

TOWN OF AVON



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TOWN CLERK

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

Avon Zoning Board of Appeals - Meeting Minutes

Date: October 19, 2015

Members Attending: Peter Crone, Gerald Picardi, Kevin Foster, Edward Mekjian

Absent: Charles Comeau

Visitors Forum: John Nye, Leah Nye, Brian Barthelmes, JoAnn Barthelmes, Franklin Davis, Genzy Davis, Mary K Flanigan, Theresa Wilkinson, Kathleen M Cruise, Katie Cruise, Jeffrey B. Jones, Laureen Barthelmes, John Barthelmes, Carol A. Issa, Carlene A. Rosenquest, Robert Borden, Building Commissioner

Kevin Foster called the meeting of the Zoning Board to order at 7:10 P.M. Mr. Foster read the Public Hearing Notice into the minutes.

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 **Monday, October 19, 2015, at 7:15 P.M. Case#15-3 and 7:30 P.M. for Case#15-4** to hear the following petition(s) requesting a Special Permit/Variance from the Avon Zoning By-Laws.

Case # 15-3, Petitioner, **JLD Properties LLC./ John Nye of 95 East Main Street, Avon, Massachusetts** request relief in the form of a **Special Permit of Section 7-5, (M): "Specific Requirements For Particular Uses by Special Permit"** – Extension or Alteration of Existing structures or Uses" and Section IX "Non-conforming Uses, Structure Lots", Subsection 9-6 "Change", 9-2 Extension and Alteration. Also request a **Variance** of the area required of 25,000 square feet to the existing area of 17,145 square feet and a reduction of the frontage requirement of 150 lin. Ft. to the existing 90.98 lin. Ft. at property known as **160 East High Street, Avon, Massachusetts**. Assessors lot D6-7-23.

Discussion – Kevin Foster asked the Petitioners if they had an abutters list and their receipts. Mr. John Nye presented the board with the receipts. The clerk checked the list while the Zoning Board reviewed the plans for Special Permit.

- (A) Kevin Foster made a motion to accept Petitioners request to remove and replace per drawing submitted to the building department, seconded by Ed Mekjian all in favor. Unanimous

- (B) Kevin Foster made a motion to accept Variance of non-conforming lot.
Seconded by Ed Mekjian all in favor. Unanimous
- (C) Leah Nye asked the board to correct the spelling from JLB to JLA. It was noted to amend.
- (D) Motion by Kevin Foster to close Case #15-3, seconded by Ed Mekjian all in favor. Unanimous

Kevin Foster read the Petitioners check off list and the Public Hearing for Case#15-4

Case# 15-4, Petitioner, **JoAnn Barthelmes Power of Attorney for Leo J. Issa of 51 Cobblestone Lane, Hanover Massachusetts** request to **Renew** the terms of the **Variance** granted in Case# 7-23 approved variance of the terms of the Avon Zoning Bylaw section 6-4, Dimensional and Density Regulations Table for the frontage required in a residential zone A from the required 150 lin. Ft. to the existing 71 lin. Ft. at property known as **Lot 30 Leo's Lane, Avon Massachusetts** Assessors lot D2-1-4, as required by the Avon Zoning Bylaw, section 12-9 (F.)

Discussion : Mr. Mekjian addressed the Board of Appeals, stating that he had a past working relationship with Mr. Leo Issa. He was recusing himself from Case #15-4 due to a conflict of interest.

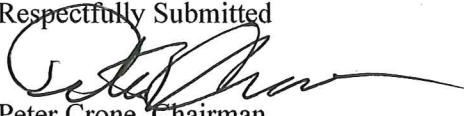
Mr. Kevin Foster recognized Brian Barthelmes- son in law to Leo Issa to present his case requesting a renewal of **Variance** that was granted in 2007.

- (A) Mr. Barthelmes presented to the Avon Board of Appeals an explanation of the renewal of the variance.
 - (B) Kathleen Cruise presented the Avon Zoning Board with a petition signed by the abutters opposed to the renewal of the Variance that was granted in 2007 Case#7-23.
 - (C) There were several visitors in opposition to the renewal of the Variance granted in 2007.
 - (D) Kevin Foster reminded the visitors that tonight's hearing was about the renewal of the Variance for Case#15-4 in 2015.
 - (E) Mr. Foster called the meeting to order, after numerous attempts to keep order and on track, Mr. Foster closed the Public Hearing for Case#15-4 to be continued, seconded by Mr. Crone, all in favor
- Old Business –
Reviewed mail received in reference to the Open Meeting Law Complaint, Turned over to Legal Department. No Discussion.
 - New Business – Next Zoning Board of Appeals Meeting TBA, will be posted.

ADJOURNMENT: Meeting adjourned at 8:30 P.M.

A motion was made by Kevin Foster to adjourn the meeting of the Avon Board of Appeals, seconded by Peter Crone, all in favor.

Respectfully Submitted

A handwritten signature in black ink, appearing to read "Peter Crone", with a long horizontal flourish extending to the right.

Peter Crone, Chairman
Avon Zoning Board of Appeals