the minutes and expressed concern over ledge, well water, and erosion of ground. He passed around pictures of the hill in back and wants a stipulation of no blasting. Also, the area that was drilled is not passable due to brush. Ms. Isgro questioned air blasting. Mr. Goodman, Builder, stated that all the testing completed showed no ledge; there are other methods of blasting but that weren't sure of what they were up against as of yet. Mr. Parmentier, Engineer, said that an earlier plan deep cut for construction, but not at that point; permit was granted from the Earth Removal Board; cut is approximately 8-9' and extends approximately 20' deep. The period of construction time is approximately 6 months working from the front. Mr. Witkus asked how large and Mr. Goodman replied 60 x 60, as rooms are being reconfigures to accommodate semi-private. Mr. Colangelo asked about the plane for removal of tree soil. Mr. Parmentier said they would redress with loom, seeded, reestablished. Mr. Bagdaddy added that new trees would be planted as buffer. Mr. Hennessey expressed concern regarding the access road. Mr. Parmentier said that due to narrow access, the road would be restored, the stone would be placed so as not to carry soil, stone will be removed, soil will be replaced. Mr. Bagdaddy added that it would not be a permanent road. Mr. Colangelo asked if the Fire Department had seen the plans yet and Mr. Goodman replied that they had not. Mr. Chevalier said that from the design standpoint, it appears that the biggest problem is the "Oak Wing", and asked why two (2) wings in the back instead of connecting. Mr. Goodman explained and showed diagrams utilizing nursing stations and staff, but the concept is additional beds. The dining area can still fit all, and it upgrades the existing facility. The L-shape would also lose windows. Mr. Parker asked if they had done test boring on their property and Mr. Goodman said that no ledge has been identified. What then would happen if you do hit ledge asked Mr. Parker. Mr. Goodman said it would be disposed of. Mr. Parmentier added that ledge could be removed within 20' of a house and that blasting could be done gently. Mr. Witkus questioned that if they had drilled why they don't know. Mr. Goodman responded that in an open field trench can be many profiles. Mr. Parmentier then added that other tests had been done years ago and ledge was encountered; however, Mr. Goodman did not know. Therefore, they knew approximately where it was and are building to stay away from it. Mr. Parker expressed concern about water and underground disturbance. Mr. Parmentier assured them that if ledge needs to be removed, it would only go down to be removed above water level. Mr. Chevalier addresses abutters concerns. Mr. White asked how large is the area around being excavated, and is concerned about the slope, ledge, removing soil and how deep the drill holes were. Mr. Goodman replied it was 9-12' and Mr. White stated that loom has been brought in through-out the years. Mr. Ventura asked where the location of the propane tanks were and Mr. Bagdaddy showed him in the diagram. The meeting was then closed to the public at 9 p.m. Mr. Chevalier stated that there was no hardship and suggested an amendment to the variance. Mr. Hennessey stated that he has concern in regards to the fire access road. Mr. Chevalier said that a letter would be sent to the Planning Board with issues that need to be addressed. Mr. Chevalier moved to grant the variance. Ms Isgro 2nd the motion with conditions. Mr. Witkus voted yes, as well as Ms. Deschenes, and Mr. Colangelo.

Other business:

- Update of 40-B
- Correspondence, memos, minutes from other board committee meetings

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

Minutes accepted on _____