

## **ZONING BOARD OF APPEALS**

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TOWN OF AVON

2021 JAN -6 P 12:47

**September 15, 2020**

TOWN CLERK

Deliberations as to written decision Case # 19-3 JOANNA HILLS ESTATES, LLC 40B

Mr. Charles Comeau, member announced that pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, Subchapter 20 and the Governor's March 23, 2020 Order imposing limitations on the number of people that may gather in one place, this hearing of the Zoning Board of Appeals will be conducted via remote participation. No in-person attendance of members of the public was permitted, but every effort was made to ensure that the public can adequately access the proceedings as provided for in the Order. Chairman Comeau reminded the viewing audience that persons who would like to view this meeting while in progress may do so by joining the Zoom link for the videoconference in session.

The deliberations as written is the result of the Petition of Joanna Hills Estates, LLC., at the property located off Joanna Road, and known as Assessors Map C, Block 3, Plot 15, Avon, Massachusetts.

The following were present:

Appeals Board Members – Gerald Picardi, Charles Comeau, Edward Mekjian, Carl Walker, Kevin Foster

Special Counsel, Brian Winner; Tom Houston, Professional Services Corp.

Visitor's – Chief Spurr, Brian Dunn of MBL Land Development, Paul Cusson of Delphic Associates, Muhammad Itani of Stonebridge Homes, Inc., Tom Killberg, 29 Joanna Road

Mr. Charles Comeau, member called the meeting to order at 7:10 p.m. with all members present. Each Board member acknowledged their presence at the meeting by responding in the affirmative during the roll call.

### **Comments, Open Discussion, Questions and Answers**

Brian Winner discussed the working draft of the Comprehensive permit and draft Exhibit A Waiver List. He reviewed items from the last meeting. The board reviewed the issues concerning the fees. The functioning working draft has been revised a few times.

Mr. Comeau checked with the board regarding viewing the working draft. He asked the board members if they had any issues or discussion. Gerald Picardi was pleased with the working draft. A set of plans will still be submitted by the applicant. Mr. Cusson discussed the process if there are no additional changes, the document would be finalized and filed with the town clerk. The applicant states there must be a final set of plans that will need to be reviewed by Mr. Houston. Upon Mr. Houston's approval they would be endorsed and final approval will be needed by Mass Housing. The board has agreed once the regulatory agreement has been submitted, the applicant will be allowed to get the permit. The town residents have priority on the lottery list. There is a 75% preference set aside to town residents. Mr. Brian Winner discussed the 20 day appeal period. There is also a 30 day appeal period for superior court.

Mr. Comeau discussed the working draft of the Comprehensive permit and Exhibit A Waiver List with the board members. Mr. Comeau asked the members of the board if they had any questions or concerns. Mr. Kevin Foster is comfortable with it. Mr. Gerald Picardi is satisfied with it as well. Mr. Edward Mekjian is good with it. Mr. Mekjian asked how to apply and how the lottery works. Mr. Cusson explained that it will be posted on the town website for residents. The town departments will also be notified of the lottery for the affordable homes.

Mr. Comeau reviewed some logistics. The finalized items will be fire hydrant locations and mailbox locations. Mr. Houston will need to review the final plans. Mr. Houston is in agreement of what needs to be completed. It will be reflected in the final set of plans. Mr. Comeau asked Mr. Brian Winner, Special Counsel if there are any other steps that need to be taken prior to voting. Mr. Brian Winner will put the draft decision of the Comprehensive permit and draft Exhibit A Waiver List in final form for signature. It will then go to the Town Clerk. Mr. Comeau, Chair and Mr. Cusson, Delphic Associates thanked everyone for their time and effort.


A motion was made by Gerald Picardi to approve the September 11, 2020 draft decision of the Comprehensive permit and to approve the draft Exhibit A Waiver List as submitted by the Town of Avon's consultant Special Counsel, Brian Winner, seconded by Kevin Foster. A roll call was done. Gerald Picardi voted aye, Carl Walker voted aye, Kevin Foster voted aye, Ed Mekjian voted aye, Chuck Comeau voted aye. The motion carries.

Mr. Brian Winner will have the final draft completed by the end of the week for the board members to sign.

Mohammad Itani really appreciates the efforts of the board and Mr. Comeau for all of their hard work.

A motion was made by Gerald Picardi to adjourn the meeting at 7:48 p.m., seconded by Carl Walker. A roll call was done. Gerald Picardi voted aye, Ed Mekjian voted aye, Kevin Foster voted aye, Carl Walker voted aye, Chuck Comeau voted aye. The motion carries.

Approved by:

  
Charles P. Comeau, Member

Approved by:

  
Gerald Picardi, Clerk

**List of Documents**

1. September 15, 2020 Meeting Agenda
2. Working Draft Comprehensive Permit
3. Working Draft Exhibit A Waiver List