

Zoning Board of Appeals Minutes
Selectmen's Room, Middleborough Town Hall
10 Nickerson Avenue, Middleborough, MA 02346
June 23, 2022

Chairman Darrin DeGrazia, Jack Healey, Joseph Mandile and Liz Elgosin were present. Chairman Darrin DeGrazia read into the record a letter of resignation from Matthew Maher. The board would like to publicly thank Matthew Maher for donating his time and expertise on the board.

7:30 P.M. Minutes

Upon a motion made by Liz Elgosin and seconded by Jack Healey, the board

VOTED: to approve the minutes of June 9, 2022.

Chairman Darrin DeGrazia, Liz Elgosin, Joseph Mandile and Jack Healey were in favor. (4-0)

7:30 P.M. Peter Varrasso, Jr. - Everett Street, Ma 41M, lot 4923, Map 041, lot 4187 and Map 040, 4895

Chairman Darrin DeGrazia informed the board that the applicant has requested a continuance as they have not completed their review with the Conservation Commission.

Upon a motion made by Liz Elgosin and seconded by Jack Healey, the board

VOTED: to continue the hearing until August 11, 2022 and re-notify the abutters of the continuance date.

Chairman Darrin DeGrazia, Jack Healey, Joseph Mandile and Liz Elgosin were in favor.

7:34 P.M. Lisa Maury - 6 Plympton Street

Chairman Darrin DeGrazia read into the record the legal advertisement and declared the hearing open.

Lisa Maury informed the board that they are requesting to place a 24' x 60' modular, for a classroom, on the property located at 6 Plympton Street, First Congregational Church for Samuel Fuller School. This will be placed a good distance from the septic system. They will not have bathroom facilities in there or sinks. All of the students will be using the facilities near the parsonage.

The board reviewed the information presented. Discussion ensued regarding total number of bathrooms and the locations of said facilities.

Joseph Mandile asked what the current enrollment is now. Lisa Maury said they have 90 students, and anticipate going up to 110 students. This is a temporary situation. They have to be moved off campus by 2025-2026. At this point they have only signed a two year contract with the modular company. Joseph Mandile said he can understand why they would not want to do infrastructure changes if this is only temporary.

Chairman Darrin DeGrazia read into the record the following letters: letter dated June 9, 2022, from Robert Whalen, Building Commissioner; letter dated June 14, 2022, from Michael Bumpus, Water Superintendent; letter dated June 13, 2022, from Christopher Peck, DPW Director; letter dated June 22, 2022, from Kayla Smith, Health Officer and a letter dated June 16, 2022, from Leann Bradley, Town Planner.

Discussion ensued regarding a time frame for this to be removed.

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Jack Healey asked what the Church's relationship is to the school. Lisa Maury said they have been there for 15 years and is basically a tenant/landlord relationship.

Chairman Darrin DeGrazia asked if anyone would like to be heard on this matter. Hearing no comments Chairman Darrin DeGrazia closed the hearing and called for a motion.

Upon a motion made by Joseph Mandile and seconded by

VOTED: ***to approve the petition of Lisa Maury relative to her request to be granted a special permit to allow for the placement of a 24' x 60' modular for a classroom on the campus of First Congregational Church for Samuel Fuller School. The subject property is located at 6 Plympton Street, Middleborough Assessor's Map 042, lot 3169. This is approved subject to the following stipulations:***

1. The modular shall be removed by the end of 2026.

Chairman Darrin DeGrazia, Jack Healey, Joseph Mandile and Liz Elgosin were in favor. (4-0)

Upon a motion made by Joseph Mandile and seconded by Jack Healey, the board

VOTED: ***to adopt the following findings:***

1. The proposed site is appropriate for use and structure.

2. Adequate and appropriate facilities have been provided to insure the proper operation of the use and structure.

3. Traffic flow and safety, including parking and loading are adequate and there will be no nuisance or serious hazard to vehicles or pedestrians.

4. Adequate water, sewer and other utilities as well as other public and private services are available or will be provided.

5. The use involved will not be detrimental to the established or future character of the neighborhood and town and is subject to appropriate conditions and safeguards.

Chairman Darrin DeGrazia, Jack Healey, Joseph Mandile and Liz Elgosin were in favor. (4-0)

7:50 P.M. Keith Curran, P.E. - 457 & 459 Wareham Street

Chairman Darrin DeGrazia read into the record the legal advertisement and declared the hearing open.

Keith Curran, P.E. with Bohler Engineering informed the board that they are requesting as special permit for a 71,400 square foot single story industrial warehouse located at 457 & 459 Wareham Street. This is approximately 9.9 acres (both lots) and is currently a landscaping supply operation.

They are presently in front of the Conservation Commission for the wetlands and is under peer review now.

Chairman Darrin DeGrazia asked if they are agreeable to pay for this board to send this out for peer review, as well as the WRPD for the Board of Selectmen. Keith Curran said they will agree to pay this expense.

Keith Curran reviewed the plans, in detail, for the board.

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Joseph Mandile asked for them to review the waivers they are asking for. Keith Curran said the impervious area is under the 40 percent, they are 39.7 percent, the parking spaces are 9' x 18' spaces, and a landscaping and screening waiver between the two buildings.

Joseph Mandile asked if the parking is reduced because they are on the edge of the impervious. Keith Curran said yes. Joseph Mandile asked there is any proposed retail on this site. Keith Curran said no.

Lengthy discussion ensued regarding the use and parking spaces. The applicant will relook at adding a mix of sizes (compact, etc.) for the parking since this will not be retail facility.

Nick Ieronimo, owner of the property informed the board that he has a lot trucks going in and out of this property and has never had a problem. He has had his landscaping business there for 25 years and has never had an issue.

Shawn Kelly, Vanasse and Associates reviewed the traffic report for the board.

Chairman Darrin DeGrazia asked if anyone would like to be heard on this matter. Mikey Higgins informed the board that he owns the property between this location and the Mobile Station. He is not opposed to this application in anyway. He actually thinks it's pretty impressive and existing to have this type of development come to this section of Middleborough. His only question is fencing on the western side to control litter. Chairman Darrin DeGrazia said that is a reasonable request. Discussion ensued regarding the fencing. The board requested that the fence be shown on the revised plan.

Chairman Darrin DeGrazia said at this point they would like to continue this and send the information out to Amory Engineering for a peer review.

Hearing no further comments Chairman Darrin DeGrazia called for a motion.

Upon a motion made by Liz Elgosin and seconded by Jack Healey, the board

VOTED: *to continue the hearing until July 14, 2022.*

Chairman Darrin DeGrazia, Jack Healey, Joseph Mandile and Liz Elgosin were in favor.

8:33 P.M. ZBA Membership and board organization (Chairman and Vice-Chairman)

Upon a motion made by Joseph Mandile and seconded by Jack Healey, the board

VOTED: *to continue with the current Chairman Darrin DeGrazia and Vice-Chairman Dr. Edward Braun.*

Chairman Darrin DeGrazia, Jack Healey, Joseph Mandile and Liz Elgosin were in favor.

Upon a motion made by Liz Elgosin and seconded by Jack Healey, the board

VOTED: *to send a letter to the Select Board requesting Liz Elgosin be reappointed, request that Joseph Mandile fill the vacancy of Matthew Maher as a regular board member, and to request that Michael Solimini be removed from the Zoning Board due to lack of participation.*

Chairman Darrin DeGrazia, Jack Healey, Joseph Mandile and Liz Elgosin were in favor.

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Joseph Mandile discussed changing the start time of the meetings from 7:30 P.M. to 6:30 P.M. Discussion ensued. Chairman Darrin DeGrazia said we would be more favorable to a 7:00 P.M. start time. The board agreed to wait until all board members are present to decide this.

Upon a motion made by Liz Elgosin and seconded by Jack Healey,

VOTED: **to adjourn at 8:45 P.M.**

Chairman Darrin DeGrazia, Jack Healey, Joseph Mandile and Liz Elgosin were in favor.