

(CITY SEAL)
ATTLEBORO ZONING BOARD OF APPEALS
NOTICE OF PUBLIC HEARINGS

January 14, 2016

In accordance with the provisions of the General Laws of Massachusetts, Chapter 40A, as amended, public hearings will be held on **Thursday, January 14, 2016 at 6:30 p.m.** in the **Municipal Council Chambers** located at **Government Center, 77 Park Street, Attleboro, MA 02703**, relative to the following:

CASE #5274: The application of **Liquid Environmental Solutions** for a special permit pursuant to §17-9.0 **SPECIAL PERMITS** under §17-3.5(#19) **TABLE OF ACCESSORY USE REGULATIONS** for the outdoor storage of a liquid other than water within a 10,000 gallon tank, the subject premises being located at **527 Pleasant Street, Unit B**, more specifically Assessor's plat #225, lot #5B, located in the Industrial and General Business zoning districts.

CASE #5275: The application of **Marcus Vitale** for a variance pursuant to §17-8.9 **VARIANCES** from the minimum front yard setback requirement pursuant to §17-4.9 **TABLE OF DIMENSIONAL AND DENSITY REGULATIONS** to accommodate the construction of an addition, a special permit pursuant to §17-9.0 **SPECIAL PERMITS** under §17-6.0 **NON-CONFORMING USES, STRUCTURES, AND LOTS** to alter a pre-existing non-conforming structure, and a special permit pursuant to §17-9.0 **SPECIAL PERMITS** under §17-3.4(12B) **TABLE OF USE REGULATIONS – RETAIL, SERVICE, COMMERCIAL** to operate an automobile body shop, the subject premises being located at **83 Dickens Street**, more specifically Assessor's plat #16, lot #27, #28, and #29B, located in the Industrial zoning district.

CASE #5276: The application of **Windsome Realty, LLC** for a special permit pursuant to §17-9.0 **SPECIAL PERMITS** under §17-3.1 **USE DESIGNATIONS** to construct a ground-mounted solar photovoltaic facility and a special permit pursuant to §17-9.0 **SPECIAL PERMITS** and §17-10.2 **EARTH REMOVAL** for an earth removal operation for associated grading and infrastructure; the subject premises being located at **96 Frank Mossberg Drive**, more specifically Assessor's plat #145, lot #1, located in the Industrial zoning district.

CASE #5277: The application of **Douglas W. Heroux** for a special permit pursuant to §17-9.0 **SPECIAL PERMITS** under §17-6.0 **NON-CONFORMING USES, STRUCTURES, AND LOTS** to alter a pre-existing non-conforming use to accommodate the construction of a second means of egress, the subject premises being located at **1951 County Street**, more specifically Assessor's plat #26, lot #274B and #270C located in the Industrial zoning district.

CASE #5278: The application of **Heritage Realty Enterprises** for a variance pursuant to §17-8.9 **VARIANCES** from the minimum front yard setback requirement pursuant to §17-4.9 **TABLE OF DIMENSIONAL AND DENSITY REGULATIONS** to accommodate the construction of a single family dwelling, the subject premises being located at **52 Avalon Drive**, more specifically Assessor's plat #219, lot #7B (Builder's Lot #9), located in the Single Residence-D zoning district.

CASE #5279: The application of **Leslie J. Swanson** for a variance pursuant to §17-8.9 **VARIANCES** from the minimum lot width requirement pursuant to §17-4.9 **TABLE OF DIMENSIONAL AND DENSITY REGULATIONS** and a variance pursuant to §17-8.9 **VARIANCES** from the minimum lot frontage requirement pursuant to §17-4.9 **TABLE OF DIMENSIONAL AND DENSITY REGULATIONS** to accommodate the construction of a single family dwelling, the subject premises being located at **725R North Main Street**, more specifically Assessor's plat #91, lot #21 and #22, located in the Single Residence-D zoning district.

The applications and plans may be reviewed in the Department of Planning and Development located on the first floor of City Hall. Any person interested or wishing to be heard on the application may appear at the public hearing at the time and place designated above.

Keith H. Hutchings, Chairman

PLEASE BILL TO CITY OF ATTLEBORO 508.223.2222

PLEASE PRINT UNDERLINED WORDS IN **BOLD**

PLEASE RUN AD ON **December 30, 2015 & January 6, 2016**



City Of Attleboro, Massachusetts

ZONING BOARD OF APPEALS
GOVERNMENT CENTER, 77 PARK STREET
ATTLEBORO, MASSACHUSETTS 02703
TEL 508.223.2222 FAX 508.222.3046

AGENDA

JANUARY 14, 2016

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1. **PUBLIC HEARINGS:** DEADLINE
 - a. Liquid Environmental Solutions – 527 Pleasant Street (Special Permit, **Case #5274**)
 - b. Marcus Vitale – 83 Dickens Street (Special Permits & Variance, **Case #5275**) 3/13/16
 - c. Windsome Realty, LLC – 96 Frank Mossberg Drive (Special Permits, **Case #5276**)
 - d. Douglas W. Heroux – 1951 County Street (Special Permit, **Case #5277**)
 - e. Heritage Realty Enterprises – 52 Avalon Drive, B.L. 9 (Variance, **Case #5278**) 3/30/16
 - f. Leslie J. Swanson – 725R North Main Street (Variance, **Case #5279**) 3/31/16

 2. **PUBLIC HEARINGS HELD OPEN:** DEADLINE
 - a. Azu O. C. Etoniru of E.T. Engineering – 0 Fuller Avenue (Special Permits, **Case #5270**)
(See Agenda items #6a and 6b)
 - b. Bayridge Realty, LLC – Orange Street (Special Permits, **Case #5273**)
(See Agenda item #6c)

 3. **PENDING APPLICATIONS:** DEADLINE
 - a. Alicia & Jason Cabral – 381 South Avenue (Special Permit, **Case #5268**) 2/17/2016
(See Agenda item #6d)
 - b. Rick Deppisch – 155 Commonwealth Avenue (Special Permit, **Case #5272**) 3/9/2016

 4. **APPOINTMENTS TO SPEAK:**
 - a. Jack Jacobi – “SHOPS AT MAYFAIRE” (See Agenda items #6e, 6f, 6g, and 6h)

 5. **STAFF REPORT:** TO BE E-MAILED PRIOR TO MEETING

 6. **CORRESPONDENCE:**
 - a. Memorandum from Acting Water Superintendent and Wastewater Superintendent Paul A. Kennedy, dated December 14, 2015, to Senior Land Use Planner Stephanie Davies, regarding the Special Permit application of Azu Etoniru for 0 Fuller Avenue, Case #5270. (See Agenda item #2a)
 - b. Email from Director of Planning and Development Gary Ayrassian, dated December 31, 2015, to Zoning Board Chairman Keith Hutchings and Conservation Commission Chairman Missy Riley, regarding the impending withdrawal of the Special Permit application of Azu Etoniru for 0 Fuller Avenue. (See Agenda item #2a)
 - c. Memorandum from Acting Water Superintendent and Wastewater Superintendent Paul A. Kennedy, dated December 9, 2015, to Senior Land Use Planner Stephanie Davies, regarding the Special Permit application of Bayridge Realty, LLC for 0 Orange Street, Case #5273. (See Agenda item #2b)
 - d. Letter from Senior Land Use Planner Stephanie Davies, dated January 6, 2016, to Alicia and Jason Cabral, relative to the special permit filing for 381 South Avenue. (See Agenda item #3a)
 - e. Revised layout and materials plans submitted November 19, 2015 relative to the Special Permit and Variance application of GSLC, LLC for the “SHOPS AT MAYFAIRE”, 228 Washington Street, Case #5238. (See Agenda item #4a)

- f. Cover letter and Environmental Impact Report from attorney John F. D. Jacobi, III, dated December 8, 2015, to the Zoning Board of Appeals, relative to the decision issued for the “SHOPS AT MAYFAIRE” development, Case #5238. **(See Agenda item #4a)**
- g. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated December 31, 2015, to City Clerk Elizabeth Shockroo, relative to foundation permits for GSLC, LLC’s “SHOPS AT MAYFAIRE” development. **(See Agenda item #4a)**
- h. Certificate of Vote from Planning Board Clerk Lauren Stamatis, dated December 31, 2015, to City Clerk Elizabeth Shockroo, relative to MassDOT Section 61 Finding for GSLC, LLC’s “SHOPS AT MAYFAIRE” development. **(See Agenda item #4a)**
- i. Letter from Building Commissioner Douglas A. Semple, dated January 6, 2016, to President Kelly Coates of Carpiionato Group, providing a cease and desist order relative to the “MAYFAIRE PLAZA” development at 231-251 Washington Street.
- j. Letter and associated materials from Evelyn Staudinger, dated November 25, 2015, to the Planning Department, relative to parking concerns at the condominiums located at 95 Mechanic Street, Case #4404.
- k. Letter from Senior Land Use Planner Stephanie Davies, dated December 14, 2015, to Manager Carlo Migliore of AutoZone, Inc., relative to the truck routing at 89 Peck Street, Case #4901.
- l. Communication from Felicia S. Vasudevan of Murphy, Hesse, Toomey & Lehane, LLP, dated December 16, 2015, to Director of Planning and Development Gary Ayrassian, providing the Defedants’ Answer to the Complaint in the case of Attleboro Sand & Gravel v. City of Attleboro and Douglas A. Semple.
- m. Cover letter and plan set from David N. Kelly of Kelly Engineering Group, Inc., dated December 21, 2015, to Senior Land Use Planner Stephanie Davies, providing as-built plans relative to 803 North Main Street, Markman Children’s Programs, Inc.
- n. Memorandum from Director of Planning and Development Gary G. Ayrassian, dated December 31, 2015, to Mayor Kevin J. Dumas, relative to the reassignment of the retainer contract for chemical facility inspections to Stantec Consulting Services, Inc.

7. MISCELLANEOUS PENDING CORRESPONDENCE: NONE

8. PENDING MINUTES:

- a. November 19, 2015
- b. December 10, 2015

9. PENDING APPEALS:

- a. Ethel M. Sandbach – 224 County Street, Case #5219 (Stanley J. Nacewicz v. City of Attleboro, et al.)

10. UPCOMING PUBLIC HEARING AND BUSINESS MEETING SCHEDULE/MISCELLANEOUS/OTHER

- a. Discuss proposed Sign Ordinance
- b. Regular meeting scheduled on February 11, 2016