



TOWN OF AVON
2018 NOV 16 A 7:46
TOWN CLERK

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

Avon Planning Board Public Hearing

Date: November 1, 2018
Members Attending: Charles Comeau, Jason Suzor, Charlie Marinelli
Charles Comeau Jr., Robert Pillarella
Also Present: Robert Borden (Building Commissioner);
Tom Killberg (Joanna Rd.)

Absent:

Charles Comeau called the meeting of the Planning Board to order at 7:29 P.M.

➤ **7:30 P.M. Definitions**

Discussion

The board discussed zoning bylaws, building on uplands, and affordable housing. A motion was made by Charles Comeau to continue this discussion on November 15, 2018 at 7:30 PM. Seconded by Robert Pillarella.

➤ **Approval of Minutes**

A motion was made by Jason Suzor, to accept the meeting minutes of October 18, 2018. Seconded by Charles Comeau Jr. All in favor. Vote unanimous.

➤ **Warrants**

A motion was made by Jason Suzor, seconded by Charles Comeau Jr., to approve the payments of the following bills:

- Public Hearing AD: Rezoning East St/ Littlefield St: \$125.67
- Pubic Hearing AD: Law Changes: \$122.77

➤ **Correspondence**

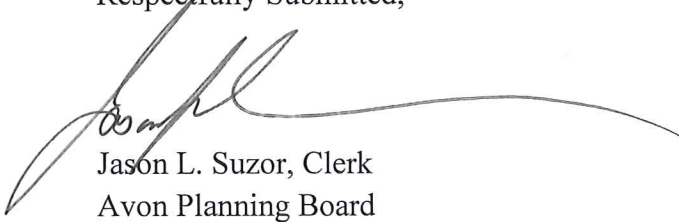
A motion was made by Jason Suzor, to include the cease and desist order to Mr. Muhammad Itani dated October 29, 2018 for Joanna Hills Estates from Kevin Mooney in the planning board minutes. See attachment. Seconded by Charlie Marinelli.

A motion was made by Jason Suzor, to include the letter of denial to Burt Cabral, Manager at Walmart, in the planning board minutes. See attached. Seconded by Robert Pillarella.

➤ **Adjournment**

A motion was made by Jason Suzor to adjourn the planning board public hearing.
Seconded by Charles Comeau Jr. All in favor. Vote unanimous.
Planning Board meeting adjourned at 8:54 PM.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read 'Jason L. Suzor', with a long, sweeping horizontal line extending to the right.

Jason L. Suzor, Clerk
Avon Planning Board

BUILDING DEPARTMENT
Robert C. Borden, Commissioner
Rborden@avon-ma.gov
Charles Comeau, Assistant Insp.
Al Campbell, Plumbing & Gas Insp.
Dennis Collum, Electrical Insp.

Town of Avon Massachusetts



TOWN OFFICES
Buckley Center
65 East Main St. 02322
Tel (508) 588-0414
Fax (508) 559-0209
www.avon-ma.gov

October 29, 2018

Burt Cabral, Manager
Walmart
30 Memorial Dr.
Avon, MA 02322

Dear Mr. Cabral:

I must deny your permit application for installation of six (6) 40'x8'x8' storage containers on your property from November 1, 2018 through December 31, 2018.

The Avon Zoning By-Law in Section 7-4, L#2 specifically requires the Avon Planning Board hold a public hearing and issue a special permit for all applications for temporary storage on commercial properties.

Furthermore, during the "site plan" approval process and part of the approval of the site plan for the addition to the retail store at 30 Memorial Drive in 2013, the Avon Planning Board specifically prohibited "temporary storage" containers from the property.

You may appeal this decision to the Avon Planning Board for the required "special permit" for temporary storage containers within 30 days.

Sincerely,

Robert C. Borden
Building Commissioner
Town of Avon

CC: P. Bessette – Town Clerk
K. McKenney – Avon Planning Board Clerk



Avon Conservation Commission
65 East Main St
Avon, MA 02322

October 29, 2018

Mr. Muhammad Itani
Stonebridge Homes, Inc.
32 Norfolk Avenue
South Easton, MA 02375

RE: Joanna Hills Estates – **CEASE AND DESIST ORDER**

Dear Mr. Itani;

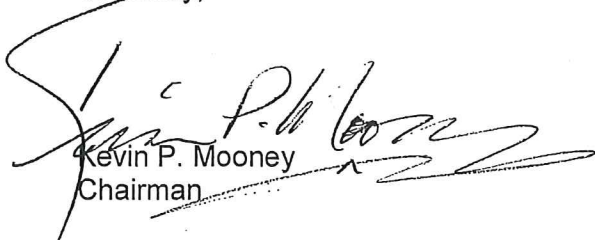
I had received information that clearing and grubbing was occurring on your properties without any notification to the commission. As we have made clear a full filing will be required to proceed with any work on this site. Currently, your firm is requesting a 40B status for the development of a residential community. This status has not been granted, nor has the comprehensive permit been received by the Town of Avon and acted upon by the Town.

I inspected the site today and found that the information was correct and not only has there been clearing, but also filling and the disturbance of two (2) resource areas, you are in violation of the Wetlands Protection Act MGL 131 Section 30 (310 CMR 10) and the Town of Avon Wetlands Bylaws. Please note that unless and until you receive the 40B designation the Bylaws are in affect.

You are ordered to cease all construction activities on these properties and desist from any further work until the Commission is satisfied that all disturbances have been restored to its original condition. Failure to comply with this order will immediately trigger an Enforcement Order filed with DEP and MassHousing and may be detrimental to your 40B review. All fees, fines and penalties will be assessed against your company.

You are invited to discuss this with the Commission at our next meeting on November 8, 2018 at 7:00 pm at Town Hall; **No work on the site is to continue until the Commission is satisfied.**

Sincerely;


Kevin P. Mooney
Chairman

CC: Zoning Board of Appeals
Board of Selectmen
Town Administrator

