



TOWN OF AVON, MASSACHUSETTS

A Great Place to Live, Work and Do Business.

The Commonwealth of Massachusetts Norfolk County Board of Appeals

Wednesday, November 29, 2017

Certificate of Granting of Variance(s) and/or a Special Permit(s) (General Laws Chapter 40A, Section 11)

The Board of Appeals of the Town of Avon hereby certifies that Variance(s) and/or a Special Permit(s) have been granted:

To: **Justin Adams /Bloom Energy**
Owner: **Home Depot**
Address: **60 Stockwell Drive**
City or Town: **Avon, Massachusetts 02322**

Affecting the rights of the owner with respect to land or buildings at

60 Stockwell Drive, Avon, Massachusetts

(As specified in Case #17-8 Public Hearing Minutes,

Dated: Monday, November 6th, 2017)

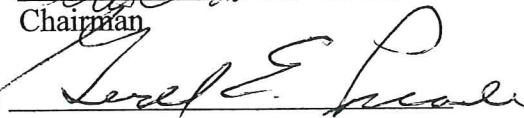
And the said Board of Appeals further certifies that the decision attached hereto is a true and correct copy of its decision granting said variance(s) and/or special permit(s), and that the copies of said decision, and of all plans referred to in the decision, have been filed with the planning board and the town clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 (last paragraph) provides that no variance or special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the town clerk that twenty-one days have elapsed after the decision has been filed in the office of the city or town clerk and no appeal has been filed or that, if such appeal has been filed, that it has been dismissed or denied, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The fee for such recording or registering shall be paid by the owner or applicant.

Chairman:


Chairman

Member:





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BUCKLEY CENTER, Avon, MA 02322
Telephone: 508-588-0414

Avon Zoning Board of Appeals- Meeting Minutes

Date: November 6, 2017

Members Attending: Charles Comeau, Edward Mekjian,
Peter Crone, Gerald Picardi

Absent: Christopher Canducci, Kevin Foster

Visitors Forum: Rick Grady, Justin Adams, Robert Borden, Building
Commissioner

Chuck Comeau called the Zoning Board of Appeals meeting to order at 7:35 P.M.

PUBLIC HEARING APPOINTMENTS- Public Hearing Case#17-8, 60 Stockwell Drive

BOARD DISCUSSION-

(A)- Discussion of Case #17-8- Mr. Comeau asked for the receipts for the abutters mailing. Mr. Comeau read the Public Hearing:

Notice is hereby given that a Public Hearing will be held in the Town Offices, Town of Avon, Buckley Center, 65 East Main Street, Avon, Massachusetts on **November 6, 2017 at 8:00 P.M.** to hear the following petition requesting a **Variance** from the Avon Zoning By-Laws. **Case #17-8, Petitioner, Bloom Energy by Justin Adams** of 1299 Orleans Drive, Sunnyvale, CA request a **"Variance"** as required by Section 6-4 "Dimensional and Density Regulations Table" for a reduction of the 25' side yard setback in a commercial district for the installation of a Bloom Energy Server for the property located at 60 Stockwell Drive, Avon, Massachusetts. Assessors Map, A6/2/1

Mr. Comeau asked the Petitioners to present Case #17-8.

Mr. Justin Adams from Bloom Energy is requesting a Variance for 60 Stockwell Drive (Home Depot) - for the installation of a Bloom Energy Server. The fuel cell is powered by natural gas and has a battery backup of 300 kilowatts of battery charge. This is clean Technology. Bloom Energy is doing 20 in the State of Massachusetts.

The fuel cell is cooled with fans. And it uses no other liquid other than water, by product CO2 water vapor. It uses filter and is changed when needed. CO2 is not dangerous to anyone in area. The unit with fan totals 7 feet tall. Access area are both Electric and Gas.

Mr. Comeau stated that for the setback we need to know what material the retaining wall would be made of: concrete, stone. The wall needs to be 5' behind.

Mr. Comeau made a motion, seconded by Mr. Mekjian to allow for a reduction of the 25' side yard setback in a commercial district for the installation of a Bloom Energy Server for the property located at 60 Stockwell Drive, North side of building.

VOTED - To **approve Variance** as stipulated

ADJOURNMENT- A Motion was made by Ed Mekjian to adjourn the Zoning Board of Appeals Meeting for 60 Stockwell Drive at 8:30 P.M. seconded by Gerald Picardi, All in favor.

Respectfully Submitted,

Peter Crone, Chairman, Board of Appeals

