



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 – August 18, 2020

Case # 19-3 JOANNA HILLS ESTATES, LLC continued from August 5, 2020

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 Public Hearing 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 and is continued from March 10, 2020.

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 - DPW Director, William Fitzgerald; Brian Dunn of MBL Land Development, Paul Cusson of Delphic Associates, Rami Itani of Joanna Hills LLC, Muhammad Itani of Stonebridge Homes, Inc., Tracey Duarte; Tom Killberg, 29 Joanna Road

Mr. Charles Comeau, member called the meeting to order at 7:00 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

Mr. Comeau discussed the request for the water waivers by the applicant. The Board of Selectman recommends \$1250.00 fee for 57 connections and \$625.00 for 19 connections. There will be a 50% fee reduction for lower income. The breakdown for the waiver for the bigger houses are as follows: four connections of regular fee of \$2000.00 per connection for 4 sprinkler connections, loop and tie them in four tabs off the main will tie into 8 locations. The six fire hydrants are \$2000.00 each. The system development fees tie in at Page Street; 2 big taps on main on Page street, one tap needed for site, second tap to help the water system; one fee for \$16,000.00 instead of \$32,000. The inspection service fees are as follows: 94 on site at \$100.00 each; connection inspection fee (how many times someone comes out to inspect) one trench, one inspection, \$400.00 each time to go out to do an inspection, otherwise it is normally two inspections. If there are any issues the amount of times may vary. William Fitzgerald, DPW Director discussed the bylaws. Mr. Paul Cusson asked about a change in the tapping fees. Mr. Comeau, in keeping with bylaws, 94 connections at \$400.00 to eliminate any what-if's that may come up. If they have to come out more than 94 then there will be a charge of \$400.00 each time. The eight places where the main ties in are \$100.00 each, a total of \$800.00. Water meters are a separate item. Mohammed Itani is good with that. The total amount is \$174,925.00. Mr. Brian Dunn is good with this amount and is grateful and appreciates the members of the board.

Mr. Comeau addressed the rest of the board members in regards to their input. Mr. Picardi thinks this is a fair compromise on both sides. Mr. Mekjian discussed how the half prices on the affordable homes will lower the real estate tax forever. Brian Winner, Special Counsel spoke about the changes in the document from Paul Cusson. There may be some clarification questions. He recommends the board review and double check everything. Mr. Cusson red lined all of the updates from the last meeting. The draft was revised for counsel to review. Mr. Brian Winner discussed that the board has 40 days to vote and sign on it. People will be able to view it on the website and at the Avon Town Hall. Mr. Comeau has had many working sessions with the applicant to get to this point.

Mr. Thomas Killberg, 29 Joanna Road asked questions regarding the waivers. The upgrade fee will be waived for the Joanna Road residents to tie into the upgraded water main connections.


Paul Cusson is hoping for a vote in the September meeting. Thomas Houston and Paul Cusson are good with the completed draft. The next working session will be in September with Mr. Comeau. The ZBA agreed that Mr. Comeau continue with the working sessions with the applicant. The final meeting will need a full quorum. Brian Winner will formulate a draft prior to the meeting.

The next Zoom meeting will be September 15, 2020 at 7:00 pm.

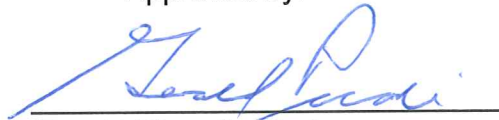
A motion was made by Ed Mekjian to close the Public Hearing on Joanna Hills Estates project, seconded by Gerald Picardi. A roll call was done. Gerald Picardi voted aye, Edward Mekjian voted aye, Kevin Foster voted aye, Carl Walker voted aye, Charles Comeau voted aye. The motion carries.

A motion was made to adjourn the meeting at 8:10 pm. A roll call was done. Edward Mekjian voted aye, Kevin Foster voted aye, Carl Walker voted aye, Charles Comeau voted aye. The motion carries.

Approved by:


Charles P. Comeau, Member

Approved by:


Gerald Picardi, Clerk

List of Documents

1. August 18, 2020 Meeting Agenda
2. Exhibit A Waiver List