



City Of Attleboro, Massachusetts

ZONING BOARD OF APPEALS
GOVERNMENT CENTER, 77 PARK STREET
ATTLEBORO, MASSACHUSETTS 02703
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AGENDA AUGUST 12, 2021 6:30 p.m.

- | | <u>DEADLINE</u> |
|--|-----------------|
| 1. NEW PUBLIC HEARINGS: | |
| a. Alpha Real Estate Lending, LLC – 0 Brown Street (Variance, Case #5555) | 9/24/21 |
| b. 220 ONEILL, LLC – 220 O’Neil Boulevard (Special Permit & Variance, Case #5556) | 10/1/21 |
| c. Damaso Hernandez – 1 Park Street (Special Permit, Case #5557) | |
| d. Christopher Whitty & Brittany Salomaa – 39 Hitchcock Lane (Variance, Case #5558) | 10/2/21 |
| e. Gallant Development, Inc. – 96 Thacher Street (Special Permit, Case #5559) | |
| f. Sharon A. Foley – 22 Meadowsweet Trail (Special Permit, Case #5560) | |
| g. A. Cerrone Limited Partnership – 68 Washington Street (Special Permit, Case #5548) | |
| h. W.B. Construction & Development, Inc. – 1400 County Street (Variance, Case #5521) | 8/25/21 |
| 2. PUBLIC HEARINGS HELD OPEN: | |
| a. Matt Borgellas – 71 County Street (Appeal, Case #5554) | 9/24/21 |
| b. Route 9 Realty, LLC – 211 Pleasant Street (Special Permit & Variance, Case #5553) | 9/18/21 |
| c. Meridith Martel – 138 Berwick Road (Variance, Case #5552) | 9/18/21 |
| d. A. Cerrone Limited Partnership – 68 Washington Street (Special Permit & Variance, Case #5548) | 8/26/21 |
| e. Stephen Yellin – 0 Pond Street (Special Permit & Variance, Case #5533) | 5/22/21 |
| f. W.B. Construction & Development, Inc. – 1400 County Street (Special Permit, Case #5521) | |
| 3. PENDING APPLICATIONS: | |
| a. Chris Marie R. Hudson – 10 Bridget Way (Special Permit, Case #5551) | |
| b. Interplex Etch Logic – 54 Venus Way (Special Permit, Case #5550) | |
| c. Kerri L. Coleman – 367 South Main Street (Special Permit, Case #5549) | |
| 4. APPOINTMENTS TO SPEAK: | |
| a. Attorney Jack Jacobi – 70 Frank Mossberg Drive, Case #5482 | |
| 5. STAFF REPORT: TO BE E-MAILED | |
| 6. CORRESPONDENCE: | |
| a. Memo from Wastewater Superintendent Thomas Hayes, dated July 12, 2021, to Zoning Board Clerk Lauren Stamatis, providing comment on the special permit application of 220 ONEIL, LLC for 220 O’Neil Boulevard, Case #5556. (see Agenda item #1b) | |
| b. Letter from Water Superintendent Kourtney Wunschel, dated July 2, 2021, to the Department of Planning and Development relative to the special permit application of 220 ONEIL, LLC for 220 O’Neil Boulevard, Case #5556. (see Agenda item #1b) | |
| c. Letter from Building Commissioner William McDonough, dated July 8, 2021, to Matthew Borgellas of N.E. Auto, Inc., issuing a cease and desist of operations at 71 County Street. (see Agenda item #2a) | |
| d. Revised site plan submitted by Ronnie Martel, received August 4, 2021, to the Zoning Board, relative to the variance application of Meridith Martel for 138 Berwick Road, Case #5552. (see Agenda item #2c) | |
| e. Revised site plan and traffic report submitted by Scott Rolfe of OHI Engineering, Inc, received July 20, 2021, to the Zoning Board, relative to the special permit and variance application for 68 Washington Street, Case #5548. (see Agenda item #2d) | |

- f. Cover letter and revised site and earthwork plans, submitted by Nick Facendola of Level Design Group, LLC, received July 26, 2021, to Senior Land Use Planner Stephanie Davies, relative to the special permit and variance application of Stephen Yellin for 0 Pond Street, Case #5533. (see Agenda item #2e)
- g. Memorandum from Wastewater Superintendent Thomas Hayes, dated July 14, 2021, to Planning Administrator Lauren Stamatis, providing updated comments relative to the special permit and variance application of W.B. Construction & Development, Inc. for 1400 County Street, Case #5521. (see Agenda item #2f)
- h. Email from Mike Beaulieu of 98 Leawood Avenue, received July 12, 2021, to Zoning Board Clerk Lauren Stamatis, expressing concern about the high ground water in the area as it relates to the proposed special permit application of W.B. Construction & Development, Inc. for 1400 County Street, Case #5521. (see Agenda item #2f)
- i. Email from Soraya M. Landers of 366 South Main Street, received July 8, 2021, to Senior Land Use Planner Stephanie Davies, expressing support for the special permit application of Kerri L. Coleman for 367 South Main Street, Case #5549. (see Agenda item #3c)
- j. Email from Nancy Greim of 371 South Main Street, received July 8, 2021, to Senior Land Use Planner Stephanie Davies, expressing support for the special permit application of Kerri L. Coleman for 367 South Main Street, Case #5549. (see Agenda item #3c)
- k. Email from Anne Newquist of 368 South Main Street, received July 8, 2021, to Senior Land Use Planner Stephanie Davies, expressing support for the special permit application of Kerri L. Coleman for 367 South Main Street, Case #5549. (see Agenda item #3c)
- l. Letter and revised plans submitted by attorney John F. D. Jacobi, III of Coogan Smith, LLP, dated August 5, 2021, to the Zoning Board of Appeals, proposing amendments to the special permit issued to the Leonard J. Irving Center, Inc. and Ashl's, Inc., Case #5482. (see Agenda item #4a)
- m. Letter from Constant S Poholek, Jr., dated July 16, 2021 (received July 21, 2021), to the City of Attleboro, regarding a neighborhood meeting relative to the appeal of the special permit decision for 1815 County Street, Case #5502. (see Agenda item #9e)
- n. Letter from Ranganath Kharidi, received August 6, 2021, to the Zoning Board, requesting an extension of time relative to the variance decision issued for 19 Raymond Drive, Case #5501.
- o. Email from Police Chief Kyle Heagney, dated July 19, 2021, to Zoning Board Clerk Lauren Stamatis, citing insufficient information to provide comment on the special permit application of Tristan Rudat for 100 County Street, Case #5561. (scheduled for September 9, 2021)
- p. Memo from Wastewater Superintendent Thomas Hayes, dated July 20, 2021, to Zoning Board Clerk Lauren Stamatis, providing comment on the special permit application of Tristan Rudat for 100 County Street, Case #5561. (scheduled for September 9, 2021)
- q. Letter submitted by Water Superintendent Kourtney Wunschel, dated July 22, 2021, to the Zoning Board, providing comment on the special permit application of Tristan Rudat for 100 County Street, Case #5561. (scheduled for September 9, 2021)
- r. Letter submitted by Fire Prevention District Chief Thomas Joubert, dated August 6, 2021, to Director of Planning and Development Gary Ayrassian, providing comment on the special permit application of Tristan Rudat for 100 County Street, Case #5561. (scheduled for September 9, 2021)
- s. Letter from Water Superintendent Kourtney Wunschel, dated August 5, 2021, to the Zoning Board, providing comments relative to the special permit application of Kief USA, LLC for 1 Turner Street, Case #5564. (scheduled for September 9, 2021)
- t. Letter from Water Superintendent Kourtney Wunschel, dated August 5, 2021, to the Zoning Board, providing comments relative to the special permit application of Beacon Compassion, Inc. for 30 Franklin McKay Road, Case #5565. (scheduled for September 9, 2021)
- u. Letter from Building Inspector William McDonough, dated July 27, 2021, to Cheryl Silva, regarding a fence installed in violation of the distance to an intersection located at 62 Alfred Street.
- v. Certificate of Vote from Zoning Board Clerk Lauren Stamatis, dated July 9, 2021, to City Clerk Stephen Withers, granting an extension of time to September 19, 2022, relative to the special permit application of Briarleaf, LLC for 527 Pleasant Street, Case #5454.

7. MISCELLANEOUS PENDING CORRESPONDENCE:

- a. 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.
- b. 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.

8. **PENDING MINUTES:**
 - a. June 10, 2021
 - b. July 8, 2021

9. **PENDING APPEALS:**
 - a. Mark Rioux – 4 Stead Avenue, Case #5462 (Mark Rioux, v. City of Attleboro, et al.)
 - b. Pacifico Energy NA, LLC – 0 Richardson Avenue, Case #5491 (Pacifico Energy North America, LLC and George I. Spatcher, Jr. Trustee of Richardson Pleasant Trust, v. City of Attleboro, et. al.)
 - c. Nova Farms, LLC (f/k/a BCWC, LLC) – 0 Chartier Street, Case #5474 (Nova Farms, LLC, f/k/a BCWC, LLC, v. City of Attleboro, et. al.)
 - d. Bright Path Investments, LLC – 14 Fisher Avenue, Case #5503 (Kevin M. Doyle v. Zoning Board of Appeals of The City of Attleboro, et. al.)
 - e. 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)

10. **UPCOMING PUBLIC HEARING AND BUSINESS MEETING SCHEDULE/MISCELLANEOUS/OTHER**
 - a. Regular Meeting: September 9, 2021
 - b. Regular Meeting: October 14, 2021