

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

October 3, 2023

Mr. Kevin Foster, Chairman announced that the Zoning Board of Appeals will be conducted via hybrid participation. Mr. Kevin Foster, Chair called the meeting to order at 7:25 p.m. Board members acknowledged their presence at the meeting by responding in the affirmative during the roll call.

The following were present:

Appeals Board Members: Kevin Foster, Edward Mekjian, Jeffrey Tibnam, Chuck Comeau, Gerri Picardi

Members not present: Carl Walker, Peter Crone

Visitors: Kevin Reilly, Counsel for Café Management; Brian Giovanoni, GIO Group, Inc.; Paul Cusson, Delphic Associates, Inc.; Rami Itani, Windsor Heights; Justin Williams, MBL Land Development; Shaun Kelly, Chappell Engineering

Warrant:

Edward Mekjian to pay the warrant for \$ 240.00 to Mead & Talerman & Costa, LLC for Joanna Estates, seconded by Gerri Picardi. No discussion on the motion. A roll call vote was taken. Vote unanimous. The motion carries.

Gerri Picardi made a motion to pay the warrant for \$ 280.00 to Mead & Talerman & Costa, LLC for Brave Estates, seconded by Chuck Comeau. No discussion on the motion. A roll call vote was taken. Vote unanimous. The motion carries.

Chuck Comeau made a motion to pay the warrant for \$ 40.00 to Mead & Talerman & Costa, LLC for Windsor Estates, seconded by Gerri Picardi. No discussion on the motion. A roll call vote was taken. Vote unanimous. The motion carries.

Minutes:

No meeting minutes were approved.

Public Hearing - Case # 23-5, Café Management Associates, LLC (Dunkin Donuts), 600 Page Street

Kevin Foster, Chair opened the Public Hearing at 7:25 p.m. The following Public Hearing notice was read into the meeting minutes:

7:15 p.m. Continued Public Hearing – Case # 23-5 Petitioner, Café Management Associates, LLC of 169 Main Street, Stoneham, MA 02180, request relief in the form of a Variance under Section 255-10.5, B & E, to permit installation for speaker-menu canopy signage for existing Dunkin' Donuts shop at the property located and known as 600 Page Street, Avon, Massachusetts

Kevin Reilly, Counsel for Café Management discussed the request for relief in the form of a Variance to permit installation for speaker-menu canopy signage. He explained that the menu board will be put in the same location. The clearance bar will be at the top of the drive-thru lane.

The Planning Board discussed the following:

- Traffic pattern layout and flow
- Signage to direct drivers not to block the intersection.
- Westerly side requires better traffic flow (exit strategy)
- Additional stripping

The applicant is willing to update the site plan to include a better traffic pattern layout.

Edward Mekjian made a motion to grant the continuance request for Café Management Associates, LLC (Dunkin Donuts) to November 14, 2023, at 7:15 p.m. on behalf of the petitioner, seconded by Gerri Picardi. No discussion on the motion. All in favor. The motion carries.

Continued Public Hearing – Case # 22-7, Windsor Heights, 253 Page Street

Kevin Foster, Chair opened the Public Hearing at 7:53 p.m. The following Public Hearing notice was read into the meeting minutes:

Abutters in attendance: Owen Carrel, Donna Uminski, Judith Leggitt (in-person); Danny Nguyen (via Zoom)

7:15 p.m. – Continued Public Hearing – Case # 22-7 Petitioner, Windsor Heights, LLC by Muhammad Itani, Manager of 253 Page Street, Avon, MA. originally requested approval of a Comprehensive Permit under M.G. L. 40B, at 253 Page Street, and known as Assessors Map C6, Block 1, Plot 4, Avon, Massachusetts for 24 condominium units, in which 6 units (25%) would be designated as affordable units for median income applicants. Notice of Public Hearing for that project was published in The Brockton Enterprise on October 31, 2022, and November 8, 2022. Since the public hearing opened on November 15, 2022, the Petitioner has revised its proposal to 12 single-family homes in which 3 units (25%) will be designated as affordable.

The following was discussed:

- Traffic study
- Staging (parking/materials) 2 lots dedicated while construction is going on
- Water pressure concerns/PSI – study needs to be completed by Town of Avon
- Hydrants
- Copy of homeowner's association paperwork required
- Standard purchase and sales

Questions/Concerns from Abutters:

The abutters are concerned with the water pressure/consumption. The water pressure is low in that area currently. The abutters feel the project will make the water pressure worse. The Avon DPW is currently working on a study regarding water consumption.

Chuck Comeau made a motion to grant the continuance request for Windsor Heights to November 14, 2023, at 7:30 p.m. on behalf of the petitioner, seconded by Gerri Picardi. No discussion on the motion. All in favor. The motion carries.

Edward Mekjian made a motion to adjourn the Zoning Board of Appeals meeting at 9:26 p.m., seconded by Gerri Picardi.

Approved by:

A handwritten signature in blue ink, appearing to read "Charles Comeau - Co-Chair", is written over a horizontal line.

Kevin Foster, Chair

List of Documents

October 3, 2023, meeting agenda
Warrants