



Town of Pepperell
BOARD OF APPEALS
One Main Street
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Zoning Board of Appeals Meeting Minutes of May 5, 2010

PRESENT: Annette McLean, Mark Walsh, Sean McCaffery, Bruce Roberts, and Cheryl Lutcza (ZBA Assistant).

7: 00P.M. Board Member, Mark Walsh, opened the meeting and announced that he would be acting as Chair, in the absence of Sherrill Rosoff, for this evening's meeting/hearings.

Chair announced that the first agenda item is a hearing regarding an application submitted by the Town of Pepperell Department of Public Works, Sewer Division, requesting Zoning Board of Appeals **VARIANCES** under Sections 10,000, 4140, 4230 (4231, 4234) and 4413, and any other applicable sections of the Town of Pepperell Zoning-By-Law, which if granted, would allow construction of a sewer pump station. Subject property is located at 112 Brookline Street, Pepperell, MA, as shown on Assessor's Map 9 as Parcel 3. A public hearing will be held on this matter at the Pepperell Town Hall, Conference Room A, on Wednesday, May 5, 2010, at 7:00 P.M.

Board Members sitting on this hearing are: Mark Walsh, Annette McLean and Bruce Roberts (Associate Member). Associate Member, Sean McCaffery, is also present.

Clerk read the Notice of Public Hearing into the record.

Applicant, Robert Lee, DPW Director, addressed the Board and made the following points regarding the requested relief:

- Proposed pump station is similar in scope to other pump stations in Town.
- Pump station is part of the 2010 Sewer Extension Project and will serve the Brookline Street/"Indian Village" section of Town.
- Pump station will be located at lowest end of project.
- Gave a visual overview of layout of pump station and project.
- Explained that an agreement was reached with landowner, David Burton.

Clerk read responses from the following Town Boards/Departments and/or concerned parties into the record:

- Police Department
- Conservation Commission
- Water Department
- Highway Department
- Town Counsel

Chair inquired if Board Members had any questions.

Annette McLean inquired if there will be access for workers to inspect the pump station. Mr. Lee responded, "Yes."

Mark Walsh inquired as to whether Mr. Burton would have sufficient frontage for his house. Mr. Lee responded, "Yes."

Chair inquired if anyone had any further questions or comments.

Annette McLean motioned to close the record and hearing. Bruce Roberts seconds. All concur.

Board entered deliberations and discussions ensued.

Annette McLean motioned to grant the relief requested, Variances under Sections 10,000, 4140, 4230 (4231, 4234) and 4413, and any other applicable sections of the Town of Pepperell Zoning-By-Law, which if granted, would allow construction of a sewer pump station, at the subject property is located at 112 Brookline Street, Pepperell, MA, as shown on Assessor's Map 9 as Parcel 3. Bruce Roberts seconds. All concur.

7:30P.M. Chair announced the second agenda item is a hearing regarding an application submitted by George Clark, President, Clark's Auto Sales, Inc., requesting a Zoning Board of Appeals **NON-CONFORMING USE SPECIAL PERMIT** under Section 3530 of the Town of Pepperell Zoning-By-Law, which if granted, would allow the extension of the existing non-conforming use of auto sales in an expansion of the premises to the rear of the building at 28 Hollis Street. Subject property is located at 28 Hollis Street, Pepperell, MA, as shown on Assessor's Map 22 as Parcel 73. A public hearing will be held on this matter at the Pepperell Town Hall, Conference Room A, on Wednesday, May 5, 2010, at 7:30 P.M.

Board Members sitting on this hearing are: Mark Walsh, Sean McCaffery (Associate Member) and Bruce Roberts (Associate Member). Board Member, Annette McLean, is present, but has recused herself from this hearing.

Clerk read the Notice of Public Hearing into the record.

Applicant, George Clark, is present. Also present, is Sean Parsons. Mr. Clark addressed the Board and made the following presentation:

- The building had a fire last year, which was started by a gas stove in the apartment.
- Since the fire, they have been renovating what they can, and moved Sean Parson's office.
- The shed addition on the back of the building suffered damage in the fire and they would like to remove the shed addition and rebuild and expand. This area would be used for more work area for the operation.
- Gave overview of proposed plan.
- Showed a drawing of type of addition they would like to do, stating the addition would have vinyl siding.

Clerk read responses from the following Town Boards/Departments and/or concerned parties into the record:

- Water Department
- Assessor's Office
- Police Department
- Town Engineer
- Planning Board
- Highway Department
- Town Counsel
- Conservation Commission

Chair inquired if Board Members had any questions.

Bruce Roberts inquired if there was any plan to deal with runoff from roof. Mr. Clark responded that they will have to wait and see what is required by the Conservation Commission during the building permit process.

Sean McCaffery commented that the plan looked okay.

Mr. Clark stated that Clark's Auto Sales, Inc., owns the building and that the following businesses are also located at the subject property at 28 Hollis Street: Parsons Enterprises, LLC, d/b/a Clark's Auto Body and Peppa Hill Customs (motorcycle shop).

Bruce Roberts motioned to close the record and hearing. Sean McCaffery seconds. All concur.

Board entered deliberations and discussions ensued.

Sean McCaffery motioned to grant the relief requested, a Zoning Board of Appeals **NON-CONFORMING USE SPECIAL PERMIT** under Section 3530 of the Town of Pepperell Zoning-By-Law, which if granted, would allow the extension of the existing non-conforming use of auto sales in an expansion of the premises to the rear of the building at 28 Hollis Street. Subject property is located at 28 Hollis Street, Pepperell, MA, as shown on Assessor's Map 22 as Parcel 73. Furthermore, the Board finds that the grant of the Non-Conforming Use Special Permit, allowing the proposed expansion, will not be substantially more detrimental than the existing non-conforming structure to the neighborhood, as set forth in Section 3530 of the Town of Pepperell Zoning-By-Law. Bruce Roberts seconds. All concur.

Old and New Business:

- Annette McLean motioned to approve the ZBA Meeting Minutes of March 31, 2010. Bruce Roberts seconds. All concur.

Sean McCaffery motioned to adjourn the meeting. Bruce Roberts seconds. All concur.

Meeting Adjourned at 8:10P.M.

ZBA Minutes of May 5, 2010 filed with Town Clerk: July 13, 2010

Respectfully submitted by:

Cheryl Lutcza,
Assistant to the Zoning Board of Appeals

cc: Town Clerk
Inspector of Buildings
Town Counsel
ZBA Minutes file
ZBA Members
ZBA Application File(s)