



TOWN OF AVON
2020 FEB 26 P 1:37
TOWN CLERK

ZONING BOARD OF APPEALS

TOWN OFFICES/BUCKLEY CENTER
AVON, MASSACHUSETTS 02322-1496
TEL. (508) 588-0414 - FAX (508)559-0209

PUBLIC HEARING MINUTES - February 4, 2020

Case #20-1 Petitioner Shauna Russo, 242 West Main Street, Avon, MA
Owner American Auto Realty LLC, 155 North Beacon St. Brighton,
MA 02135

The Public Hearing was called to order at 7:00 p.m. by Kevin Foster.

The Public Hearing is the result of the Petition of Shauna Russo, 242 West Main Street, Avon, MA

The following were present: Appeal Board Members- Peter Crone, Kevin Foster, Charles Comeau, Edward Mekjian, Christopher Canducci and Carl Walker.

Visitor's- Robert Borden, Building Inspector, Darrell Hunt, Nellie Hunt, Linda McKinney, Armen Toukhmanian, Robert Toukhmanian, Sarkis Toukhmanian, Heather Glason, Danielle Farmer, Shauna Russo, Lauren Webber, Jennifer Ierardi and Joseph Ierardi.

The members of the board and visitors introduced themselves and the board noted that the Public Hearing Notice(s) had appeared in the Brockton Enterprise on January 17, 2020, Legal Notice section and the Moneysaver on January 22, 2020.

Case #20-1 Petitioner Shauna Russo, 242 West Main Street, Avon, MA

All business conducted regarding this Petition will here and forever be known as Town of Avon, Board of Appeals Case 20-1, Shauna Russo will be referred to as the "**Petitioner**".

Notice is hereby given that a Public Hearing will be held in the Town Offices, Town of Avon, Massachusetts on Tuesday, February 4, 2020 at 7:00 PM to hear the following petition(s) requesting a Special Permit from the Avon Zoning By-Laws. Case # 20-1 Petitioner, Shauna Russo of 105 Charles St. Quincy, MA 02169, request relief in the form of a Special Permit under Section 255-5.3 B.11 which requires a special permit be issued for a "trade, professional or other school conducted as a private business for gain" at the property located and known as 242 West Main Street Avon, Massachusetts.

The Board of Appeals further advised the attendants that all abutters, as certified by the Town Board of Assessors, to the property located at 242 West Main Street, Avon, Massachusetts and concerned parties had been notified of the intent of this hearing. All the requirements had been met with reference to notifications, publications, and postings, as mandated by Laws Governing the action of Public Hearings and the Board of Appeals (*Massachusetts General Laws, Ch. 40A § 11*); and, Town of Avon Board of Appeals Procedures for Applicant(s)/Petitioner(s), effective January 1, 2001.

The Board of Appeals advised the attendees of the format of the Public Hearing as follows:

1. Petitioner's Presentation
2. Comments, Open Discussion, Questions and Answers
3. Decision and Vote of the Board of Appeals

Petitioner's Presentation: The Chair recognized the Petitioner, Ms. Russo. Ms. Russo presented to the board that she already owned two dance studios. One in the town of Holbrook for 10 years and one in the town of Randolph for 10 years. For a total of 20 years.

She is currently looking for a bigger space in the town of Avon, location 242 West Main Street. A place where she could call home that would accommodate all the classes. The owner of 242 West Main Street was present at the meeting and was called forward by Mr. Foster, to ask if he had anything to say regarding renting the property to Ms. Russo. The landlord, Armen Toukhmanian response was no. Ms. Russo, then presented a signed letter from the landlord, Mr. Toukhmanian in agreeing to the lease of the space for a dance studio.

Comments, Open Discussion, Questions and Answers:

Mr. Foster then asked a question about the enrollment process, age requirement and enrollment, such as the class size, and hours of operation.

Ms. Russo responded by saying 20-25 students per class and it depends on the day. Class hours are currently held after school hours from 3-9 pm. She is also hoping to increase the class hours by opening a morning class. Classes are held Monday- Friday 3-9 pm, Saturday till midafternoon and some special Sundays.

Mr. Comeau ask the question "what would the noise level be?"

Ms. Russo respond, by informing Mr. Comeau that the noise level will not be high due to the walls and the separation within the building.

The Building Inspector informed the board he reviewed the plan and there will be no structural changes.

Mr. Foster informed that an upgraded fire alarm system as per building code needs to be installed. The Fire Chief needs to inspect the new system once the fire alarm has been installed.

The facility has parking spaces for sixteen in the front of the building. Mr. Foster recommends that a fire lane be marked and that he will talk to the property owner, Mr. Toukhmanian.

The 2 exit doors, front and back needs to be labeled as exits.

Ms. Russo also commented that all events, such as shows for the dance studio will be held off the property.

Recommendations by Mr. Foster, the exterior lighting needs to be installed on the building. No parking lot light poles will be installed. All building lighting shall be "dark sky" compliant. Lighting shall not spill onto adjacent properties.

The angle parking spaces shown on the site plan, that are between the neighbor's fence and the building shall be eliminated. Parallel parking along the fence will be permitted.

A Special Permit can be issued, but it has an expiration date and will require the petitioner to come back. Also, the special permit is not to be sold or transferred. A contractor should be working with the building department for the building permit for any work within building.

3. Decision and Vote of the Board of Appeals: Mr. Comeau made a motion, seconded by Edward Mekjian to grant a Special Permit under Section 255-5.3 B.11 for a trade, professional or other school conducted as a private business for gain at the property located and known as 242 West Main Street, Avon, MA.
Voted Unanimous.

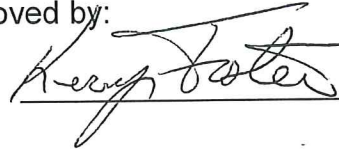
VOTED: to grant the Special Permit, as stipulated.

Approved by:

A handwritten signature in cursive script, appearing to read "Peter Crone", written over a horizontal line.

Peter Crone, Chairman

Approved by:

A handwritten signature in cursive script, appearing to read "Kevin Foster", written over a horizontal line.

Kevin Foster, Member



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PUBLIC HEARING MINUTES - February 4, 2020

Case #20-2 Petitioner Joseph Ierardi, 35 Packard Street, Avon, MA

The Public Hearing was called to order at 7:30 p.m. by Kevin Foster.

The Public Hearing is the result of the Petition of Joseph Ierardi, 35 Packard Street, Avon, MA

The following were present: Appeal Board Members- Peter Crone, Kevin Foster, Charles Comeau, Edward Mekjian, Christopher Canducci and Carl Walker.

Visitor's- Robert Borden, Building Inspector, Jennifer Ierardi and Joseph P. Ierardi.

The members of the board and visitors introduced themselves and the board noted that the Public Hearing Notice(s) had appeared The Enterprise on January 17, 2020 in the Legal Notice section and Moneysaver of January 22, 2020

Case #20-2 Petitioner Joseph Ierardi, 35 Packard Street, Avon, MA.

All business conducted regarding this Petition will here and forever be known as Town of Avon, Board of Appeals Case # Case #20-2 Joseph Ierardi will be referred to as the "**Petitioner**".

Notice is hereby given that a Public Hearing will be held in the Town Offices, Town of Avon, Massachusetts on Tuesday, February 4, 2020 at 7:30 PM to hear the following petition(s) requesting a Special Permit and Variance from the Avon Zoning By-Laws. Case # 20-2 Petitioner, Joseph Ierardi of 35 Packard Street, Avon, MA, request relief in the form of a Special Permit under Section 255-7.5 M. Extension or alternation of existing of preexisting non confirming structure and a Variance under Section 255-6.4, reduction of front yard setback at the property located and known as 35 Packard Street, Avon, Massachusetts.

The Board of Appeals further advised the attendants that all abutters, as certified by the Town Board of Assessors, to the property located at 35 Packard Street, Avon, Massachusetts and concerned parties had been notified of the intent of this hearing. All

the requirements had been met with reference to notifications, publications, and postings, as mandated by Laws Governing the action of Public Hearings and the Board of Appeals (*Massachusetts General Laws, Ch. 40A § 11*); and, Town of Avon Board of Appeals Procedures for Applicant(s)/Petitioner(s), effective January 1, 2001.

The Board of Appeals advised the attendees of the format of the Public Hearing as follows:

1. Petitioner's Presentation
2. Comments, Open Discussion, Questions and Answers
3. Decision and Vote of the Board of Appeals

Petitioner's Presentation: The Chair recognized the Petitioner, Mr. Ierardi of 35 Packard St. Mr. Foster began the meeting by reading the petition to grant a special permit and variance for 35 Packard Street, Avon, MA to Joseph Ierardi. This is in regard to a special permit for a preexisting non confirming structure or lot and variance for a front yard setback of 20 feet.

Comments, Open Discussion, Questions and Answers:

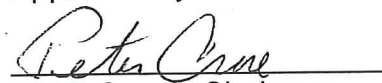
The front setback requirement is 25 feet. The existing porch has a non-conforming setback of only 20 feet and the proposed new porch with roof will extend the non-compliance.

3. Decision and Vote of the Board of Appeals: Mr. Comeau made a motion seconded by Mr. Mekjian to grant a special permit for the extension or alternation of a preexisting non confirming structure or lot and a variance to the front yard setback to 19 feet for a new front porch structure *under section 255-7.5M and section 255-6.4*, issued to the property located and known as 35 Packard Street, case #20-2.

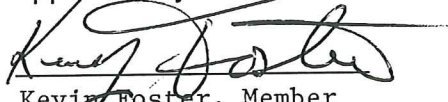
Voted Unanimous.

VOTED: to grant the Special PermitSpecial Permit, and Variance as stipulated.

Approved by:


Peter Crone, Chairman

Approved by:


Kevin Foster, Member