



# TOWN OF WEST BOYLSTON ZONING BOARD OF APPEALS

127 Hartwell Street \* West Boylston MA 01583 \* [zba@westboylston-ma.gov](mailto:zba@westboylston-ma.gov)

## MEETING MINUTES

**November 18, 2013**

Chairman: John Benson

Members Present: Jon Meindersma (Vice-Chair), Francis Cahill (Clerk), Kristina Pedone and Charles Witkus

Others Present: David Femia (Associate Member), Aaron Goodale, III (Associate Member), Paul Hennessey (Associate Member), and Secretary Toby Goldstein

Members Absent: None.

The meeting was called to order at 7:05 p.m. by Mr. Benson.

Mr. Benson proceeded to read from the agenda that the first order of business at the meeting was a Public Hearing, Petition for Variance, by Viewpoint Sign, petitioning Section 5.6, Zoning Bylaws, Section C,2 (signs and billboards), to place a larger sign than allowed by the bylaws on the Planet Fitness building at 184 West Boylston Street. This public hearing is continued from October 28, and was only opened at that meeting to accept the request for continuance from representative Scott Spaulding, due to a medical emergency. Mr. Spaulding represents tonight.

### **Continued Public Hearing, Viewpoint Sign, Petition for Variance, 184 West Boylston Street (Planet Fitness):**

Mr. Benson swore in Mr. Spaulding. Mr. Benson then asked if Mr. Spaulding saw the Planning Board opinion letter from member Christopher Olson. Mr. Spaulding responded that he had not seen it before. He added that he understood that the Town needed proof of hardship to waive its sign restrictions in the bylaws. Mr. Benson said that the letter was only an opinion from Planning Board and does not control the ZBA's decision, but agreed that the petitioner would have to demonstrate hardship. Mr. Spaulding responded that he would want to consult with his client and discuss options; therefore, Mr. Benson asked the Board to vote for a continuance until the December 16 meeting; all members voted in favor.

**Minutes of October 28 Meeting:**

After review of the minutes by the Board members, Mr. Femia voted to accept the minutes as submitted. Mr. Cahill seconded. All in favor.

**Minutes of September 16 Meeting:**

These minutes were continued for clarification purposes; however, since the public hearing for Cumberland Farms has been continued again until December (see next paragraph), these minutes must again be continued.

**Request by Cumberland Farms for Continuance of Public Hearing:**

On the previous weekend, the Board received an e-mail request to continue their continued public hearing until December, to address other concerns. All board members voted in favor of allowing the continuance. Therefore, there was no testimony or comment at this evening's meeting.

With no other business to discuss, Mr. Benson moved to adjourn the meeting at 7:17 p.m. Ms. Pedone seconded. All in favor.

Respectfully submitted,

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Toby S. Goldstein, Secretary

Date Accepted: \_\_\_\_\_ By: \_\_\_\_\_

