



Minutes for Meeting

Zoning Board of Appeals, via Zoom

June 28, 2022 at 7:00 PM

Members present: Alan D. Rose, Jr., Stephen J. Larocque, Natalie B. Sawyer

**68 Summer Street:** a continuation of a hearing on a request by Joseph F. Fournier, Jr., on behalf of Max and Paula Reece requesting a special permit for an addition.

The following members were present:

- Alan D. Rose, Jr., Acting Chair
- Stephen J. Larocque, Acting Secretary
- Natalie B. Sawyer

Additional documents in the record:

- First Floor Plan, 68 Summer Street, A1.01, prepared by JFF Design Architects & Planners, 5/19/22
- Second Floor Plan, 68 Summer Street, A1.02, prepared by JFF Design Architects & Planners, 5/19/22
- Roof Plan, 68 Summer Street, A1.03, prepared by JFF Design Architects & Planners, 5/19/22
- Elevations, 68 Summer Street, A2.01, prepared by JFF Design Architects & Planners, 5/19/22
- Elevations, 68 Summer Street, A2.02, prepared by JFF Design Architects & Planners, 5/19/22
- 3D Views, 68 Summer Street, A3.01, prepared by JFF Design Architects & Planners, 5/19/22

The Petitioner appeared before the Board stating that they are meeting with the Historical Commission again tonight because they had requested additional information. The most updated architectural drawings were submitted.

The Board voted unanimously to continue the hearing until July 18, 2022 at 7pm via Zoom.

**10 North Avenue:** a hearing on a request by James V. Anza requesting an appeal to a Building Inspector's decision.

The following members were present:

- Alan D. Rose, Jr., Acting Chair and Acting Secretary
- Stephen J. Larocque
- Natalie B. Sawyer

Documents in the record include:

- Email from L. Stantial dated 6/20/22
- Enforcement letter from R. Como dated 4/14/22
- Revised hearing application submitted 6/27/22

The subject site, 10 North Avenue, (the "Premises") is located in Single Family Residence District B. The lot is conforming as it has adequate acreage and enough street frontage to conform to the Zoning District B. However, structures on the property are located too close to the rear lot line to conform with the zoning setbacks. The home is pre-existing non-conforming.

James V. Anza, (the "Petitioner") appeared before the Board with his Attorney Nicole James. Ms. James explained to the Board that the original hearing application that was submitted was intended to be both an appeal of the Building Inspector's stop work order and an application for a commercial permit for the operation of a business at the property. The Board noted that only on the revised application submitted on 6/27/22 was it clear that the applicant was also looking for a special permit to operate a business on the site.

Ms. James explained that there are two parts to the Petitioner's business: farming and a landscape business, and only the landscaping activities need to be permitted. The Petitioner

stated that farming activities occurring on the site include making mulch, harvesting trees and shrubs, and cutting logs. The Petitioner stated that the only landscaping activities that occur on the premises is the storage of equipment and transfer of landscape materials.

The Board unanimously agreed that the only item they could decide at this hearing was the appeal to the Building Inspector's stop work order, as the application for a permit to operate a landscape business was not properly advertised, and therefore the public has not had adequate notice to provide input.

The Petitioner stated that they would therefore like to withdraw their hearing application and will resubmit a new hearing application that will have information on both the appeal and the permit they are seeking for a landscaping business on the property.

Following due and open deliberation, the Board, by unanimous decision, allowed the Petitioner to withdraw the hearing application without prejudice.