



City Of Attleboro, Massachusetts

ZONING BOARD OF APPEALS
GOVERNMENT CENTER, 77 PARK STREET
ATTLEBORO, MASSACHUSETTS 02703
TEL 508.223.2222 FAX 508.222.3046

2023 SEP 11 AM 10:39
CITY OF ATTLEBORO
DLS

AGENDA SEPTEMBER 14, 2023 6:30 p.m.

- | | <u>DEADLINE</u> |
|--|-----------------|
| 1. NEW PUBLIC HEARINGS: LINK* | |
| a. Maruti Wellness, LLC – 266 Washington Street (Special Permit, Case #5684) | |
| b. Nazira Ali – 644 Pleasant Street (Special Permit, Case #5685) | |
| c. James Martel – 15 Summer Street (Special Permit & Variance, Case #5686) | 11/25/23 |
| d. James Martel – 25 Third Street (Special Permit & Variance, Case #5687) | 11/25/23 |
| e. Pierre Al Feghaly – 609 Newport Avenue (Special Permit & Variance, Case #5688) | 11/26/23 |
| 2. PUBLIC HEARINGS HELD OPEN: LINK* | |
| a. Jude Jacobs – 0 Middle Street (Variance, Case #5680) | 10/5/23 |
| b. Trusted Auto, Inc. – 64 Pleasant Street (Special Permit, Case #5682) | |
| c. Jeffrey Simoes – 399 Oakhill Avenue (Variance, Case #5683) | 10/25/23 |
| d. 42 County Street, LLC – 42 County Street (Special Permit & Variance, Case #5651) | 9/30/23 |
| e. Michael Gelinias – 45 Frank Mossberg Drive (Special Permit, Case #5660) | |
| f. Nova Farms, LLC – 1000 Washington Street (Special Permit, Case #5666) | |
| g. Sturdy Memorial Hospital, Inc. – 211 Park Street (Special Permit & Variance, Case #5673) | 8/24/23 |
| h. Sturdy Memorial Hospital, Inc. – 59 Gardner Street (Special permit & Variance, Case #5674) | 8/24/23 |
| i. Sturdy Memorial Hospital, Inc. – 0 Pearl Street (Special permit & Variance, Case #5675) | 8/24/23 |
| 3. PENDING APPLICATIONS: NONE SCHEDULED | |
| 4. APPOINTMENTS TO SPEAK: NONE SCHEDULED | |
| 5. STAFF REPORT: TO BE E-MAILED | |
| 6. CORRESPONDENCE: LINK* | |
| a. Letter from Water Superintendent Kourteney Allen, dated August 8, 2023, to the Zoning Board, providing comment on the special permit application of Maruti Wellness, LLC for 266 Washington Street, Case #5684. (See Agenda #1a) | |
| b. Supplemental materials submitted by Eric Dias of Strongpoint Engineering Solutions, Inc., received September 5, 2023, to the Department of Planning and Development, relative to the special permit application of Maruti Wellness, LLC for 266 Washington Street, Case #5684. (See Agenda #1a) (copies for distribution) | |
| c. Revised traffic assessment submitted by Kim Eric Hazarvartian of TEPP, LLC, dated September 7, 2023, to Maruti Wellness, LLC, relative to the special permit application for 266 Washington Street, Case #5684. (See Agenda #1a) | |
| d. Form Z1 – Request to continue a public hearing to October 12, 2023, from attorney Jack Jacobi of Coogan Smith, LLP on behalf of 42 County Street, LLC, received September 8, 2023, relative to the special permit and variance application for 42 County Street, Case #5651. (See Agenda #2d) | |
| e. Form Z2 – Request for an extension of time to December 31, 2023, from attorney Jack Jacobi of Coogan Smith, LLP on behalf of 42 County Street, LLC, received September 8, 2023, relative to the special permit and variance application for 42 County Street, Case #5651. (See Agenda #2d) | |

- f. Letter from Vice President Heather L. Monticup of Greenman-Pedersen, Inc., dated August 22, 2023, to Zoning Board Chairwoman Catherine Merkle, providing a second traffic study peer review for the special permit application of Nova Farms, LLC for 1000 Washington Street, Case #5666. (See Agenda #2f)
- g. Plan detail submitted by William Murray of Places Associates, dated August 24, 2023, to Senior Land Use Planner Stephanie Davies, for the proposed refuge island on O'Neil Boulevard, relative to the special permit and variance applications of Sturdy Memorial Hospital, Inc. for 211 Park Street, 59 Gardner Street, and 0 Pearl Street, Cases #5673, 5674, & 5675. (See Agenda #2g, 2h, 2i)
- h. Letter and plan submitted by William Murray of Places Associates, dated September 5, 2023, to Senior Land Use Planner Stephanie Davies, relative to parking calculations for the special permit and variance applications of Sturdy Memorial Hospital, Inc. for 211 Park Street, 59 Gardner Street, and 0 Pearl Street, Cases #5673, 5674, & 5675. (See Agenda #2g, 2h, 2i)
- i. Email from Deliaandro Fernandes Dias to Zoning Board Chairwoman Catherine Merkle, dated August 30, 2023, requesting a one year extension of time to act on the special permit and variance decision issued to Joe Tavares for 149 Pleasant Street, Case #5638.
- j. Letter from attorney Edward Casey at Coogan Smith, LLP, dated June 9, 2023, to Zoning Board Chairwoman Catherine Merkle, requesting to maintain two floors of office space and 17 residential units in lieu of the 23 approved for 19-21 Park Street, Case #5624.
- k. Letter from Senior Land Use Planner Stephanie Davies, dated August 22, 2023, to Building Commissioner William McDonough, clarifying the dimensions of the pool and deck in the variance decision issued to Jessica Jones for 708 Newport Avenue, Case #5677.
- l. Certificate of Vote from Zoning Board Clerk Lauren Stamatis, dated August 22, 2023, to City Clerk Kathleen Jackson, approving a six month extension of time for Anthony Properties Realty, Inc. to act on the variance issued for 754 Newport Avenue, Case #5582.
- m. Certificate of Vote from Zoning Board Clerk Lauren Stamatis, dated August 22, 2023, to City Clerk Kathleen Jackson, approving a one year extension of time for Anthony Properties Realty, Inc. to act on the special permit issued for 754 Newport Avenue, Case #5582.
- n. Stipulation of Dismissal from attorney David E. Maglio, dated August 21, 2023 (received September 8, 2023), to City Solicitor Peter L. Mello, relative to Maged Youssef, Trustee of the Maged Realty Trust vs. Attleboro Ice & Oil Co., Inc., Kenneth Errington, William A McDonough, Building Inspector, and Attleboro Zoning Board of Appeals and its members, regarding 72 and 80 Pleasant Street, Case #5588. (See Agenda #9c)

7. MISCELLANEOUS PENDING CORRESPONDENCE: NONE

8. PENDING MINUTES:

- a. June 8, 2023 (pending)
- b. July 13, 2023 (pending)
- c. August 17, 2023 (pending)

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. Regular Meeting: October 12, 2023
- b. Regular Meeting: November 9, 2023

*Digital access links are taken down 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.