



City Of Attleboro, Massachusetts

ZONING BOARD OF APPEALS
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MINUTES

JUNE 11, 2020

In accordance with the provisions of Massachusetts General Laws, Chapter 40A, as amended, the Zoning Board of Appeals held a public meeting on Thursday, June 11, 2020, at 6:30 p.m. remotely via Zoom, relative to the following:

Zoning Board Members Present: Chairwoman Cathy Merkle, Kathy Rautenstrauch, Kent Richards, and Sandra Varrieur

Zoning Board Members Absent: None

The Board discussed Case #5474, the application of Nova Farms, LLC (f/k/a BCWC, LLC) for special permits pursuant to §17-9.0 SPECIAL PERMITS under §17-10.15 MARIJUANA BUSINESS USES to establish two marijuana businesses on the premises in a single building, a Marijuana Retailer and a Medical Marijuana Treatment Center, a special permit pursuant to §17-6.0 NON-CONFORMING USES, STRUCTURES, AND LOTS to alter a pre-existing non-conforming parking lot, and a variance pursuant to §17-8.9 VARIANCES under §17-5.9(A) GENERAL PARKING AND LOADING SPACE STANDARDS from the minimum front yard setback requirement for off-street parking stalls, the subject premises being located at 0 Chartier Street, 31 Chartier Street, 128 Bacon Street, and 0 Westminster Street, more specifically Assessor's plat #3, lot #71, #72, #73, #203, #204, #205, #206, #250, #258, and #259, located in the Industrial zoning district .

Catherine Merkle made a motion to grant a special permit pursuant to §17-9.0 SPECIAL PERMITS under §17-10.15 MARIJUANA BUSINESS USES, to establish a Marijuana Retailer, as shown on the site plan, entitled "NOVA FARMS DISPENSARY", engineered by Daniel R. Campbell of Level Design 249 South Street, Unit 1, Plainville, MA 02762, dated May 20, 2019, revised through February 3, 2020. Sandra Varrieur seconded the motion. A discussion followed. All voted in opposition. Catherine Merkle made a motion to grant a special permit pursuant to §17-9.0 SPECIAL PERMITS under §17-10.15 MARIJUANA BUSINESS USES, to establish a Medical Marijuana Treatment Center, as shown on the site plan, entitled "NOVA FARMS DISPENSARY", engineered by Daniel R. Campbell of Level Design 249 South Street, Unit 1, Plainville, MA 02762, dated May 20, 2019, revised through February 3, 2020. Sandra Varrieur seconded the motion. A discussion followed. All voted in opposition. Catherine Merkle made a motion to grant a special permit pursuant to §17-9.0 SPECIAL PERMITS under §17-6.0 NON-CONFORMING USES, STRUCTURES, AND LOTS, to extend a pre-existing, non-conforming parking lot use relative to the construction of a marijuana business, as shown on the site plan, entitled "NOVA FARMS DISPENSARY", engineered by Daniel R. Campbell of Level Design 249 South Street, Unit 1, Plainville, MA 02762, dated May 20, 2019, revised through February 3, 2020. Sandra Varrieur seconded the motion. A

discussion followed. All voted in opposition. Catherine Merkle made a motion to grant a special permit pursuant to §17-6.0 NON-CONFORMING USES, STRUCTURES, AND LOTS to extend a pre-existing, non-conforming parking lot use relative to the construction of a marijuana business, as shown on the site plan, entitled “NOVA FARMS DISPENSARY”, engineered by Daniel R. Campbell of Level Design 249 South Street, Unit 1, Plainville, MA 02762, dated May 20, 2019, revised through February 3, 2020. Sandra Varrieur seconded the motion. A discussion followed. All voted in opposition. Catherine Merkle made a motion to dismiss the request for a variance of seven (7’) feet pursuant to §17-8.9 VARIANCES under §17-5.9(A) GENERAL PARKING AND LOADING SPACE STANDARDS from the minimum required front yard setback of thirty (30’) feet for off-street parking spaces off of Bacon Street, as shown on the site plan, entitled “NOVA FARMS DISPENSARY”, engineered by Daniel R. Campbell of Level Design 249 South Street, Unit 1, Plainville, MA 02762, dated May 20, 2019, revised through February 3, 2020. Sandra Varrieur seconded the motion. A discussion followed. All voted in opposition. Catherine Merkle made a motion to dismiss the request for a variance of twenty three point three (23.3’) feet pursuant to §17-8.9 VARIANCES under §17-5.9(A) GENERAL PARKING AND LOADING SPACE STANDARDS from the minimum required front yard setback of thirty (30’) feet for off-street parking spaces off of Westminster Avenue, as shown on the site plan, entitled “NOVA FARMS DISPENSARY”, engineered by Daniel R. Campbell of Level Design 249 South Street, Unit 1, Plainville, MA 02762, dated May 20, 2019, revised through February 3, 2020. Sandra Varrieur seconded the motion. A discussion followed. All voted in opposition.

The meeting adjourned at 6:51 p.m.