



TOWN OF AVON
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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 - March 2, 2020

20-3 Ben Pinkowitz, Avon Mill LLC., 491 West Main Street

The Public Hearing was called to order at 7:05 pm on March 2, 2020.

The Public Hearing is the result of the Petition of Ben Pinkowitz, Avon Mill LLC., 491 West Main St. Avon, MA 02322

The following were present:

Appeal Board Members- Kevin Foster, Charles Comeau, Gerald Picardi, Carl Walker and Peter Crone

Visitor's-Robert Borden, Building Inspector, Michelle Raynard, Gail Delaney.

The members of the board and visitors introduced themselves and the board noted that the Public Hearing Notice(s) had appeared in the Moneysaver on February 5, 2020 and The Enterprise on February 12, 2020 in the Legal Notice section.

20-3 Ben Pinkowitz, Avon Mill LLC, 491 West Main Street

All business conducted regarding this Petition will here and forever be known as Town of Avon, Board of Appeals Case # 20-3, Ben Pinkowitz, Avon Mill LLC. 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 Monday, March 2, 2020 at 7:00 PM to hear the following petition(s) requesting a Special Permit from the Avon Zoning By-Laws. Case # 20-3 Petitioner, Ben Pinkowitz, Avon Mill LLC., of 491 West Main Street, request relief in the form of a Special Permit under Section 255-5.3 F-3, sale or rental of motor vehicles on an open lot in the Avon Industrial zoning district at the property located and known as 491 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 491 West Main Street, Assessors Map D4-3-2, 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

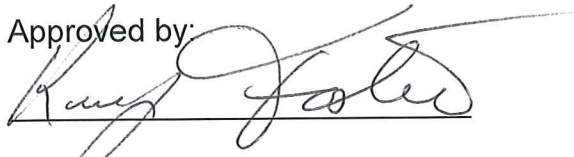
1. Petitioner's Presentation: The Chair recognized the Petitioner, Ben Pinkowitz of Avon Mill LLC who is requesting a Special Permit from the Avon Zoning By-Laws under Section 255-5.3 F-3, sale or rental of motor vehicles on an open lot in the Avon Industrial zoning district at the property located and know as 491 West Main Street, Avon, Massachusetts. Mr. Pinkowitz presented to the board that he has the opportunity to rent U-Haul vans/trucks to their customers and to Avon citizens. Mr. Pinkowitz met with the area field manager of U-Haul. The field manager of U-Haul saw how regularly Avon Mill LLC were renting trucks, along with how often Avon residents rented from the Brockton and Stoughton U-Haul dealers. Mr. Pinkowitz and the U-Haul area field manager discussed the opportunity to have what they call "U-Haul dealer program". Which means the fleet is based on the needs of the community. There are currently no U-Haul dealers in Avon.
2. Comments, Open Discussion, Questions and Answers: The Board of Appeals reviewed the plans and requested clarification regarding the number of vans/trucks U-Haul is requiring Mr. Pinkowitz to rent at his facility. The U-haul field manager based it on what is being rented in Brockton and Stoughton. There shouldn't be more than 4-6 vans/trucks. The board had questions regarding the amount of vans/trucks that could possibly be returned to the Avon location. Mr. Pinkowitz stated the renter would receive a \$50.00 surcharge if the rental is not returned to where it was rented it from. The board reviewed the list of abutters. Ms. Delaney asked where the vans/trucks would be parked. The vans/trucks would be parked near the retaining wall in the back part of the parking lot. The front of the lot is used for customer parking. Ms. Delaney noted that the Money saver was misleading, it sounded like the intent was for a used car lot. Ms. Delaney and Mrs. Raynard did not have any further concerns. Kevin Foster, representing the Fire Department looking at it from the public safety side of it, in looking at the property it's not

conducive to any additional parking. Mr. Foster has concerns that there is no designated fire lane for him to put his apparatus. Mr. Pinkowitz informed the board if they are approved, he would mandate that all employees park on their lot across the street. That way it would leave the lot wide open. The board is concerned with where the vans/trucks will be parked, possibly back up against the abutting of the DPW in the section in the back of the lot. Mr. Comeau had questions regarding where signage would be placed and concerns about parking. The board asked Mr. Pinkowitz to designate himself or someone else to walk the lot with him regarding line striping the handicap spots, parking, U-Haul spots, loading and fire lanes. Mr. Pinkowitz needs to come back with plans showing the designated parking spots, fire lane, U-Haul designate parking lot, drop off area, etc. Mr. Pinkowitz responded that he will have a drone photo taken of the lot showing the layout. The board asked Mr. Pinkowitz if he would be opposed to a max number of vans/truck rentals. Mr. Pinkowitz stated that he would not be opposed to a max number.

3. Decision and Vote of the Board of Appeals: Kevin Foster took a motion to continue for 30 days until the board receives the additional information. Then Mr. Pinkowitz requested a continuance due to the fact that he does not have the parking plan for the board to review. The continuance was granted, all in favor. Voted Unanimous.

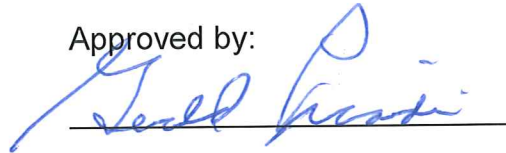
VOTED: to continue Case # 20-3, Ben Pinkowitz, Avon Mill LLC, of 491 West Main Street for 30 days.

Approved by:



Kevin Foster, Member

Approved by:



Gerald Picardi, Clerk