

City of Gardner
Zoning Board of Appeals

Minutes of Public Meeting – May 17, 2022
City Hall Annex

Members Present: Raymond LaFond
Michael Gerry, Clerk
Randall Heglin, Acting Chair

City Officials: Roland Jean, Building Commissioner
WGET Videographer

Attendees: Applicants, Representatives, and Interested parties – see sign in sheet

Meeting opened at 6:30 PM by Acting Chair Heglin. Chair read the ground rules upon which the Zoning Board operates. Acting Chairman also noted that the agenda has been duly posted and mailed to appropriate parties including the Applicants and abutters.

Tonight's agenda includes public hearing which the Board will hear five cases two cases of which are continued from the last meeting.

Public Hearings

First hearing is Case number 2022-04-01 Alan Belanger for a Finding for property located at 161 Chelsea Street. The Applicant seeks a Finding to use property abutting Blake Street as access to the previously approved use – self storage units. This case continued from the April Meeting.

This property under Case Number 2021-01-04 received a Use Variance for the operation of the self-storage facility. Mr. Brian Marchetti, engineer from McCarty Engineering is the Applicant's representative. Mr. Marchetti presented to the Board updated plans for the project. The engineer describing proposed access off Blake Street. The Board held a site visit on April 30th. At the site visit, the Board and Mr. Marchetti viewed concerns expressed by the City Engineer, Mr. Oliver. Mr. Marchetti presented the Board a response letter addressing the City Engineer's concerns. Mr. Marchetti read the letter into the record. Revisions to the project plans include defined parking meeting setbacks, placement of 4' of fill on north side of the building for parking area to accommodate site drainage including installation of a subsurface infiltration basin. Parking lot drainage will be directed to catch basin with outlet to the basin. Blake Street access will include the removal of about 4' of fill and to also include subsurface infiltration basin. Drainage design including report and calculations provided to the City Engineer. Design meets MADEP and Gardner stormwater management regulations. The revisions also include delineation of snow storage, lighting which are to be motion activated lights, landscaping. Excluded from the plan is the actual layout of storage units. Not been delineated due to

structural concerns with the building and subject to change. Project could accommodate up to 12 roll up doors for storage units or 35 smaller units with 3-foot doors. The revision also includes a privacy fence to be located on the north side parking area including landscaping to screen abutters property.

Member LaFond asked the applicant's representative about snowmelt and how it would affect abutting property. The applicant's representative indicated that the parking lot drainage will drain to catch basins and will outlet to the infiltration basins.

Member Heglin asked about the parking spaces delineated on the Blakes Street side of the property. The two end spaces do not meet the setback requirements. The applicant's representative indicated that the spaces would be crosshatched. Member LaFond suggested appropriate signage.

Member Heglin asked for additional information on site lighting. Applicant's representative stated would be 15-watt LED motion activated lighting above each storage access door.

Acting Chair Heglin asked those in attendance for comments or questions. No further questions or comments from the audience.

Motion made by member Gerry, seconded by LaFond to close the public hearing. Unanimous. Hearing Closed.

Next case

Case 2022-04-02 - Continued from April meeting. Mr. Tony Molina, Molina Realty for property located at 376 Chestnut Street. Seeking a Special Permit to reestablish property as a three-family dwelling. The property was once a three-family but lost its use by right by it being vacant for a number of years.

Mr. Molina summarized his application to reestablish the property as a three family residence. Was originally a 3 family residence .

Site Visit held April 30th by members Gerry and Heglin. At the site visit was abutter, Mr. Meagher. At the last hearing, Mr. Meagher raised concerns on the rear parking are and its effect on his property by light wash etc. Mr. Molina and Mr. Meagher came to agreement where Mr. Molina agreed to plant a green screen to screen Mr. Meagher's rear property.

Mr. Molina discussed snow storage and snow melt. Area lighting to include bollard type lighting to illuminate parking area and accessway to house.

Member Heglin noted that parking area is constructed and parking area is rotated 90 degrees from plan submitted with application. Spaces were painted and numbered. Vehicles come up driveway and turn south to park. Any headlight lightwash would be in abutter's backyard.

Mr. Molina, at the April meeting addressed the conditions for a Special Permit and identified in the Code.

Member LaFond stated that he did not attend the scheduled site visit due to a conflict, but did view the site alone with the Applicant.

Member Lafond asked about the placement of lighting. Mr. Molina – lights to be along pathway house to parking area. Lights to be mounted on house by doors for safety.

Acting Chair Heglin asked those in attendance for comments or questions. No further questions or comments from the audience.

Motion to close the Public Hearing made by LaFond, seconded by Gerry. Unanimous.

Next Case

Case Number 2022-05-01 James & Rebecca Parmenter, 85 Charles Street. Special permit to construct garage with in-law apartment.

Mr. Parmenter explained his application to construct a 3 car garage with in-law apartment on the second floor.

Mr. Parmenter explained that the property currently does not have a garage and storage space at his property is limited.

Mr. Parmenter addressed the Special Permit conditions as outlined in the Code.

Proposal is suitably located in the neighborhood. Proposal is extension of residential use like all immediate abutters.

Mrs. Parmenter presented the proposed garage/apartment plans.

Member Heglin asked if garage would meet all setback requirements. Answer in affirmative by applicants.

Safe vehicular access as proposal would use existing driveway. No additional curb cut proposed.

Loading and unloading done through existing driveway.

Roof drainage to be directed to the rear of the proposed garage.

Exterior lighting to be mounted on garage for safety.

Would not be inconvenience or have detrimental to abutters as residential use.

Member LaFond asked about existing outbuildings on the property. Applicant stated one shed is coming down (one in rear of property). Other shed being moved to that location.

Applicant asked about dimensions of garage – 40x25

Applicant mentioned deck. Member LaFond noted no deck shown on submitted plans.

Member LaFond asked about 2nd egress from apartment. Not currently shown on plans.

Acting Chair Heglin asked audience for questions/comments.

Building Commissioner Jean stated 2nd means of access will be required. Also, water and sewer connections should be confirmed with the Department of Public Works.

No other comments or questions from the audience.

Site Visit set for Saturday May 21st at 9:00 AM.

Hearing continued to June meeting.

Next Case

Case 2022-05-02 Robert Ouellette, property located at 69 Lincoln Street. Special Permit to open an indoor recreational facility – Just Dance Studio.

Presenters Mr. Ouellette and Rebecca Wilson, owner of Just Dance Studio

Ms. Wilson was located at 48 Parker Street. Needs to move because building sold and to be totally renovated. Searched for another location for business. Difficult to find suitable location based on space needs as nature of business. Met with Mr. Ouellette, viewed property and with some renovation would be suitable.

Mr. Ouellette, owner of building, and owner of A. Francis Construction. Office been located at property for 25-30 years. Former Unitarian Church. Was warehouse for LaChance Furniture.

Mr. Ouellette gave description of interior of building. Entrance off Lincoln Street. Across street is Coptic Christian church. Diagonally is former Simplex complex presently cube smart storage, Manny's Appliance, Travers Printing among other businesses. Explained how dance studio would access the building. The dance studio lobby will be located downstairs with studios upstairs.

Member Heglin asked number of students at class. Ms. Wilson stated average 10/class with 2 classes.

Member Heglin asked about available parking on site. Response 10-12 spaces.

Member Heglin asked about how many spaces needed. Applicant not clear on number of spaces necessary. Code sets amount based on use.

Member asked number of people including staff typically present. Ms. Wilson stated 20 students 2 instructors and typically 10 parents.

Member Gerry inquired who owns parking lot across Lincoln Street. Mr. Ouellette stated that Manny's Appliance park their vehicles there.

Member LaFond asked that the Applicant confirm with the Building Commissioner that Special Permit is the appropriate relief as the Code indicates use is a Variance.

Mr. Ouellette went over the criteria for the granting of a Special Permit as required by Code.

Questions from the Board included storm drainage, exterior lighting

Member LaFond, the proposal is changing. Revised plan to be submitted. Include changes to lighting, parking, etc. Parking requirement study, what is actually needed.

Questions from the City, abutters, others. None at this time.

Hours of operation – 4-8 M-Th; Sat 9-1

Hearing continued to June. Motion Lafond, 2nd Gerry. Site visit to be undertaken when revised plans submitted to the Board.

Next Case

Case 2022-05-03 – Donna Longo-Gorski, 66 Brook Lane. Variance to construct 3 season porch.

Ms. Longo-Gorski – exist 12x12 deck. Desires to construct 14x14 deck. Closest is an existing utility easement.

Ms. Longo-Gorski addressed the requirements for an Variance. No safety concerns will be created.

Member Heglin asked to why not move keep the closest edge where it is and move the farthest wall the 4 feet.

Member LaFond - Hardship is perceived vision on the aesthetics of the room. Law is hardship related to soil conditions, topography or shape of the property.

There is avenue of relief because there is available property where a variance would not be necessary.

Member LaFond suggested the applicant contact her contractor and see if there is a way that setback can be achieved.

Hearing continued to June Meeting. Motion Lafond, seconded Gerry. Unanimous

Approval of Minutes April 19, 2022. Motion Gerry, seconded Gerry. Unanimous

Motion to Adjourn, motion by Lafond, second Gerry. Unanimous.

Meeting adjourned 8:30PM

Raymond F. LaFond - MN
Raymond F. Lafond

Michael Gerry - MN
Michael Gerry, Clerk

Randall Heglin
Randall Heglin, Acting Chair