



City Of Attleboro, Massachusetts

ZONING BOARD OF APPEALS
GOVERNMENT CENTER, 77 PARK STREET
ATTLEBORO, MASSACHUSETTS 02703
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2023 JUN -5 PM 12:04
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CITY OF ATTLEBORO

AGENDA

JUNE 8, 2023

6:30 p.m.

1. **NEW PUBLIC HEARINGS: [LINK*](#)**

	<u>DEADLINE</u>
a. Derek DaSilva – 0 Oakland Avenue (Variance, Case #5668)	8/4/23
b. NextGrid, Inc. (Pawpaw Solar, LLC) – 887 South Main Street (Special Permit, Case #5669)	
c. 5 Star Nutrition – 228 Washington Street (Special Permit, Case #5670)	
d. Aiden Murray – 188 Thurber Avenue (Special Permit, Case #5671)	
e. James & Barbara Winters – 7 Buffington Street (Special Permit, Case #5672)	
f. Sturdy Memorial Hospital, Inc. – 211 Park Street (Special Permit & Variance, Case #5673)	8/24/23
g. Sturdy Memorial Hospital, Inc. – 59 Gardner Street (Special permit & Variance, Case #5674)	8/24/23
h. Sturdy Memorial Hospital, Inc. – 0 Pearl Street (Special permit & Variance, Case #5675)	8/24/23

2. **PUBLIC HEARINGS HELD OPEN: [LINK*](#)**

a. Abram Agayby – 289 County Street (Special Permit, Case #5639)	
b. Canna-Farm, LLC – 1 Turner Street (Special Permit, Case #5650)	
c. 42 County Street, LLC – 42 County Street (Special Permit & Variance, Case #5651)	6/30/23
d. Michael Gelinis – 45 Frank Mossberg Drive (Special Permit, Case #5660)	
e. SOWA, LLC – 1 Highland Avenue and 5 Route 1A (Special Permit, Case #5663)	
f. Nova Farms, LLC – 1000 Washington Street (Special Permit, Case #5666)	

3. **PENDING APPLICATIONS: NONE SCHEDULED**

4. **APPOINTMENTS TO SPEAK:**
 - a. John Ferreira – 220 O'Neil Boulevard, Case #5556

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

6. **CORRESPONDENCE: [LINK*](#)**
 - a. Form Z3 – Request to withdraw petition submitted by Abram Agayby of County Square Pharmacy, received May 18, 2023, relative to the special permit application for 289 County Street, Case #5639. (See Agenda #2a)
 - b. Letter via email from attorney Daniel S. Glissman of Prince Lobel, dated June 1, 2023, to Senior Planner Stephanie Davies, regarding commitments to water reclamation and wastewater improvements, relative to the special permit application of Canna-Farm, LLC for 1 Turner Street, Case #5650. (See Agenda #2b)
 - c. Form Z2 – Request for an extension of time to August 31, 2023, submitted by attorney Jack Jacobi of Coogan Smith, LLP, received June 5, 2023, relative to the special permit and variance application of 42 County Street, LLC for 42 County Street, Case #5651. (See Agenda #2c)
 - d. Email from attorney Jack Jacobi of Coogan Smith, LLP, dated June 5, 2023, to Director of Planning and Development Gary Ayrassian, requesting a continuance to July 13, 2023, relative to the special permit and variance application of 42 County Street, LLC for 42 County Street, Case #5651. (See Agenda #2c)
 - e. Letter from Jason Leclerc of 1 Oak Avenue/32 Cumberland Street, dated May 11, 2023, to Zoning Board Clerk Lauren Stamatis, citing support for the special permit application of Nova Farms, LLC for 1000 Washington Street, Case #5666. (See Agenda #2f)

- f. Letter via email from attorney John F. Kenyon of Nova Farms, LLC, dated June 1, 2023, to Planning Administrator Lauren Stamatis, providing staff report response comments relative to the special permit application of Nova Farms, LLC for 1000 Washington Street, Case #5666. (See Agenda #2f)
- g. Cover letter and revised site plan submitted by Daniel Campbell of Level Design Group, dated June 1, 2023, to Zoning Board Chairwoman Catherine Merkle, relative to the special permit application of Nova Farms, LLC for 1000 Washington Street, Case #5666. (See Agenda #2f) (copies for distribution)
- h. Email from John Ferreira, received May 3, 2023, to Zoning Board Chairwoman Catherine Merkle, requesting an amendment to the approved fencing for the special permit and variance decision issued to 220 ONEIL, LLC for 220 O'Neil Boulevard, Case #5556.
- i. Email from John Ferreira, received May 13, 2023, to Police Chief Kyle Heagney, inquiring as to the necessity of installing a perimeter fence at the marijuana dispensary approved for 220 O'Neil Boulevard, Case #5556.
- j. Email from Police Chief Kyle Heagney, dated May 15, 2023, to John Ferreira, citing support for the removal of the perimeter fence in association with the marijuana dispensary approved for 200 O'Neil Boulevard, Case #5556.
- k. Email from Building Commissioner William McDonough, dated May 17, 2023, to Zoning Board Clerk Lauren Stamatis, regarding resolution of the zoning violation involving 156 Berwick Road, Case #5633.
- l. Certificate of Vote from Zoning Board Clerk Lauren Stamatis, dated May 15, 2023, to City Clerk Kathleen Jackson, granting a one year extension of time to exercise the special permit issued to Gary Demers for 200 North Main Street, Case #5601.
- m. Certificate of Vote from Zoning Board Clerk Lauren Stamatis, dated May 15, 2023, to City Clerk Kathleen Jackson, approving the site plan amendment relative to the decision issued to Pacifico Energy North America, LLC for 0 Richardson Avenue, Case #5591.
- n. Certificate of Vote from Zoning Board Clerk Lauren Stamatis, dated May 24, 2023, to City Clerk Kathleen Jackson, denying the requested modification to the hours of operation for Nova Farms, LLC (formerly BCWC, Inc.) for 34 Extension Street, Municipal Council Case #001.
- o. Certificate of Vote from Zoning Board Clerk Lauren Stamatis, dated May 24, 2023, to City Clerk Kathleen Jackson, denying the requested modification to the hours of operation for Zahara Cannabis (formerly The Leonard J. Irving Center, Inc. and Ashli's, Inc.) for 70 Frank Mossberg Drive, Case #5482.

7. MISCELLANEOUS PENDING CORRESPONDENCE: NONE

8. PENDING MINUTES:

- a. May 11, 2023

9. PENDING APPEALS:

- a. Mark Rioux – 4 Stead Avenue, Case #5462 (Mark Rioux, v. City of Attleboro, et al.)
- b. Green River Cannabis Co., Inc. – 1815 County Street, Case #5502 (Green River Cannabis Company, Inc. v. City of Attleboro Zoning Board of Appeals and its Members)
- c. Maged Youseff, Trustee – 72 & 80 Pleasant Street, Case #5588 (Maged Youssef, Trustee of the Maged Realty Trust v. Attleboro Ice & Oil Co., Inc., Kenneth Errington, William A McDonough, Building Inspector, and Attleboro Zoning Board of Appeals and its members)

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

- a. Schedule meetings for July and August 2023
 - i. Tentative Regular Meeting: July 13, 2023
 - ii. Tentative Regular Meeting: August 10, 2023

*Digital access links are taken down as soon as the day after the meeting. For access after that time, please make a request by emailing planning@cityofattleboro.us or stopping by the Office of Planning and Development during normal business hours.