



**City Of Attleboro, Massachusetts**  
**ZONING BOARD OF APPEALS**  
GOVERNMENT CENTER, 77 PARK STREET  
ATTLEBORO, MASSACHUSETTS 02703  
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**AGENDA**  
**FEBRUARY 20, 2020**  
**6:30 P.M.**

1. **PUBLIC HEARINGS:** DEADLINE
  - a. Ryan Crowell – 105 Maple Street (Special Permit, Case #5495)
  - b. New Heart & New Spirit Evangelical Church – 1056 Oak Hill Avenue (Special Permit, Case #5496)
  - c. Marcus J. Vitali – 132 Dickens Street (Special Permit & Variance, Case #5497) 4/30/20  
(See Agenda item #6a, 6b)
  - d. Linda McKearney – 644 Pleasant Street (Special Permit, Case #5498)
  
2. **PUBLIC HEARINGS HELD OPEN:** DEADLINE
  - a. Pacifico Energy, NA – 0 Richardson Avenue & 0 Richardson Avenue Rear (Special Permit, Case #5492)  
(See Agenda item #6c)
  - b. Aspen Blue Cultures, Inc. – 40 Forest Street (Special Permit & Variance, Case #5484) 2/28/20  
(See Agenda item #6d, 6e, 6f)
  - c. BCWC, LLC – 0 Chartier Street, 31 Chartier Street, 128 Bacon Street, & 0 Westminster Street  
(Special Permit & Variance, Case #5474) (See Agenda item #6g, 6h, 6i) 2/28/20
  - d. SOWA, LLC – 1 Highland Avenue and 5 Route 1A (Special Permit & Variance, Case #5469) 3/30/20  
(See Agenda item #6j, 6k)
  - e. Mark Rioux – 4 Stead Avenue (Special Permit, Case #5462)
  
3. **PENDING APPLICATIONS: NONE** DEADLINE
  
4. **APPOINTMENTS TO SPEAK:**
  - a. Attorney Edward Casey – 34 Extension Street (See Agenda item #6l, 6m, 6n)
  - b. Attorney Jack Jacobi – 330B Oakhill Avenue (See Agenda item #6o)
  
5. **STAFF REPORT: TO BE E-MAILED PRIOR TO MEETING**
  
6. **CORRESPONDENCE:**
  - a. Letter from Paul A. Sylvia of Ayoub Engineering, Inc., dated January 14, 2020, to the Zoning Board of Appeals, regarding buffer distances relative to the special permit application of Marcus J. Vitali for 132 Dickens Street. (previously distributed via email) (See Agenda item #1c)
  - b. Email from Earle Giggey, dated February 15, 2020, to Zoning Board Clerk Lauren Stamatis, relative to the special permit and variance application of Marcus J. Vitali for 132 Dickens Street, Case #5497. (previously distributed via email) (See Agenda item #1c)
  - c. Email from Laura Lefebvre of TRC Companies, received February 10, 2020, to Zoning Board Clerk Lauren Stamatis, requesting to continue to March 12, 2020 the special permit application of Pacifico Energy, NA for 0 Richardson Avenue, Case #5492. (See Agenda item #2a)
  - d. Revised site plan submitted by Aspen Blue Cultures, Inc., received February 11, 2020, to the Zoning Board, relative to the special permit and variance application for 40 Forest Street, Case #5484. (previously distributed via email; hardcopies for distribution) (See Agenda item #2b)

- e. Letter and specifications submitted by Thomas P. Weiss of Creative Environment Corp., received February 14, 2020, to Zoning Board Chairwoman Catherine Merkle, regarding the odor mitigation system proposed relative to the special permit and variance application submitted by Aspen Blue Cultures, Inc. for 40 Forest Street, Case #5484. **(previously distributed via email; hard copies for distribution)** (See Agenda item #2b)
- f. Community Outreach Meeting notice from Aspen Blue Cultures, Inc., received February 7, 2020, to the Zoning Board, regarding the meeting to be held on February 11, 2020 relative to the facility at 40 Forest Street. **(previously distributed via email)** (See Agenda item #2b)
- g. Report from Senior Project Manager Rebecca L. Brown, P.E. of GPI, received January 31, 2020, to Zoning Board of Appeals Chairwoman Catherine Merkle, providing a peer review traffic study relative to the special permit and variance application of BCWC, LLC for 0 Chartier Street, Case #5474. **(previously distributed via email)** (See Agenda item #2c)
- h. Documentation submitted by Chief Compliance Officer Julie Hall of Nova Farms, LLC, received January 14, 2020, to the Zoning Board of Appeals, providing data on crime and MA Cannabis Dispensaries, relative to the special permit and variance application of BCWC, LLC for 0 Chartier Street, Case #5474. **(previously distributed via email; hard copies for distribution)** (See Agenda item #2c)
- i. Revised site plan submitted by Chief Compliance Officer Julie Hall of Nova Farms, LLC, received February 5, 2020, relative to the special permit and variance application of BCWC, LLC for 0 Chartier Street, Case #5474. **(previously distributed via email; hard copies for distribution)** (See Agenda item #2c)
- j. Form Z2 - Request for an Extension of Time to April 30, 2020, submitted by attorney Jack Jacobi of Coogan Smith, LLP on behalf of SOWA, LLC relative to the special permit and variance application for 1 Highland Avenue and 5 Route 1A, Case #5469. (See Agenda item #2d)
- k. Letter from attorney Jack Jacobi of Coogan Smith, LLP, received February 5, 2020, to the Zoning Board of Appeals, requesting to withdraw the front yard setback variance associated with the special permit and variance application of SOWA, LLC for 1 Highland Avenue and 5 Route 1A, Case #5469. (See Agenda item #2d)
- l. Lighting plan submitted by Julie Hall of Nova Farms, LLC, received February 5, 2020, relative to the marijuana facility located at 34 Extension Street. **(previously distributed via email; hard copies for distribution)** (See Agenda item #4a)
- m. Sally port site plan submitted by Julie Hall of Nova Farms, LLC, received February 5, 2020, relative to the marijuana facility located at 34 Extension Street. **(previously distributed via email; hard copies for distribution)** (See Agenda item #4a)
- n. Plan submitted by attorney Edward Casey on behalf of Nova Farms, LLC, received January 22, 2020, to the Zoning Board, relative to the proposed internal modifications for the marijuana facility at 34 Extension Street. **(Copies for distribution)** (See Agenda item #4a)
- o. Letter and supporting documentation from attorney Jack Jacobi of Coogan Smith, LLP, dated February 3, 2020, to the Zoning Board, requesting on behalf of Roberts Chemical Co., Inc. the permission to store additional chemicals at 330B Oakhill Avenue, Case #4958. (See Agenda item #4b)
- p. Form Z2 – Request for an Extension of Time to January 31, 2020, submitted by attorney Jack Jacobi on behalf of Atlantic-Attleboro Route 1, LLC, relative to the special permit application for 463 Washington Street, Case #5487.
- q. Email and plan from Geoff Lewis of Ajax Partners, received November 9, 2019, to Director of Planning and Development Gary Ayrassian, proposing minor alterations to the New England Sports Complex site access.
- r. Email from Senior Land Use Planner Stephanie Davies, dated January 10, 2020, to attorney Edward Casey, regarding the outstanding special conditions to be met for the special permit and variance decision issued to G.K. Realty Group, LLC for 574 Newport Avenue, Case #5423.
- s. Letter from Director of Planning and Development Gary G. Ayrassian, dated October 8, 2019, to Planning Board Chairman Paul Danesi and Zoning Board of Appeals Chairwoman Catherine Merkle, regarding proposed changes to processes relative to public hearing legal advertisements.
- t. Certificate of Vote from Zoning Board Clerk Lauren Stamatis, dated January 10, 2020, to City Clerk Stephen Withers, providing a six (6) month extension of time to the special permit decision issued to Green Street Power Partners for 1395 Commerce Way, Case #5434.
- u. Certificate of Vote from Zoning Board Clerk Lauren Stamatis, dated January 13, 2020, to City Clerk Stephen Withers, approving plan amendments to the special permit decision issued to New England Power Company D/B/A National Grid for 0 Robinson Avenue, Case #5475.

7. **MISCELLANEOUS PENDING CORRESPONDENCE: NONE**
  
8. **PENDING MINUTES:**
  - a. November 14, 2019
  - b. December 12, 2019
  - c. January 9, 2020
  
9. **PENDING APPEALS:**
  - a. Robert Geddes – 125 Tiffany Street, Case #5283 (Attleboro Sand and Gravel Corp., v. City of Attleboro, et al.)
  - b. Peter Clark – 28 Martin Street, Case #5329 (Peter T. Clark., v. City of Attleboro, et al.)
  
10. **UPCOMING PUBLIC HEARING AND BUSINESS MEETING SCHEDULE/MISCELLANEOUS/OTHER**
  - a. Regular meeting scheduled for March 12, 2020 in the Council Chambers.
  - b. Regular meeting scheduled for April 9, 2020 in the Council Chambers.