

Zoning Board of Appeals
7891-982-2100

Minutes
June 12, 2014
Cotter Room
7:00 p.m.

Members Present: James Haney, Lisa Bezanson, William Mullen, John Shepard, Marshall Adams, Building Inspector/Zoning Enforcement Officer

Absent: Sean Reynolds

7:00 p.m. **Minutes** - motion to approve May 8, 2014 made by Mrs. Bezanson, seconded by Mr. Shepard, 3 ayes, 1 abstention (Mr. Mullen). April 10, 2014 to be held over for next meeting.

7:00 p.m. **Re-organization of the board** - Nominations for Chair – Mrs. Bezanson nominated Mr. Haney, seconded by Mr. Mullen, unanimous. Vice Chair – Mr. Haney nominated Mrs. Bezanson, seconded by Mr. Mullen, unanimous.

7:00 p.m. Continued hearing, petition of Bill Dessaps, 1105 Plymouth Street, Bridgewater, for: a variance to rent ten cars and sell five used cars at 201 North Quincy Street, under Abington Zoning By-Laws Sec. 175-21-F-2. The property is located on Assessors Plan 34, Plot 3, in the Highway Commercial Zone. Voting members: James Haney, Lisa Bezanson, Sean Reynolds. In Mr. Reynolds's absence, John Shepard voted on this petition.

Bill Dessaps and Atty. Steven Lowell attended. An amended application was received today. They have decreased number of cars - 5 sale, 4 rent and 6 customer parking spaces. There are still 15 cars, but the classification of for sale vs. for rent and customer parking has changed. Atty. Lowell – drawings were submitted showing proposed parking plan, and showed picture from Google Earth. There would be parking along sides. Those spaces are in existence along grass strip. It is not much of a change to what's there now. Mr. Dessaps just wants to expand his business. He has to go before ZBA before he can go to the Board of Selectmen for a class II license. There is not a cap on the number of class II licenses that can be issued.

Opened to floor:

Abutter, lives across the street - enough is enough. There is too much in the area now. Against this.

Atty. Lowell - this doesn't change character of location. There is already asphalt there. Won't generate much more traffic. Mr. Haney - used cars are usually in general commercial zone and he has a problem with junk yard in back.

Abutter – re junk yard – trucks coming and going all the time.

Atty. Lowell – there wouldn't be much vehicular traffic; it would be coming in the pre-existing driveway side of the lot, which is open now. It was noted by Mrs. Bezanson that building is overlapping in Brockton. Would they have to go to Brockton as well? The majority of lot is in Abington, but would have to speak to Brockton building inspector. He would still have to go to BOS. Building Inspector - wondered if this would have to go to town counsel. Mr. Shepard - agrees with Mr. Adams. Mr. Haney - is comfortable voting on Abington side and the Brockton side is up to Brockton.

Atty. Lowell - would board be more comfortable with fewer cars for sale or rent? View from across the street is going to be the same. Lighting would be determined by Mr. Adams. Building is 27' x 30'. Mr. Haney – not inclined to go with it. Mrs. Bezanson - she would let the BOS decide.

Motion by Mrs. Bezanson to approve the amended petition received on 06/12/2014 for five vehicles for sale, four vehicles for rent and six customer spaces, received 6/12, seconded by Mr. Shepard, unanimous.

Mr. Mullen left the meeting at 7:30 p.m.

7:35 p.m. Continued hearing, petition of Ingrid Johnson, 49 Susan Road, Brockton, for: a special permit to construct a single family house with site appurtenances in the FPWPD at 78 Crabtree Lane, under AZBL Sec. 175-35. The property is located on Assessors Plan 44, Plot 128, in the R-30 Zone.

Voting members: James Haney, Lisa Bezanson, John Shepard. Mrs. Bezanson made the disclosure that she, her husband and their company have done business with the Russell Wheatley Co. in the past, but have no interest in this petition.

Board was in receipt of a letter for EIS from John Clark and copy of Order of Conditions from Conservation Commission.

John Cotter - at previous meeting petition had been discussed. This is a single family house lot, and they are proposing a swale along the easterly property line and redirecting it to wetlands. They are filling a small area and replicating twice the area on easterly side of the property. They have extended the swale to replication area to protect the neighbors and to enhance the replication area. At previous meeting, Mr. Cotter said they would provide an EIS as well as a copy of the Order of Conditions.

Mr. Shepard - EIS is important, takes the guess work out of it for the board, feels better about this. Opened to floor, no comments and brought back to the table. Board appreciates the engineer's statement, showing there is no impact.

Motion by Mrs. Bezanson to approve the petition, seconded by Mr. Shepard, unanimous.

Meeting adjourned at 7:45 p.m.

Respectfully submitted,

Nancy Hurst

