

MM – Motion on ZBA-2016-08 to approve the Review in 6 months November - 2018.
JB – Motion Seconded

VOTE: 5-0 APPROVE the Review with Condition

ZBA-2017-49 Nicholas Cochrane & Francisilley Barcellas 8-12 READ ST 6:10PM
Review Special Permit Conditions under §181.3561 to reinstate an abandoned/vacant building as a 2-family dwelling located in the Residential B District at 16/13/0

Presentation given by Nicholas Cochrane and Francisilley Barcelas stating that the two-family dwelling is now owner occupied. Currently occupying first floor and still renovating second floor, plans are still to reside on second floor and keep third floor as lounge area. Wire is now 99% new and within another month or two the whole dwelling will be completed, also floor plans were provide for the records.

Those Seeking Information: None Those Opposed: None Those in Support: None

Board of Appeals finding are that they did a great job and have done all were asked for, didn't have any question at this time.

MM – Motion on ZBA – 2017-49 to Grant and Approved the Review of Special Permit with the following conditions:

1. Dwelling is to be owner occupied
2. Structure will be a 2-family dwelling only
3. Special Permit will terminate/expire upon the sale/transfer of the property from Nicholas Cochrane & Francisilley Barcellas.

JB – Motion Seconded

VOTE: 5-0 APPROVE the Special Permit with condition.

ZBA-2018-10 TSI Tank Services, Inc. 70 BENSON ST 6:15PM
Use Variance under §181.313C11&12 to operate a Trailer, tank, and Semi-Trailer Truck Sales and Maintenance Business located in the Industrial District at 113R/5/0

Presentation given by Peter Campobasso, Jerry Blake and Julie Taylor stating that this is a great location to expand the Trailers and Tanks Trucks Sales business, because Benson is not one of the busier Streets in Fitchburg. We will Sell or Trade these Trucks, provide maintenance services, planning to set it up with some vehicles to the front of the building by the street.

Those Seeking Information: None Those Opposed: None Those in Support: None

JS – Do you sell the truck and the trailer? JB – Yes.

JS – Do you also provide body shop, painting? JB – No

JM – Mack trailers, where will you storage them? JB – on the back of the property.

MM – Do you need to add a building? JB – No

MM – My concert is that we don't have a plot plan showing the numbers of vehicles and how will they fit in the property. JT – We are thinking about eight vehicles.

MM – We should have a condition to keep the property clean, no junk.

LM – Any outside storage? JB – No LM – Signs? JB – Yes, eventually

MM – Motion on ZBA – 2018 – 10 to Approve and ament the Use Variance for Four Vehicles with site and plot plan to be submitted in two months July 2018 where the Board will Review and change those conditions.

JB – Motion Seconded

Vote: 5-0 APROVE the Use Variance with condition.

1. Plans to be provide for review
2. Not more than 4 vehicles as a now
3. Review in 2 months July, 2018

ZBA-2018-11 Brothers Parking Lots and Roads 126 JACKSON AV 6:30PM
Special Permit under §181.313D5 for a Construction Yard located in the Industrial District at 5/9/0

Presentation given by Eric Stanley and Karen Stanley stating that this is a good location to keep and storage the business paving trucks. Intent to have the whole parking lot pave, build a 6 FT fence and install an electrical pole on property for illumination and secure purposed. Also requested to build a small shed not bigger than 15x15 SF on rear of the property

Those Seeking Information: None Those in Support: None Those Opposed: None

MM – When the house is going to demolish? ES – Next week or as soon as possible.
 JB – Max of cars that are you planning to keep on site? ES – Four utilities trucks Four paving trucks.
 MM – Any signage? ES – No, no signs.

MM – Motion on ZBA-2018-11 to approved a six months review November 2018 for the special permit to be demo existing building, build a 6FT fence around the property, parking for four vehicles, build a shed rear side of property with 3FT minimum from property line and not to exceed 15X15SF.

JB – Motion Seconded

Vote: 5-0 Approved to Grant the 6 months review November, 2018 with condition

1. Property to be fence right side, left side and rear no more than 6FT height.
2. Parking to be pave
3. No more than 4 vehicles in the property.
4. To be built a shed on the rear side and no bigger than 15X15 SF.

ZBA-2018-05 Joseph Tisa 30 CATHY ST 6:45PM

[Continuance:](#)

Special Permit under §181.355 for a garage addition leaving 7’ to the side property line located in the Residential A-1 District at 145/8/0

Presentation given by Steve Chiavaras, Contractor, representing Joseph Tisa, stating that the garage is complete build a 20’ x 32’ two car garage moving 6’ into the front and 10’ to the side property line.

Those Seeking Information: None Those in Support: None Those Opposed: None

MM – I like the fact that he was able to increase the side set back from 7’ to 10’

JB – Very good job

MM – Motion on ZBA-2018-05 to Grant the Special Permit

JB – Motion Seconded

VOTE: 5-0 GRANT Approved the Special permit with condition

1. Side set back NOT to be less than 10’ FT from property line

ZBA-2018-02 Karen Moffatt 191 ELLIS ST 7:00PM

[Continuance:](#)

Special Permit under §181.33 for a Home Occupation, to Overrule the Building Commissioner’s Decision and for a Finding in regard to the number of dogs overnight at the premises located in the Residential A-2 District at 105/49/0

Presentation given by Attorney C. Deborah Phillips, representing Karen Moffatt stating that she had received approval for a home occupation providing personal services. Under §181.33 Home Occupation As of Right:

LM- AZ is not here tonight and JM wasn't here on the last meeting when petitioners presented this case, by this been said he is trying to read the whole case so he can participate.

JM- Yeah, I wasn't here last month meeting and I don't feel comfortable to participate and making decisions on this case tonight.

LM- Being these all said, do you want to continue with only 4 Board members tonight or you can ask for a continuance next month? KM – Moved forward with only 4 members.

LM- Board is not taking any more information from petitioners at this time on this case.

LM – Anyone on the audience is here with new information in support on this case?

Amy Green – I as Counselor member I never received any complaint on this case and I am direct abutter of Karen and I never hear any barking through the day or night.

LM – Anyone new on opposition?

Attorney Jeffrey Aveni, representing Judy Perla direct abutter of Karen's property. Stating that not commercial Kennel is permitted in a residential zoning district, she initially had a home occupation office using the 24% of the house space and it got change to 99%. And another thing that this board should keep in consideration is how many days a week, and how many weeks a year that she keeps all these dogs at her house. Also, do we have proof that are really there 9 dogs in may be 10, 15 she got register 9 dogs, but reality? Attorney C.DP – Karen never had more than 8 dogs at once, the dogs are register under Karen's name are the ones that she takes care and they are often the same dogs.

JS- Why you don't stay at their house instead bringing them to your house? KM- Because it's easier at my house where I have everything I need. Also, Animal control Officer Come to my house and he can cut the number at any time and it's get renewed every year.

MM- Kennel license allows 9 dogs? KM – Yes, I am only asking for 8 including my own three dogs,

MM- How long do you keep them? KM- Don't exactly know could be 2 weeks 6 days it's all depend on the owner needs. MM- How many weeks a year can you tell? KM- Guessing about 23 weeks in a year or less.

MM- Do you plan having dogs outside? KM- No, never ever at least if I am outside at the house.

LM- When do they go outside at the yard? KM – 5 – 10 times a day. LM- How long do you keep them out?

KM- Maybe an hour.

JS- I am sure you are wonderful person nothing against you, but I am agree with the Building Inspector.

MM- I see a lot of contradictions on the by-law definitions, all I am reading it seem that it can be done, but I would like if the board approves it will be with a lot of conditions.

LM- I don't think that we are ready to make a decision tonight, we been discussing this case for over an hour. Can we make a motion to just make a continued deliberation on this case June 12, 2018?

MM- JB – Yes, we should do that.

JB- Motion on ZBA-2018-02 to Grant the Continuance on June 12, 2018 for just Board Deliberations and Decision to be make for the Special Permit under §181.33 for a Home Occupation for Kennel.

JS- Motion Seconded

Vote:

4-0

Approved the Continuance on June 12, 2018

ZBA-2018-03 North Central MA Chamber of Commerce 860 SOUTH ST

7:15PM

Change of Conditions on a Variance under §181.5362 & .5363 for an Electronic Sign located in the Neighborhood Business District at 182/3/2

