

City of Gardner  
Zoning Board of Appeals

Minutes of Public Meeting – June 21, 2022  
City Hall Annex

Members Present: Raymond LaFond, Chairman  
Michael Gerry, Clerk  
Randall Heglin

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 Chairman LaFond. Chair read the ground rules upon which the Zoning Board operates.

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

Meeting to include decisions and continued public hearings.

First public hearing case

Case 2022-05-03 – Donna Longo-Gorski, 66 Brook Lane. Variance to construct 3 season porch. Motion made by Member Gerry, seconded Heglin to close the hearing.

Chairman LaFond read letter from Applicant requesting withdrawal of application without prejudice. Motion made by Member Gerry, seconded by Heglin to grant the withdrawal without prejudice. Unanimous.

Next case for a decision

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 Public Hearing for this case was closed at the May meeting.

Chairman Lafond stated that a site visit was held. Board viewed the property form Blake Street. The City Engineer submitted a letter to the Board with several concerns that have been addressed by the Applicant.

Motion by member Gerry, seconded by Heglin to move on the Application.

Chairman LaFond- application is to modify existing granted Variance to permit access to the building from Blake Street. The parking area and driveway to be paved. Exterior lighting to be downward facing and motion on the northside of the building. Comply with conditions in original Variance.

Member Gerry suggested that condition to comply with concerns referenced in the City Engineer's letter.

Discussion about hours of construction. M-F 7-5, Sat 8-3; no work Sundays and Holidays.

Motion to amend the existing Variance to permit Blake Street access with conditions made by Member Gerry, seconded by Heglin. Unanimous

Approved with conditions

- Satisfy requirements #2-5 of the City Engineer letter.
- Exterior lighting to be downcast.
- Comply with Conditions in previously granted Variance.
- Driveway to be paved
- Hours of Construction
  - M-F 7 AM to 5 PM
  - Saturday 8 AM to 3 PM
  - No work on Sundays and Holidays

Next case for a decision.

Case 2022-04-02 - 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. Public Hearing closed May Meeting.

Motion made by Member Gerry, seconded Heglin to act upon the Application.

Chair Lafond summarized the case. Site visit held. An abutter, Mr. Meagher of Elm Street raised concern at Public Hearing about rear property line. Applicant represented that he will plant Cyprus trees at the rear property line to create a natural screen and also repair stone wall at rear of property.

Member Gerry noted that this application submitted because building vacant and lost grandfathering for multi-family dwelling.

Member Heglin brought up exterior lighting. Applicant to install bollard lighting from parking area to house.

Motion to grant a Special Permit with conditions. Unanimous.

Conditions

- Bollard lighting to be installed
- Shrubbery barrier to be installed as agreed upon with abutter.

#### Next Case

Public Hearing continued from May meeting.

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

Chairman LaFond. Site visit held. No setback concerns.

Mr. Parmenter informed the Board that he may have to construct a smaller building than was originally proposed. May become 2 car garage with smaller in-law apartment above due to rising construction costs.

Member Gerry stated application was for an in-law apartment.

Chair LaFond asked applicant about lighting and is safety focused. Applicant responded in the affirmative.

Chair LaFond opened to audience comments. No additional comments from City Officials, abutters or other interested parties.

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

Meeting proceeded to decision on this case.

Discussion about the potential of the Applicant to downsize the proposed building from a 3-car garage to 2 car garage with smaller in-law apartment.

Motion to approve the Special Permit with the structure not to any bigger than what is proposed in the application. Unanimous.

#### 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

Hearing continued from May Meeting.

Chairman LaFond – Site visit held. Viewed property, including inside. Board requested revised site plan but due to short timeframe and scheduled vacation, Applicant unable to provide at this meeting.

Mr. Ouellette stated revised plan to be submitted to Building Commissioner. Mr. Ouellette went over the proposed changes to the site plan.

Chairman LaFond stated that his narrative to condition of any approval.

Changes to site plan include

Main access for students to be from Lincoln Street. Secondary egress to be located at the west end of the building.

Lighting to be down cast to illuminate Lincoln Street access.

Safety berm to be installed in parking area toward Cross Street.

Existing stairs to Cross Street to be removed and landscaping improved.

Bathroom to be installed on second floor. Second floor ceiling to be replaced and include insulation.

Large concrete block on Lincoln Street side of building observed at site visit thought possibly to be a structural component of the building and may not be able to be altered.

Chair LaFond asked about parking and how many 9x18 spots on property. Mr. Ouellette stated 12.

Chair LaFond asked if any conversations with abutters about availability of additional parking. Ms. Wilson stated that she has spoken to the church across the street. They have provided verbal approval for use of their lot on S. Lincoln Street as overflow parking. She also spoke to Manny's Appliance who currently rents the parking lot on Lincoln Street across from the property and Cube Smart building manager. Utilization of that lot would involve changes to their lease.

Chair LaFond asked how many cars stay for classes.

Ms. Wilson submitted class schedule with typical number of students in each class.

The overlap of parent's vehicles during class changeover was discussed. Ms. Wilson stated that approximately 75% of students are dropped off for class.

Discussion of parking challenges and inadequate parking spaces during class changeover. Ms. Wilson did not have adequate response to this parking challenge. Was identified that parent waiting area could also be overcrowded during class turnover.

Chair LaFond read letter from direct abutter, Robert Whipple in favor of application.

Ms. Wilson presented over 30 letters of support of the application.

Chair LaFond said he spoke to Councilor Hardern who was unable to submit a letter but was in favor of application.

Chair LaFond read letters of support from Mayor Nicholson, Council President Kazinskas, Councilor Alex Dernalowicz, and former Mayor Mark Hawke. Also presented letters from students.

All letters entered into the record and available for inspection at Building Commissioner office.

Chairman opened hearing for comments.

Representatives of the City – no comments

Abutter in favor or against – no comments

Interested parties – Steve Rockwood, Pearl Street. No comments.

Motion made by Member Gerry, seconded by Heglin to close the hearing. Unanimous.

Motion to act upon the application made by Member Gerry, seconded by Heglin. Unanimous.

Member Gerry – necessity to discuss and identify potential conditions since an updated site plan not submitted. Components of revision to include:

- Lincoln Street Access.
- Loading dock on the west side of the building to be reduced in size to accommodate parking and second egress.
- Entrance lighting
- Safety berm or barrier along Cross Street side of parking lot
- Cross Street stairs to be removed
- Bathroom on second floor
- Conveyor belt to be walled in
- New Ceiling on second floor
- Vestibule to be reopened and reconditioned

Chairman LaFond asked Applicant about snow removal. Applicant stated that adequate space on property plow and stockpile snow.

Motion was made to approve the Special Permit subject to a revised plan be submitted to the Building Commissioner. Unanimous.

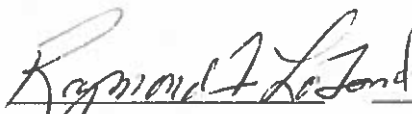
Chairman asked Commissioner Jean about how disability access is regulated. Mr. Jean responded that those requirements are part of the building code and is handled through his office.


Chairman LaFond indicated no correspondence.


Minutes of past 2 site visits. Motion by member Gerry, seconded Heglin to approve as presented. Unanimous.

Motion to Adjourn made by member Gerry, seconded Heglin. Unanimous

Meeting adjourned approximately 7:45PM

  
Raymond LaFond  
Chairman

  
Michael Gerry, Clerk

  
Randall Heglin