

ZONING BOARD OF APPEALS

TOWN OFFICES/BUCKLEY CENTER
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TOWN OF AVON

2022 JUL 22 P 3:38

July 12, 2022

TOWN CLERK

Mr. Kevin Foster, 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. Kevin Foster 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.

Mr. Kevin Foster, member called the meeting to order at 7:12 p.m. Each Board member 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, Peter Crone, Charles Comeau, Gerald Picardi, Carl Walker

Members not present: Peter Marinelli

Visitors: Paul Cussen, Delphic Associates representing A&B Campbell Realty, LLC; Brian Campbell, Owner of A&B Realty, LLC; Mr. Brian Dunn of MBL Land Development Permitting Corporation; Robert Borden, Building Inspector; Lynne McKenney, Recording Secretary

Kevin Foster reviewed mail received by the Board of Appeals.

Minutes

A motion was made by Edward Mekjian to approve the meeting minutes of May 10, 2022, seconded by Chuck Comeau. No discussion on the motion. A roll call vote was taken. Peter Crone voted aye, Edward Mekjian voted aye, Chuck Comeau voted aye, Gerry Picardi voted aye, Carl Walker voted aye, and Kevin Foster voted aye. The motion carries.

Public Hearing:

**Case # 22-3 Petitioner, A&B Campbell Realty, LLC of 188 Central St.
(Brave Estates)**

The Public Hearing for Case # 22-3, 188 Central Street, Brave Estates opened at 7:15 p.m.

Kevin Foster read in the following Public Hearing Notice:

Notice is hereby given that a Public Hearing will be held in the Town Offices, Town of Avon, Massachusetts on Tuesday, July 12, 2022, at 7:15 pm to hear the following petition(s) requesting a Comprehensive Permit under M.G.L. 40B. The hearing will be held at the Avon Town Hall, 65 East Main St. Avon, MA. Please visit <https://www.avon-ma.gov/node/63/agenda/2022> for updates on hybrid participation and Covid protocols.

Case # 22-3 Petitioner, A&C Campbell Realty, LLC of 188 Central Street, requesting approval of a Comprehensive Permit under M.G. L. 40B, at 188 Central Street, and known as Assessors Map B3, Block 1, Plot 15, Avon, Massachusetts. The applicant is proposing an additional 36 units in which 9 will be designated as affordable to low-median income applicants. Proposing 4 buildings, 2 buildings will have 8 units each and 2 buildings will have 10 units each. There will also be the addition of four garage buildings.

Plans may be viewed by appointment prior to the hearing at Town Offices or found on the Town Website. <https://www.avon-ma.gov>.

AVON ZONING BOARD OF APPEALS

Kevin Foster, Chairman

Ad placement in The Brockton Enterprise on June 27, 2022, and July 5, 2022

Mr. Paul Cussen of Delphic Associates, Mr. Brian Campbell of A&B Campbell Realty, LLC, and Mr. Brian Dunn of MBL Land Development Permitting Corporation introduced themselves to the Zoning Board of Appeals members.

Mr. Paul Cussen of Delphic Associates is representing Mr. Brian Campbell of A&B Campbell Realty, LLC. They are requesting a Comprehensive Permit for Brave Estates, 188 Central Street. The applicant proposes to expand the development to include four additional apartment rental buildings. Two buildings will have 8 units, and two buildings will have 10 units. There will be 1, 2 and 3-bedroom units mixed among the four buildings, for an additional 36 units, in which 9 units will be designated as affordable for low-moderate income (80%) affordable applicants. In addition, there will be 4 garage buildings with 6 parking spaces in each building. They are proposing 112 parking spots, which is more than the required 100 parking spots. The recommended road width is 22 feet; the project is recommending 24 feet.

The permitting process will be in accordance with MGL 40B, DHCD Local Initiative Program (LIP) (a.k.a; Friendly 40B). There will also be handicap adaptable units on the first floor as required by ADA (American Disability Act). The new buildings will have the same architectural appeal as to what is presently on the site. Mr. Cussen of Delphic Associates had several informal meetings the fall of 2021 with the Board of Selectmen that is may be appropriate to call the project a friendly 40B (Local Initiative Program). Mr. Brian Dunn of MBL Land Development Permitting Corporation clarified some components of the project.

The following forms/letters are in the binder for the 188 Central Street, Brave Estates project:

- Local Initiative Program for the Board of Selectman to endorse
- Department of Housing paperwork
- Site eligibility letters
- List of waivers (amended from time to time)
- Traffic study/traffic impact and access study
- Storm water management will be completed (currently not in binder)

Discussion with ZBA members:

- Wetlands present (5.34 acres of are buildable, they are using 4.14 acres for the project) (total of 6.46 acres)
- Property abuts Stoughton, correspondence will be needed from Stoughton
- Concerns regarding town water (water supply will be looped)
- Common septic system needs to be approved by the Board of Health (one system)
- Letter received by Kathleen Waldron of the Board of Health
- Parking on the roadway (parking on 1 side, sidewalk on the other side)
- There will be no parallel parking
- Discussion regarding green space and a play area (most open spaces will be septic area)
- Planning Board to have an engineer review the site plan

Discussion for next Public Hearing:

- Trash/dumpster location
- Street lighting
- Grading (flat spots)
- Signage
- Mail
- Parking layout (flow improvement)
- General proposed landscape plan
- North side building (garage underneath)?
- Impact study needs to be completed
- Data required/on record regarding water supply
- Feedback needed by the police and fire chief regarding public safety
- Feedback needed by the DPW (Bill Fitzgerald)
- Feedback from the engineer
- Feedback from Ron Mutter (Traffic Engineer) / invite to next meeting

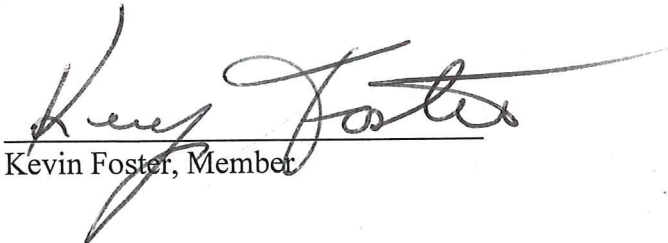
Abutters concerns:

- Nicole Cross and Andrew D'Allesandro of Central Street are concerned about losing their privacy when the trees are taken down. Their property directly abuts the proposed project. They discussed installing a fence for privacy, but are unable to due to the wetlands. They are concerned about car lights glaring into their house at night. Mr. Paul Cussen of Delphic Associates, representative for A&B Campbell discussed planting trees to help alleviate their privacy concerns.
- Eugenia Perry of 230 Central Street is concerned about public safety regarding the new street coming out onto busy Central Street. The Planning Board discussed the street being one way in and one way out. The Planning Board will get feedback from the fire and police chief.

A motion was made by Chuck Comeau to continue Public Hearing for Case # 22-6, 188 Central Street, Brave Estates to August 2, 2022 at 7:00 p.m., seconded by Edward Mekjian. No discussion on the motion. All in favor. The motion carries.

A motion was made by Edward Mekjian to adjourn the meeting at 8:43 p.m., seconded by Chuck Comeau.

Approved by:



Kevin Foster, Member

List of Documents

1. July 12, 2022 Meeting Agenda
2. May 10, 2022 Meeting Minutes
3. 188 Central St. Brave Estates site plans, binder, traffic impact & access study
4. Letter from the Board of Health