



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 AUG 14 PM 3:37

CIT

(BLH)

AGENDA AUGUST 17, 2023 6:30 p.m.

- | | <u>DEADLINE</u> |
|--|-----------------|
| 1. NEW PUBLIC HEARINGS: LINK* | |
| a. John McKenna – 227 Smith Street (Appeal, Case #5679) | 9/30/23 |
| b. Jude Jacobs – 0 Middle Street (Variance, Case #5680) | 10/5/23 |
| c. Miguel Solis – 146 Knott Street (Special Permit, Case #5681) | |
| d. Trusted Auto, Inc. – 64 Pleasant Street (Special Permit, Case #5682) | |
| e. Jeffrey Simoes – 399 Oakhill Avenue (Variance, Case #5683) | 10/25/23 |
| f. No Fossil Fuel, LLC – 179 Peckham Street (Special Permit, Case #5590A) | |
| 2. PUBLIC HEARINGS HELD OPEN: LINK* | |
| a. 42 County Street, LLC – 42 County Street (Special Permit & Variance, Case #5651) | 8/31/23 |
| b. Michael Gelinas – 45 Frank Mossberg Drive (Special Permit, Case #5660) | |
| c. Nova Farms, LLC – 1000 Washington Street (Special Permit, Case #5666) | |
| d. Derek DaSilva – 0 Oakland Avenue (Variance, Case #5668) | 8/4/23 |
| e. Sturdy Memorial Hospital, Inc. – 211 Park Street (Special Permit & Variance, Case #5673) | 8/24/23 |
| f. Sturdy Memorial Hospital, Inc. – 59 Gardner Street (Special permit & Variance, Case #5674) | 8/24/23 |
| g. Sturdy Memorial Hospital, Inc. – 0 Pearl Street (Special permit & Variance, Case #5675) | 8/24/23 |
| h. Sturdy Memorial Foundation – 211 Park Street (Special Permit, Case #5678) | |
| 3. PENDING APPLICATIONS: NONE SCHEDULED | |
| 4. APPOINTMENTS TO SPEAK: NONE SCHEDULED | |
| 5. STAFF REPORT: TO BE E-MAILED | |
| 6. CORRESPONDENCE: LINK* | |
| a. Letter from attorney John F. D. Jacobi, III of Coogan Smith, LLP, dated July 18, 2022, to the Zoning Board of Appeals, providing an address change for the applicant No Fossil Fuel, LLC relative to the special permit amendment application for 179 Peckham Street, Case #5590A. (See Agenda #1f) | |
| b. Email and comparison plan submitted by Haskell Werlin of Solar Design Associates, Inc. on behalf of No Fossil Fuel, LLC, received August 10, 2023, to Director of Planning and Development Gary Ayrassian, relative to the special permit amendment application for 179 Peckham Street, Case #5590A. (See Agenda #1f) | |
| c. Form Z1 – Request to continue a public hearing to September 2023, submitted by attorney Jack Jacobi of Coogan Smith, LLP, on behalf of 42 County Street, LLC, relative to the special permit and variance application for 42 County Street, Case #5651. (See Agenda #2a) | |
| d. Supplemental traffic data submitted by Jeffrey S. Dirk of Vanasse & Associates, Inc., dated July 19, 2023, to Zoning Board Chairwoman Catherine Merkle, relative to the special permit application of Nova Farms, LLC for 1000 Washington Street, Case #5666. (See Agenda #2c) | |
| e. Revised site plans submitted by Blair Fish of Nova Farms, LLC, received August 9, 2023, to the Zoning Board of Appeals, relative to the special permit application for 1000 Washington Street, Case #5666. (See Agenda #2c) (copies for distribution) | |

- f. Form Z2 – Request for an extension of time to August 31, 2023, submitted by attorney George Spatcher on behalf of Derek DaSilva, relative to the variance application for 0 Oakland Avenue, Case #5668. (See Agenda #2d)
- g. Response comments and snow storage plan submitted by William Murray of Place Associates, Inc. on behalf of Sturdy Memorial Hospital, Inc., dated August 9, 2023, to the Zoning Board, relative to the special permit and variance applications for 211 Park Street, 59 Gardner Street, and 0 Pearl Street, Cases #5673, 5674, 5675, & 5678. (See Agenda #2e-h) (copies for distribution)
- h. Letter from Maruti Wellness, LLC, dated July 24, 2023 (received August 1, 2023), to the Zoning Board of Appeals, relative to a Community Outreach Meeting on August 2, 2023 relative to the proposed marijuana dispensary for 266 Washington Street, Case #5684. (scheduled for September meeting)
- i. Letter from Water Superintendent Kourtney 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. (scheduled for September meeting)
- j. Letter via email from Jessica Jones, received August 4, 2023, to the Zoning Board, providing clarification on the dimensions of her pool and deck relative to the decision issued for 708 Newport Avenue, Case #5677.
- k. Letter from attorney John F. D. Jacobi, III of Coogan Smith, LLP, dated July 25, 2023, to the Zoning Board of Appeals, requesting, respectively, a six month and a one year extension of time relative to the variance and special permit decision issued to Anthony Properties Realty, Inc. for 754 Newport Avenue, Case #5582.
- l. Letter from attorney Edward Casey at Coogan Smith, LLP, dated July 18, 2023, to Zoning Board Chairwoman Catherine Merkle, relative to administrative review policy changes.
- m. 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.
- n. Certificate of Vote from Zoning Board Clerk Lauren Stamatis, dated July 20, 2023, to City Clerk Kathleen Jackson, altering the hours of operation for the special permit issued to Aspen Blue Cultures, Inc. for 40 Forest Street, Case #5455.
- o. Certificate of Vote from Zoning Board Clerk Lauren Stamatis, dated July 20, 2023, to City Clerk Kathleen Jackson, altering the hours of operation for the special permit issued to Aspen Blue Cultures, Inc. for 40 Forest Street, Case #5456.
- p. Certificate of Vote from Zoning Board Clerk Lauren Stamatis, dated July 20, 2023, to City Clerk Kathleen Jackson, altering the hours of operation for the special permit issued to Aspen Blue Cultures, Inc. for 40 Forest Street, Case #5484.
- q. Certificate of Vote from Zoning Board Clerk Lauren Stamatis, dated August 14, 2023, to City Clerk Kathleen Jackson, approving an extension of time to December 31, 2023, relative to the special permit and variance decision issued to 21 Park Street, LLC for 19-21 Park Street, Case #5624.

7. MISCELLANEOUS PENDING CORRESPONDENCE: NONE

8. PENDING MINUTES:

- a. June 8, 2023
- b. July 13, 2023

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: September 14, 2023
- b. Regular Meeting: October 12, 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.