

**Town of East Longmeadow
Planning and Community Development Department
60 Center Square
East Longmeadow, Massachusetts 01028
(413) 525-5400- ext. 1700 - fax (413) 525-1656**



**East Longmeadow, MA Planning Board Meeting
March 20, 2018, 6:00pm
East Longmeadow High School
School Committee Conference Room**

Present: Chairman George Kingston; Vice-Chair Deborah Bushnell; Clerk Tyde Richards; Russell Denver; Louis Morabito

Also Present: Town Manager Denise Menard

Absent: None

Chairman Kingston opened the meeting at 6pm.

Public Hearing Continuation: Amended Special Permit for Fogueira, 621 North Main Street

As this was a continuation and there was no legal notice to read, Chairman Kingston presented the facts of the Special Permit Amendment application, stating that the main point is that this will now be a restaurant and not a club. Town Counsel Jim Donahue stated that an agreement between the petitioner and the Town had been reached that the facility will operate solely as a restaurant moving forward. The deck expansion, previously begun without proper permitting, has been inspected and found to be in compliance with state building codes by both the Building Commissioner and a privately hired architect, and there is no need to require the petitioner to tear it down and rebuild. There have been no objections from the community. The deck is not currently permitted for service of food or alcohol, only for smoking by restaurant patrons. If it is used for food and beverage service in the future, the overall allowed capacity would not increase. Vice-Chair Bushnell inspected the site a while back and agreed it is in compliance with state building codes. Petitioner Steven Riley stated that overall capacity is not increased, despite the plan drawings indicating tables and chairs outside on the deck. Chairman Kingston inquired as to a site plan being provided from the registry for the Planning Board to sign. Mr. Donahue provided the Board with two drawn plans of the first floor and basement level of the facility. Mr. Riley said that although the Building Commissioner was given a plan already, he will make sure the Planning Board receives one to sign.

Public comment: Ralph Paige, 306 Prospect St:

Mr. Page asked if Is this a brand new special permit, or an amendment. Mr. Donahue stated that this is a new restaurant, and prior permits would disappear as this use is different. He stated that this will be a new permit. Mr. Page asked if as a new permit, any legal pending action would be dismissed. Mr. Donahue asserted that although it is irrelevant to what is currently before the Planning Board, that any pending legal action would be dismissed.

Chairman Kingston called for a motion to close the public hearing. Vice-Chair Bushnell moved, Mr. Denver seconded. **The motion to close the public hearing passed unanimously (5-0).**

Chairman Kingston then read through the changes to the Special Permit findings recommended by the Town Planner, calling for a vote by the Board after reading each.

- A. Vice-Chair Bushnell moved to approve the finding; Mr. Denver seconded. **The motion to accept the finding that the site is an appropriate location for the addition of a deck passed unanimously (5-0).**
- B. Vice-Chair Bushnell moved to approve the finding; Mr. Denver seconded. **The motion to accept the finding that the use will not adversely affect the neighborhood passed unanimously (5-0).**
- C. Vice-Chair Bushnell moved to approve the finding; Mr. Denver seconded, with discussion. "...to provide food and drink services..." was revised to "...to provide a smoking area...." Mr. Denver inquired of the petitioner what their commitment was to not disturbing the neighborhood, and how it would be enforced. Mr. Donahue stated that the agreement with the Town Council is currently that all noise would be contained within the building proper. Enforcement would be left to the Police Department or Building Commissioner, as the Town determines who the enforcement agency is going to be. **The motion to approve the finding that the extension of the outdoor deck to provide a smoking area will not cause nuisances passed unanimously (5-0).**
- D. Vice-Chair Bushnell moved to delete the delete the finding; Mr. Denver seconded. **The motion to delete the finding that the extension of the outdoor deck is appropriate for the proper operation of the proposed use passed unanimously (5-0).**
- E. Vice-Chair Bushnell moved to approve the finding; Mr. Denver seconded. **The motion to accept the finding that there will be no changes to the existing screening provided for parking areas passed unanimously (5-0).**
- F. Vice-Chair Bushnell moved to approve the finding with discussion; Mr. Denver seconded. **The word "neighborhood" was changed to "zone" in the first sentence. The motion to accept the finding that the building and its proposed use is suitably located in the commercial zone passed unanimously (5-0).**
- G. Vice-Chair Bushnell moved to approve the finding; Mr. Denver seconded. **The motion to accept the finding that the deck addition will not increase the number of patrons and will not require additional parking passed unanimously (5-0).**
- H. Vice-Chair Bushnell moved to approve the finding; Mr. Denver seconded. **The motion to accept the finding that the use is in harmony with the general purpose and intent of the Zoning By-laws passed unanimously (5-0).**

Vice-Chair Bushnell moved to incorporate two plans submitted by the petitioner as exhibits to the Special Permit, with the understanding that mylars would be submitted; Mr. Denver seconded. **The motion to incorporate the plans into the Special Permit passed unanimously (5-0).**

Clerk Richards then read through the Conditions of the Special Permit

Condition #5 was amended to strike “serving food and drink”. Condition #16 was amended to strike “year round” and replace with “when the restaurant is in operation”.

Vice-Chair Bushnell moved to approve the Conditions; Mr. Denver seconded. **The motion to accept the Special Permit Conditions passed unanimously (5-0).**

Vice-Chair Bushnell moved to approve the Special Permit; Mr. Denver seconded. **The motion to approve the Special Permit, subject to the submission of plans as stated in the Conditions passed unanimously (5-0).**

Public Hearing: Request for Zoning By-law Amendment Section 3.092C

Clerk Richards read the letter to the Planning Board from John Grimaldi of 102 Lee Street.

Mr. Grimaldi was invited to address the Board. He asked if the Planning Board received his petition containing 129 signatures. Chairman Kingston said it is with the Town Council. Mr. Grimaldi stated that he thinks the law is to satisfy a minority of people and is unnecessary. He then asked the Board what constitutes a commercial vehicle in East Longmeadow. Chairman Kingston responded that at a minimum it is a vehicle having commercial plates and it is the same distinction that the State makes. Mr. Grimaldi said he feels that just because he has commercial plates, he is the only truck or van owner on his street being bothered.

Chairman Kingston then opened up the hearing for public comment.

Michael Downey, 54 Baymor Dr.

Mr. Downey stated that he has worked for Columbia Gas for 36 years. He parks his pickup truck at his house. He stated that the police knocked on his door at 9:30pm saying he can't park his commercial vehicle on the street, which he had never had a problem with previously. Chairman Kingston clarified that the by-law does not prohibit commercial vehicles, it states that they must be hidden from view from the street. Mr. Downey said he feels his work pickup truck in good repair with a small logo is no different than any other pickup truck on the street and he should be allowed to park it at his home.

Rob Fitzpatrick, 62 Cooley Avenue

Mr. Fitzpatrick stated that he works for American Pest Solutions and drives a small Nissan van for work, and never knew about this by-law. He agrees with Mr. Grimaldi and feels the by-law should be modified.

Marilyn Richards, 342 Pinehurst Drive

Ms. Richards referred to the particular revised by-law being addressed as the one going back to 1991. As a former Planning Board member, she asserts that the Town is sensitive to the fact that individuals would need to bring commercial vehicles home. The original by-law written in 1980 states commercial vehicles must not be more than 1 ton capacity, and not in view (in other words, screened). Ms. Richards told of a former building inspector allowing fraudulent businesses to continue sliding by allowing trade business to be set up in residential districts, in the past, until a new building inspector came in and enforced the regulations. She states the same thing is happening now, but with commercial vehicle parking. She then read the by-law: "All vehicles must be garaged and/or screened to the rear of the principle building. No on-street parking as it relates to home based trade shall be allowed. The parking of employee vehicles is limited to the number of trade vehicles exclusive of trailers approved for this site. When trade vehicles are in use, the trade vehicle footprint may be occupied by employee vehicles. The footprint for employee parking shall not exceed the footprint for trade vehicles as approved through the Special Permit and shown on the plan." It also states all vehicles, equipment and storage materials must be screened to prevent from being seen from street view and that of the abutting properties. All storage which includes vehicles and equipment is to be properly screened to the rear of the principal building. Screening is subject to existing features of the parcel and may include 4-5 feet minimum plantings, fence material or some combination. Ms. Richards stated that she feels the Town has worked part and parcel with everyone to make this happen. She said it is the cost of business; if your truck doesn't fit, then you need to do something about it. She closed saying that this by-law has been in place since at least 1986, long before Mr. Grimaldi moved into Town.

Thomas Wilson, 237 North Main Street

Mr. Wilson stated that along with Ms. Richards and a group of others, he worked diligently on this by-law. He said it is a work in progress that can be amended at any point. He said that the screening portion of the by-law applies to home based businesses. He said he thinks it's time to make an amendment to the by-law that fits the people who live and work in this Town.

Steve Zettian, 392 Porter Road

Mr. Zettian stated he works at Columbia Gas and is an emergency responder. He said he thinks we are lucky to have a vehicle in town to respond quickly to emergencies.

David Condon, 63 Fernwood Dr.

Mr. Condon supports the amendment to the by-law as a business owner who employs people who need to bring their work vehicles home. This gives benefits to the consumers in town, as it allows employees to get there quicker, reducing service rates. He said he also allows employees to take vehicles home in case of breakdown, and this bylaw makes that an issue.

John Maybury, 215 Prospect Street

Mr. Maybury stated that he saw several commercial vehicles just between his house and the center of Town. They did not have a lot of printing, but they were commercial nonetheless. He drove his company

vehicle to this Planning Board meeting. He said that he and his son have the exact same pickup truck, the only difference is that his has a commercial plate. Side by side, they are the same truck. Mr. Maybury stated that he is having a hard time with the Town not knowing what the definition of a commercial vehicle is. He inquired as to what it is the Town is trying to protect residents from and said he thinks the distinction of commercial vehicles should involve more than just the type of license plate.

Gary Landers, 28 Hampden Road

Mr. Landers expressed his opinion that the Town of East Longmeadow is made up of blue and white collar working people, and asked that the Town not lose focus of that. He stated that he was a computer engineer with a commercial vehicle in the past, and questioned why anybody would not want him for a neighbor.

Michael Kane, 6 Old Pasture Drive

Mr. Kane stated that he has received numerous phone calls about this bylaw as a councilman. Residents feel that there is latitude in the bylaw, in that those vehicles can be garaged. He pointed out that commercial vehicles are not identified by the size of the vehicle. Another piece he is hearing is that a lot of money has been spent on landscaping or garaging to hide vehicles from view to comply. The bylaw was written with clarification of a commercial plate. He stated that this bylaw has been in place a long time, but was previously unenforced, so now that the newer Building Commissioner is enforcing it, it is causing friction. He pointed out that vehicles are now being moved out onto the street, since there is nothing in the bylaw to protect the Town from vehicles being in the street, which was causing implications through the Police Department and resulted in a change in traffic rules and orders. Mr. Kane closed with saying that he went to the Building Commissioner and found out that just in the last year, the Building Commissioner has had over 300 complaints on this action, with commercial vehicles being parked on residentially zoned properties being in the top 3 complaints recorded.

Marco Basile, 20 Somerset Street

Mr. Basile questioned whether every resident, when buying a house in East Longmeadow, is actually expected to read all of the Town's by-laws. Chairman Kingston clarified that the by-law does not ban commercial vehicles, it simply requires that they must be screened from view.

Thomas Wilson, 237 North Main Street

Mr. Wilson stated he would like to understand what constitutes a complaint, because he was under the impression it had to be a written, formal complaint. He said that Mr. Grimaldi, under the Freedom of Information Act, asked for all the complaints from 2017 and came back with only 5, while Mr. Kane reported there were over 300 for the same time period. Chairman Kingston responded that it is up to the Building Commissioner to decide what constitutes a complaint.

Michael Kane, 6 Old Pasture Drive

Mr. Kane wanted to pass on the information that commercial vehicles may also be parked in the Police Department yard, when residents elect not to bring them home. There are also several people that pay \$11/wk to store their property/vehicles at other facilities. Chairman Kingston asked Mr. Kane to clarify what the basis was for the number of complaints he reported, earlier. Mr. Kane stated that they came from the Building Commissioner. He also said that as a member of the Town Council he has received calls from many people who find commercial vehicles offensive to their peace and tranquility, and the current by-law provides for a solution. Chairman Kingston then clarified his earlier comments to Mr. Wilson, stating that different building inspectors have different criteria, and it's all up to each building inspector what constitutes a complaint, as that is their purview.

Ralph Page, 306 Prospect Street

Mr. Page pointed out that the definition of a commercial vehicle differs between the Town, State and DOT. Right over the line in Enfield CT, there is no requirement for commercial vehicle lettering, as there is in Massachusetts. He stated that he understands why some people have issues, and there is a need to nail down the definition of a commercial vehicle. Mr. Page then said that when speaking with the zoning enforcement officer it was discovered that vehicles such as school buses, trailers with letters, etc. are not considered commercial vehicles.

John Maybury, 215 Prospect Street

Mr. Maybury expressed his respect for the Board and the difficult decisions they must make. He said there are plentiful ¼ acre and smaller properties in East Longmeadow without the resources to accommodate new landscaping or a garage, while larger properties have more options. He pointed out that there are neighborhoods with covenants, where vehicles must be garaged, in which people may choose to live. Mr. Maybury opined that this is a holistic Town issue and needs to be dealt with as such.

Marilyn Richards, 342 Pinehurst Drive

Ms. Richards shared her past experience on the Planning Board during the creation of this by-law, where there was much discussion about the need for balance. She said she can envision commercial vehicles potentially parked in every driveway in smaller residential neighborhoods, so there is a need for balance. Ms. Richards then pointed out that the requirement is to screen commercial vehicles and that it is the price of doing business.

Gary Landers 28 Hampden Road

Mr. Landers stated that 300 complaints, not checked, without a written background are invalid. He said he is proud of the work done on home based trade, but asked where the Town is headed with this. Mr. Landers expressed concern that other minor things will be labeled as offensive, as well. Chairman Kingston clarified that this by-law has been in effect for at least 48 years, but conceded that it has been enforced irregularly over the years.

Chairman Kingston closed the public comment portion of the hearing and the Board discussed their thoughts on the testimony presented.

Clerk Richards said he had lots of notes he would like time to digest before making any statements. Vice-Chair Bushnell went on the record stating that this by-law was not written by the current Planning Board, and they will make an informed decision. She stated that she does think the current by-law is too broad and too restrictive, adding that the definition of a commercial vehicle may need to be reviewed. Vice-Chair Bushnell said that maybe limiting vehicle size and numbers of vehicles would be effective. She also pointed out that some properties may not offer the ability permit wise for screening, due to set-back requirements, saying she thinks there is a need to loosen up the by-law a bit. Mr. Denver agreed with the points Vice-Chair Bushnell made. Mr. Morabito stated that he felt there are many things to look into before making decision. He said there is a need to find a happy medium and common ground somewhere, to accommodate those who do use commercial vehicles, as well as those who do not. Mr. Morabito also expressed his desire to look through all of the complaints. Clerk Richards stated that he is against changing the by-law, but he wants to digest all of the comments made before going further. Chairman Kingston pointed out that under the current zoning by-law, residential zones are for residential use, with a few exceptions, such as pre-existing nonconforming businesses. The home based trades by-law allows for some people to take advantage of that benefit, which some people have. He also stated that as part of obtaining the required business certificate for any home based trade, including a home office, a Waiver of Site Plan specifies that no commercial vehicles may be on site. There are people illegally operating a commercial business in residential zones and these are frequently the people having a problem with this by-law. He said it is perfectly feasible to park your commercial vehicle in your garage, and leave your personal vehicle out in the driveway, if you have a need to bring your commercial vehicle home. Vice-Chair Bushnell said that the commercial vehicle she drives for work would not fit in her one car garage, and that garages are becoming undersized. She said she thinks there is a need to loosen up the by-law. She stated that operating a business without a certificate is a whole different issue with enforcement, but would like to move forward with amendments on the commercial vehicle by-law after giving it some thought.

Chairman Kingston then asked the Board if they wanted to close the hearing and act on the petition to change the by-law or continue the hearing so that additional questions could be answered.

Vice-Chair Bushnell moved to continue the hearing; Mr. Denver seconded. **The motion to continue the hearing on a proposed change to zoning by-law 3.092 to April 17th at 6pm passed unanimously (5-0).**

Public Hearing Continuation: Zoning Map Amendment for Rezoning 5 Revere Street

Chairman Kingston opened the hearing reminding those in attendance that the Planning Board would only be dealing with the specific location of 5 Revere Street, and not any other properties, specifically not 280 Elm Street which is a business operating under an agricultural exemption under the State's agricultural exemption law. Chairman Kingston then clarified the Planning Board's role which is to determine whether or not the rezoning of 5 Revere Street from Residential A to Business would benefit the Town as a whole, not just an individual.

Charles Hindes, 5 Revere Street

Mr. Hindes stated that issues with 280 Elm Street lead to his request for rezoning. He said he tried to deal with this in the past, hiring attorneys that all ran away. He said he owns a single family residential home next to a parking lot. Chairman Kingston asked how making the 5 Revere Street lot business zoned could change his current situation. Mr. Hindes stated that it would help add value to his property. Chairman Kingston pointed out that Graziano Gardens operates under the Ch 40A agricultural exemption. Mr. Hindes stated that he feels his property should be business zoned because the Town has destroyed his property. Chairman Kingston asked Mr. Hindes if his request for a zone change was for his personal benefit. Mr. Hindes replied that it is to get what he is entitled to for his property. He feels his smaller, separate lot could be used by somebody for a small business. Chairman Kingston pointed out that what Mr. Hindes is asking for is spot zoning for one lot in the middle of a residential area.

Marilyn Richards, 342 Pinehurst Drive

Ms. Richards pointed out that while there are a few grandfathered businesses in the area, as this is a residential zone, she does not support this zone change.

Michael Kane, 6 Old Pasture Drive

Mr. Kane inquired as to the specific zone change the applicant is asking for. Chairman Kingston replied that it is a ½ acre parcel, being requested to change from Residential A to Business zone. Mr. Kane stated that that would be spot zoning, and he is not in support of it.

Mr. Denver stated that he was appreciative of all of the materials Mr. Hindes provided the last time he was before the Board, and that he read everything. Clerk Richards said that he could not support this zone change, as it would be spot zoning.

Chairman Kingston provided Mr. Hindes with contact information of the enforcement authority for zoning, which is the Building Commissioner.

Vice-Chair Bushnell moved to close the public hearing; Mr. Denver seconded. **The motion to close the public hearing passed unanimously (5-0).**

Vice-Chair Bushnell moved to deny the request for a zone change, Mr. Denver seconded. **The motion to deny the request for a zone change from Residential A to Business for 5 Revere Street passed unanimously (5-0) and the recommendation will be sent to Town Council.**

Public Hearing: Special Permit Amendment – Pride Convenience, Inc., 3 North Main St.

Robert Bolduc, Founder of Pride stated that he would like to use the same hours as the new station on the south end of town, which are 5am-1am, simply for competitive purposes. He stated there are no problems after hours, they do not make noise, and provide a service to the community.

Vice-Chair Bushnell asked what the current hours are of the location, for the record. James Channing, Corporate Counsel to Pride Convenience, replied 5am to 10pm.

Clerk Richards read email feedback sent to Interim Planning Director Larry Smith from Building Commissioner Kevin Duquette, DPW Superintendent Bruce Fenney, Director of Public Health Amiee

Petroski, Police Chief Jeffrey Dalessio, and Fire Chief Paul Morrissette. There were concerns expressed in the emails regarding faded parking and fire lane lines, but no opposition to extending hours of operation.

Marilyn Richards, 342 Pinehurst Drive

Ms. Richards asked if the hours requested would be for the entire site, including the former Romito's site in the back. Chairman Kingston clarified that the hours of operation only apply to the gas station and convenience store presently existing. Ms. Richards then asked if any other proposals have been submitted for the rest of the site. Chairman Kingston responded that there are not, at this time.

Dawn Starks, 28 Elm Street

Ms. Starks referenced an issue for the other Pride location when they were asking for 24 hours, and asked if it had been resolved. Chairman Kingston replied that it is still under litigation so the Board is unable to comment. Ms. Starks then asked if there is past precedent for the Planning Board to withhold expanding hours if there is litigation regarding hours for the same company at a different location. Chairman Kingston replied that they are two separate locations and issues, and it would be inappropriate to let one influence the other.

Ralph Page, 306 Prospect Street

Mr. Page said he thought that each site should be dealt with differently. However, the other operation at the city line is 24 hours, not 5am to 1am, as claimed by the applicant, so consistency would still not be achieved. He also thought there is a need to consider the physical location and zoning. As a business district, hours for businesses have consistently been reduced, whereas the hours of operation in the industrial district have been allowed to be longer. Vice-Chair Bushnell stated that for the record to her knowledge, East Longmeadow does not have any 24 hour gas stations. The town has not issued any Special Permits for 24 hour establishments. Chairman Kingston agreed that the Town has not issued any permits for 24 hour operation. Mr. Page asserted that as a resident he can confirm that the other location on the north side of Town is operating 24 hours a day. Mr. Page closed saying that if the business owner wants to be consistent with his other locations, the other locations should cut their hours.

Chairman Kingston asked the Board for their input.

Chairman Kingston said that public safety has no problem with the proposed additional hours. Mr. Morabito pointed out that if other businesses in Town are allowed to operate late, then why not Pride. Mr. Denver stated that he felt an 11pm closing for this location is appropriate. Vice-Chair Bushnell said she felt that a 1am closing is excessive, as the center of Town is a ghost town by 9pm. As no abutters have spoken out against extending the hours, she is not opposed to extending them. Clerk Richards said that he would be good with 11pm. Mr. Denver stated that residents have expressed concern about noise from late night emptying of dumpsters as well as light pollution from the adjoining "Romito's" parking lot. He asked the owners how they felt about correcting those issues.

Mr. Bolduc replied that he would be happy to remove the existing light poles and provide some landscaping. He said he was not aware of issues with noise from the dumpster being emptied, and that USA Hauling doesn't even open for business until 5am.

Andrew Wilson, 2224 Elm Street

Mr. Wilson stated that he sees the lights all the time from his property. He said that there is always unremoved snow, and limbs from the surrounding trees fall and are left on ground. He wondered how being open later would benefit the Town.

Mr. Channing replied that the benefit to the Town would be for the convenience of the blue collar workers, public safety workers, and non 9-5ers. He pointed out a shift in the times, of everything turning to later hours to accommodate the consumer.

Vice-Chair Bushnell inquired as to the current allowed hours for alcohol sales. Mr. Channing replied that it is currently 10pm and in other stores in Town, beer and wine is sold until 11pm.

Dawn Starks, 28 Elm Street

Ms. Starks stated that there are certian zones for certain reasons, and there are rough patches between those zones; dumpsters at 3am, lighting needing attention, snow not plowed, no buffer between residential and business zones being a few. She said that different zones bring comfort to the residents. Chairman Kingston clarified that there is an ordinance on snow removal, and police will come out when called.

Mr. Denver commented that when Pride responded to a new gas station's low prices with their own, traffic at the rotary was cumbersome. Mr. Bolduc responded that he is aware of the difficult driveway issue, and would like some day to make a change. He also said that the issues with snow plowing were from 2 winters ago, and were handled.

Mr. Denver stated that he would like conditions on the Special Permit in writing.

The hearing was continued to April 3rd at 6:45pm.

Vice-Chair Bushnell moved to take a 5 minute recess; Mr. Denver seconded. **The motion to take a 5 minute recess passed unanimously (5-0).**

Approved Site Plan Waiver Requests

Site Plan Waiver Request: Basile/Dreamscape Designs Landscaping, 20 Somerset Street
Vice-Chair Bushnell moved to approve; second by Mr. Denver. **The motion to approve the Waiver of Site Plan Review with the stipulation that no commercial vehicles are allowed on the site passed unanimously (5-0).**

Site Plan Waiver Request: Gul/Meadows Health Center, 40 Crane Avenue
Mr. Denver moved to approve; second by Vice-Chair Bushnell . **The motion to approve the Waiver of Site Plan Review passed unanimously (5-0).**

Site Plan Waiver Request: Lavin/Caitlin Lavin, CFST Specialist, 280 N. Main Street Suite 4
Vice-Chair Bushnell moved to approve; second by Mr. Denver. **The motion to approve the Waiver of Site Plan Review passed unanimously (5-0).**

Site Plan Waiver Request: Coughlin/Ascent Laser, 250 Main St.
Vice-Chair Bushnell moved to approve; second by Mr. Denver. **The motion to approve the Waiver of Site Plan Review passed unanimously (5-0).**

Site Plan Waiver Request: Cunningham/S&P Appraisals, 40 Villanova St.
Vice-Chair Bushnell moved to approve; second by Mr. Denver. **The motion to approve the Waiver of Site Plan Review passed unanimously (5-0).**

Site Plan Waiver Request: Johnson/Johnson Boys Landscaping, 2 Peachtree Road
Vice-Chair Bushnell moved to approve; second by Mr. Denver. **The motion to approve the Waiver of Site Plan Review with the stipulation that no commercial vehicles are allowed on the site passed unanimously (5-0).**

Site Plan Waiver Request: Lucas/New England Termite, 121 Mountainview Road
The application was tabled until Mr. Lucas could be present to answer questions from the Board.

Site Plan Waiver Request: Levin/Elements Massage, 80 Center Square
It was determined that this particular business should be brought in under Special Permit.
Vice-Chair Bushnell moved to deny; second by Mr. Denver. **The motion to deny the Request for Waiver of Site Plan Review passed unanimously (5-0).**

ANR's

ANR: 46 Shaker Road – Wynne/Lopardo

The Board reviewed and discussed the plans submitted.

Vice-Chair Bushnell moved to endorse; second by Mr. Morabito. **The motion to endorse the ANR for 46 Shaker Road passed unanimously (5-0).**

ANR: 159 Patterson Ave. – O'Shaughnessy & Bush

The Board reviewed and discussed the plans submitted.

Vice-Chair Bushnell moved to endorse; second by Mr. Denver. **The motion to endorse the ANR for 46 Shaker Road passed unanimously (5-0).**

Sign Permit

HIIT Harder Fitness, 632 North Main Street

The application was tabled until the next meeting, as there is a need for Site Plan Review Waiver.

Adelson/Bolduc's Apparel, 55 Deer Park Drive

Vice-Chair Bushnell moved to approve; second by Mr. Denver. **The motion to approve the Sign Permit application passed unanimously (5-0).**

Ms. Menard informed the Board about the newly hired Planner to begin on April 9th. She brings much experience with her.

Chairman Kingston discussed the possibility of having the Building Department approve signs.

Chairman Kingston discussed the Interim Town Planner's suggestion to revise the current by-law so that a business moving into a retail space that is still retail would not have to request a Waiver of Site Plan Review.

Vice-Chair Bushnell moved to adjourn; Mr. Denver seconded. **The motion to adjourn the meeting at 8:56pm passed unanimously (5-0).**

For the Board,



Tyde Richards, Clerk