

ZONING BOARD OF APPEALS
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TOWN OF AVON

2023 JUL 31 P 2:34

TOWN CLERK

June 6, 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. 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, Jeffrey Tibnam, Peter Crone (joined at 7:25 p.m.), Chuck Comeau (joined at 8:00 p.m.)

Members not present: Carl Walker, Gerri Picardi

Visitors: Brian Dunn, President/Project Director of MBL Land Development & Permitting, Corp.; Paul Cusson, Delphic Associates; Brian Winner, Town Council; Lynne McKenney, Recording Secretary

Abutters: Pam Pacheco, Danny Nguyen, Judith Leggitt, and Richard Jordan via Zoom.

**Continued Public Hearing:
Case # 22-7, 253 Page Street**

The Public Hearing for Case # 22-7, 253 Page Street, Windsor Heights, LLC opened at 7:30 p.m.

On behalf of the applicant, Paul Cusson would like to hold off on discussing the project until Chuck Comeau is in attendance.

Paul Cusson explained that the original plans, the applicant was requesting twenty-four units. The other plan, the applicant is requesting twelve single family houses. The applicant decided to move forward with the twelve single family houses of which three will be affordable houses. Mr. Muhammad Itani explained that he cannot go below the twelve homes of which three will be affordable. The applicant agreed to fund the 53G account.

Brian Winner, Town Counsel explained that the project has substantially changed since the public hearing notice was advertised. He suggested that a new public hearing notice describing the new project be advertised. The applicant will obtain a new certified abutter list to send the updated public hearing notice through certified mail. The applicant agreed to get the mailing out right away. Moving forward, this will reset the Zoning Board of Appeals members who can vote on the project. The Zoning Board of Appeals members agree with this decision. Brian Winner will write up the updated public hearing notice.

Moving forward the project will have to go through peer review and will need to be updated through the Massachusetts Housing Authority regarding the number of affordable units.

The ZBA members agreed that the applicant may proceed with sending the updated plans to the Town of Avon's engineer (JDE) for peer review.

Questions/Concerns from Abutters:

Judith Leggitt is concerned that the Town of Avon will have to stick with twelve or twenty-four units. Richard Jordan asked if the updated plans will be accessible on the Town of Avon website. Danny Nguyen would like the drawings added to the agenda section.

A motion was made by Chuck Comeau to continue the public hearing for Windsor Heights to June 28, 2023, at 7:15 p.m. per the applicant's request, seconded by Peter Crone. No discussion on the motion. A roll call vote was taken. Vote unanimous. The motion carries.

Discussion – Joanna Estates

Paul Cusson discussed changes made to the drainage report regarding controlled runoff, water controls and changing grates to high capacity. Chuck Comeau has been in discussions with the applicant regarding some issues that Joanna Estates has come across.

Warrant:

A motion was made by Chuck Comeau to pay the warrant in the amount of \$1,1100.00 to Mead Talerman & Costa, LLC professional services for Case # 22-3, Brave Estates (\$960) and Case # 22-7, Winsor Heights (\$140), seconded by Edward Mekjian. No discussion on the motion. A roll call vote was taken. Vote unanimous. The motion carries.

A motion was made by Chuck Comeau to pay the warrant in the amount of \$1060.00 to Mead Talerman & Costa, LLC professional services for Case # 22-3, Brave Estates (\$980) and Case # 22-7, Winsor Heights (\$80) seconded by Edward Mekjian. No discussion on the motion. A roll call vote was taken. Vote unanimous. The motion carries.


Minutes:

No meeting minutes were approved.

The next Zoning Board of Appeals meeting is scheduled for June 27, 2023, at 6:30 p.m.

A motion was made by Jeffrey Tibnam to adjourn the meeting at 8:54 p.m., seconded by Edward Mekjian.

Approved by:



Kevin Foster, Member

List of Documents

- June 6, 2023, meeting agenda
- Updated Site Plans – Windsor Heights