

MINUTES

Zoning Board of Appeals Decision Meeting – April 20, 2021
115 Pleasant Street, Via Zoom.
Gardner, MA 01440

Sitting in on Hearing:

Raymond LaFond
Michael Gerry
Randy Heglin.

In Attendance:

Roland Jean	Sandra Stevenson	Richard
Rachel Taylor	Tim Slocum	Brian Marchetti
Steve Rockwood	Karen Graves	Roger Parent
Jillian Jenkins	Heather Sedani	Slocum Inc
Moto g7 Power	Jason Piland	Alan Belanger

Meeting Called to Order by Chairman Raymond LaFond at 6 PM

Mr. LaFond went over the ground rules for the Zoom meeting and how the proceeding will take place, stating “In pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor’s March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Gardner Zoning Board of Appeals will be conducted via remote participation and on the City’s YouTube Channel. The audio or video recording, transcript, or other comprehensive record of proceedings will be posted on the City’s website as soon as possible after the meeting. Since this meeting is being conducted via Zoom, all votes taken will be by roll call and all participants to raise their hands to be recognized”. Mr. LaFond explained the requirements that must be addressed for a Variance or Special Permit. He then noted the meeting is usually streamed live to YouTube, but due to a meeting conflict tonight this meeting will be uploaded to YouTube at a later date this week, a request was made if anyone objected. There were no objections.

<u>Case #</u>	<u>Type</u>	<u>Address / Request</u>
Case #2021-04-01: <u>V</u>	Jason Piland	Lot 42, Summit Ave. Lack of Frontage
Case #2021-04-02: <u>V</u>	Alan Belanger	161 Chelsea St. Prof Office & Warehouse
Case #2021-04-03: <u>SP</u>	Timothy Slocum	0 Matthews St. Contractors Yard

Tonight’s scheduled hearing is chaired by Mr. LaFond, the Clerk Mr. Gerry and third member. Mr. Heglin. Items on this agenda may be taken out of order at the discretion of the Chairman.

Case # 2021-04-03 Tim Slocum 0 Matthews St – Contractors yard/storage

Mr. LaFond informed the board that a letter had been received today from the applicant requesting to withdraw the appeal. (Letter attached)

Motion to grant withdrawal without Prejudice.

Unanimous vote to accept the withdrawal.

Roland Jean Building Commissioner / Zoning enforcement officer. Requested that the board consider waiving the deadline requirement for this application for the next meeting as changes need to be made for to the application by Mr. Slocum. He wishes to make the required amendments and be placed on next month's agenda. He has a meeting at 9am April 21, 2012 with Mr. Slocum to address changes and review the application.

Mr. Heglin made a motion to discuss this request.

Unanimous vote to discuss

Mr. Heglin asked why the fee would need to be waived as they have not done this for an applicant before.

Mr. Jean corrected that it was not the fee he was requesting be waived but the limitation of the deadline for the application. The amended application will be in the office tomorrow which would technically be a day late of the normal deadline for acceptance.

Mr. LaFond thanked Mr. Jean for his clarification on this matter.

Motion to accept the application tomorrow.

Unanimous vote to accept the corrected application Wednesday April 21, 2021.

Case # 2021-04-01 Jason Piland Lot 42 Summit Ave, Lack of frontage for single family home.

Mr. LaFond opened the meeting to Mr. Piland to present his case.

Mr. Piland addressed the board stating that he works for the Maki Corporation and the parcel of land was granted to the company in lieu of payment from the previous owner. The lot is an L shaped lot and lacks the 100 feet of frontage required to build on, he is asking the board to grant a Variance on the 50ft of frontage so he may build a single family home on the land. The lot is on a dead end road with no surrounding property for purchase. He plans to build the house on the left side of the lot as far away from the home in the neighboring lot. He will of course stay within the limits of setbacks in all other ways.

Mr. LaFond asked what the terrain of the lot was.

Mr. Piland stated that a large amount of the lot had already been cleared and that he will need to add some fill in some areas to level the lot, but for the most part it is build ready. The land belonged to a contractor who sold off the surrounding land for construction and this remaining lot has no other use but for a single family home. There is a paper road at the rear, so there is no other access to the land than off Summit Ave.

Mr. LaFond asked if the applicant could supply a more detailed plot plan, with the proposed location of the house and include elevations of the land. Mr. LaFond requested the three questions of a variance be answered now.

Mr. Piland informed the board that he had answered the questions in the application and did not have a copy of it with him as he was on vacation and did not have the information requested at hand.

Mr. LaFond advised Mr. Piland to request a continuance of this case to the next month, at his own expense, so that he can be more prepared with the information. He would also benefit from seeking some legal advice on this case and can reach out to the Zoning Admin for contact information on Attorneys often used.

Mr. Heglin asked for some clarification on the lot size as the application states that the land is 2,224sqft but then later states it 2,210sqft. Can a clarification be made of the actual square footage of the lot, Also to mark out the boundary lines and location of the planned build, An ANR plan would be especially useful in this case should one be available.

Mr. Jean pointed out that 50ft of frontage is not correct and there is much less than that and asked the applicant to verify the actual amount usable frontage.

Any other questions.

Mrs. Karen Graves – 30 Clairmont St. Property Abutter.

Mrs. Graves was concerned that there could be a water issue from the new build. She requested that drainage be questioned as she believes the lot to be pretty wet and once building starts she feels that water would be diverted and would run down into her property.

Mr. Heglin stated that he would look at the plot plan again and hopefully a site visit will take place so all of these kinds of issues and questions can be answered at the next meeting. A plot plan can be supplied by the admin in the office should Mrs. Graves request one.

Mrs. Graves informed the board that she recently had her land surveyed and this was what brought the drainage to her attention.

Mr. LaFond asked the applicant if he would like to move forward with a continuance.

Mr. Piland formally requested a continuance to the month of May.

Mr. LaFond reiterated that the continuance would be at Mr. Piland expense, to which Mr. Piland agreed.

Motion to grant the continuance

Unanimous vote to grant a continuance.

Case # 2021-4-2 Alan Belanger - 161 Chelsea St. Office and Storage Units. Variance

Mr. LaFond opened the meeting to Mr. Belanger or his representation to explain the case.

Brian Marchetti – Engineer for Mr. Belanger.

The Applicant is requesting a Variance for a building at 161 Chelsea St. The existing building has been vacant for a long time; it was originally built in 1930 and used as a warehouse for many years. The location and size is a good fit for Mr. Belanger's plans as he would like to use part of the building as office space and the rest will be used as storage bays. He will also have enough space for pod storage and repairs when needed. Mr. Marchetti moved on to address the 3 questions for a Variance.

- 1) Substantial hardship is apparent in this case as the property has been vacant for a long time, the only other viable option for this building would be demolition which would also need zoning and be a significant cost. As it stands without a Variance the lot can only be used as residential.
- 2) Similar to the original use back in 1930, most buildings in the area had similar usage including 134 Chelsea and across the way at Summer St. Location is far enough away from residential homes to not cause too much of an issue to the abutters.
- 3) In granting the Variance the building will be used by people local to Gardner and will add to the tax base. The office part of the location will be a head office for all admin regarding the business.

Any Questions

Mr. Heglin asked for a more detailed explanation of the intended use of the building, the application stated a tow truck and box truck as the vehicles used.

Mr. Marchetti explained that this location would often house small storage pods. The applicant has a large facility in Westminster where he keeps the larger units. The Chelsea St area would be the main office, there would not be a large amount of pods there but they would bring in any that had experienced damage so they can make the repairs. These pods would be small units that are normally used for personal storage at people's homes.

Mr. Heglin asked if these pods would be stored inside the building or would they be left outside to the elements.

Mr. Marchetti stated there is enough space at the location that the pods would most likely be bought inside for repair work but there is also enough space that some would be left outside for periods of time. No long term storage of pods will be at this location. The larger bays at the property will be rented out as a longer term storage, or used by the owner for storage of the truck and equipment. The pods themselves have a fast turnover as they replace with new pods on a regular basis.

Mr. Heglin asked if there was a plan to store the empty pods at Chelsea St.

Mr. Belanger - Applicant

Mr. Belanger informed the board that though some small pods may be kept there for short periods of time, there is no plan to keep them there for storage as he has other locations for that purpose.

Mr. Heglin asked about the shape of the building and the intended usage for certain areas. Stating that on a previous visit to the property, he noted that the building is large U shape.

Mr. Belanger verified that the building was a U shape and that it is actually a good shape for his intended use. The left side has space and land that can be used for parking and some storage, there is also land at the rear that he is currently looking into purchasing if it's available. The office will be located on the right side of the building also, this will a huge savings as he is currently renting office space.

Mr. Heglin asked if there were plans to renovate the outside of the building.

Mr. Belanger stated that he would definitely be doing some landscaping and paving of the outside, the roof will need to be replaced and he intends to clear some trees and add a privacy fence to the boundary line.

Mr. Heglin asked about lighting the premises.

Mr. Belanger intends to use motion-sensing lights on the building to light up the parking area and for security. He will not need 24hr operation but the lights are needed for the darker times of the year.

Mr. Heglin inquired about the business hours of operation.

Mr. Belanger informed that normal business hours for this kind of storage is 7am to 7pm Monday through Saturday. As it's a private storage unit people often want to come in between regular 9 to 5 hours.

Mr. Heglin asked for clarification on the use of the area for pod repair, and just where on the property would these pods be stored.

Mr. Belanger stated that the bay space on the left side is about 24x28sqft and this would be the location he intended to use for rental space. There is a larger demand for storage space for cars and trailers etc.

Mr. Heglin stated that it would be used for long term storage then.

Mr. Belanger informed the board that he had been in this business a while now and the market trend is that most people only used storage for about a year so the turnover on units even long term is never really more than 2 years.

Mr. LaFond asked how many units will be long term and if a more detailed plot plan can be supplied showing the parking plan and building use. Where will the bays be located and where is the planned storage of damaged pods to be. The board feels a little blind to the actual plan for this lot so a better site plan would be greatly appreciated.

Mr. Marchetti requested to screen share with the board and all present so he could show the more detailed plan he had, although nothing has yet been finalized as far as the actually building.

Plans shown on the screen showed the left side of the building being divided into 10 parking spaces which were clearly marked with 20ft driving aisle between as code states. The left side of

the actual building is sectioned off into 3 separate unit areas but this is not a set plan yet and can be divided to more or less units. The applicant intends to build a retaining wall and privacy fence on this side of the property also.

Mr. LaFond requested a copy of this plot plan be sent to the zoning admin Rachel Taylor so it can be added to the file and the board can review it further. Once the plan has been submitted the board would like to conduct a site visit of the property, this can also be arranged with Rachel once we have the plans.

Mr. Heglin requested information about the door that would be used.

Mr. Belanger stated that he would be installing lockable overhead doors on all bays and entries.

Mr. LaFond asked if there were any representatives from the city that wish to speak on this case.

Mr. Jean informed the board and the applicant that when it comes to parking there can only be up to 15 spaces permitted, any more than the 15 would need to go before the planning board.

Mr. LaFond requested that this case be continued to the May meeting, he would like to have a site visit and the plans in hand before the meeting takes place.

Motion to continue case to May

Unanimous vote to continue.

Any further business

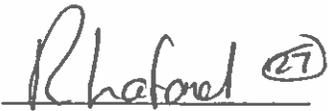
Acceptance of minutes from March 16th meeting.

Unanimous vote to accept minutes.

Motion to Adjourn Meeting

Unanimous vote to Adjourn.

Meeting Adorned 7.05PM



Raymond LaFond, Chair



Michael Gerry, Clerk



Mel Cornett, Member



Randel Heglin, Member.

Letter of Withdrawal.

April 20, 2021

City of Gardner
Zoning Board
115 Pleasant St
Gardner, MA 01440

RE: Case # 2021-04-03: SP

Dear Board Members,

After speaking with Trevor Beauregard and Roland Jean we are respectfully withdrawing our application without prejudice at this time.
Thank you for your time,

Sincerely,

President / Owner
T. Slocum Incorporated
SlocumInc@gmail.com