

ZONING BOARD OF ADJUSTMENT PUBLIC HEARING AND MEETING
October 11, 2016

A public hearing of the Zoning Board of Adjustment was held on Tuesday, October 11, 2016 at 6:30 PM in Room 208, City Hall.

Members in attendance were:

Rob Shaw, Acting as Chair
JP Boucher, Clerk
Mariellen MacKay

Carter Falk, AICP, Deputy Planning Manager/Zoning

Mr. Shaw explained the Board's procedures, including the points of law required for applicants to address relative to variances and special exceptions. Mr. Shaw explained how testimony will be given by applicants, those speaking in favor or in opposition to each request, as stated in the Zoning Board of Adjustment (ZBA) By-laws. Mr. Shaw also explained procedures involving the timing light.

1. BSP Cotton Road, LLC, c/o Brady Sullivan Properties, LLC (Owner) MinuteMan Scale Models (Applicant) 472 Amherst Street (Sheet H Lot 136) requesting use variance to allow the operation of a scale model paint and supply business, including mixing and bottling paints for sale, storage of paint products, shipping and receiving. AI Zone, Ward 2.

Voting on this case:

Rob Shaw
J.P. Boucher
Mariellen MacKay

Shawn Cavaretta, Pepperell, MA. Mr. Cavaretta said that the business makes paints for model trains, and model hobbyists, and make them into small 2-ounce bottles, and ship them out to distributors and retail customers. He said it's strictly a mail-order web-based business, and there is no retail side of the business, and no one would be coming through the door. He said that the business is 99% on-line. He said he doesn't even publish the address.

Mr. Cavaretta said that he is using a small portion in the existing building, approximately 3,000 square feet in a 100,000

square foot building, and there is plenty of parking. He said that his use will require two spaces

Mr. Shaw said that this use is allowed in the GI zone, and this is the AI zone.

SPEAKING IN FAVOR:

No one.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:

No one.

MOTION by Mrs. MacKay to approve the variance application on behalf of the applicant as advertised. She said that the Board finds that the variance is needed to enable the applicant's proposed use of the property, and given the special conditions of the property, and the benefit sought by the applicant cannot be achieved by some other method reasonably feasible for the applicant to pursue, other than an area variance.

Mrs. MacKay said that the proposed use would be within the spirit and intent of the ordinance, and will not adversely affect property values of surrounding parcels, and the Board finds that the request is not contrary to the public interest, and substantial justice is served.

SECONDED by Mr. Shaw.

MOTION CARRIED UNANIMOUSLY 3-0.

2. JB Nashua Retail, LLC (Owner) 567 & 569 Amherst Street (Sheet H Lots 625 & 650) requesting the following variances: 1) to allow 2 ground signs per premise, 1 existing - 1 additional ground sign proposed; and, 2) to exceed maximum ground sign area per premise, 150 sq.ft allowed, 150 sq.ft existing - an additional 145 sq.ft proposed. GB Zone, Ward 2.

Voting on this case:

Rob Shaw
J.P. Boucher
Mariellen MacKay

MOTION by Mrs. MacKay to Table the request to the 10-25-16 meeting, as the applicant did not show up.

SECONDED by Mr. Shaw.

MOTION CARRIED UNANIMOUSLY 3-0.

MISCELLANEOUS:

REGIONAL IMPACT:

The Board did not see any cases of Regional Impact.

REHEARING REQUESTS:

None.

MINUTES:

No action taken.

2017 MEETING DATES:

No action taken.

ADJOURNMENT:

Mr. Shaw called the meeting closed at 7:03 p.m.

Submitted by: Mr. Boucher, Clerk.

CF - Taped Hearing