



TOWN OF SHREWSBURY
Richard D. Carney Municipal Office Building
100 Maple Avenue
Shrewsbury, Massachusetts 01545-5398

February 25, 2019

LOCATION: Selectmen's Room – Municipal Office Building – 100 Maple Avenue

MEMBERS PRESENT: Ron Rosen, Chair
Paul George, Clerk
Lisa Cossette - Member
Maribeth Lynch - Member
Peter Mulcahy – Member

STAFF PRESENT: Christopher McGoldrick, Assistant Town Planner

Mr. Rosen opened the meeting at 6:30PM and reviewed the procedures.
The Board members held copies of each appellant's application.

Minutes:

The minutes from the November 26, 2018 and January 7, 2019 meetings were presented for approval. Ms. Lynch moved to approve. Mr. Mulcahy seconded. The minutes from November and January were unanimously approved.

Sign Bill:

Mr. Rosen announced the following bill:

- \$84.00 – Worcester Telegram & Gazette – for December 15, 2018 legal notices.

Mr. George moved to approve the bill. Mr. Mulcahy seconded. The Motion carried. The bills were unanimously approved and signed.

Hearing 1:

37 Hillando Drive – Kanwaljit Padam
Special Permit – Section VI, Table I

Mr. Rosen read the legal notice into record. Other acting Board members included Mr. George, Ms. Cossette, Ms. Lynch and Mr. Mulcahy.

The appellant, Kanwaljit Padam, was present. Mr. Padam explained his mother-in-law would be living in the in-law apartment. There will be no changes to the outside of the house.

Mr. George moved to grant the Special Permit. Mr. Mulcahy seconded. The Motion was granted.

Hearing 2:

**18 Holly Lane – James W. and Anne M. Brown
Special Permit – Section VI, Table I**

Mr. Rosen read the legal notice into record. Other acting Board members included Mr. George, Ms. Cossette, Ms. Lynch and Mr. Mulcahy

The appellants, James W. and Anne M. Brown, were present. Mr. Brown explained they want to construct an in-law addition to the back of the house.

Ms. Cossette asked if they could clarify the setbacks for the addition. Mr. McGoldrick clarified the proposed side yard setback would be 13.1 feet. Mr. Mulcahy asked if there would be adequate space for parking. Mr. Brown explained there is a paved driveway for additional cars.

Ms. Lynch moved to grant the Special Permit. Mr. Mulcahy seconded. The Motion was granted.

Hearing 3:

**10 Mercury Drive – David A. Parmenter, Jr.
Variance – Section VII, Table II**

Mr. Rosen read the legal notice into record. Other acting Board members included Mr. George, Ms. Cossette, Ms. Lynch and Mr. Mulcahy.

The appellant, David A. Parmenter, Jr. was present along with David Parmenter, Sr. Mr. Parmenter, Jr. explained they are seeking relief on the front and side yard setbacks. They would like to add a second floor addition. Mr. Parmenter, Sr explains the house is only 24 feet deep and in order to get the stairway in and be able to get into the living room in the front, he is proposing the “federal front” addition. In the rear of the house there is a stairway which could be fixed with the additions. He proposed the garage at 26 feet due to the existing chimney and new hurricane codes.

Mr. George asked if the garage could be built at 25 feet instead of 26 feet. Mr. Parmenter, Sr. explained he could do it but he would have to tear down the existing chimney which would be an added cost.

David Crocker, 34 Vega Drive, was in attendance and commented he was in full support of the Parmenter’s project.

Mr. George moved to approve the Variance. Ms. Lynch seconded. The Motion was approved.

Hearing 4:

23 Forest Ave – Peter C. Phillips, 19 Forest Ave, Shrewsbury, MA

Variance – Section VII- Table II

Mr. Rosen read the legal notice into record. Other acting Board members included Mr. George, Ms. Cossette, Ms. Lynch and Mr. Mulcahy.

The appellant, Peter C. Phillips, was present. Mr. Phillips requested rear yard relief for a wooden deck. He explained the property is on a dead end road and slopes down to the lake. He explained he already has a building permit to reconstruct the building without changes to the footprint. The deck will change the rear yard setback from 40 feet to 23 feet.

Mr. Rosen asked if his goal is to sell the property. Mr. Phillips commented he does not know yet, he may sell his other house and move into this one. Mr. Mulcahy asked to clarify that there is no existing deck or patio there now. Mr. Phillips said there is nothing there now. He will go back to conservation to seek approval if this Variance gets approved.

Mr. McGoldrick asked what the front yard and side yard setbacks were. Mr. Phillips stated the side yard setback varies from 5 feet to 28 feet, the left side is 24 feet, and the front yard varies from 5 feet to 30 feet.

Mr. George moved to grant the Special Permit. Ms. Lynch seconded. The Motion was granted.

Hearing 5:
25 Pratt Lane – Tamika Wallen Hearson
Special Permit – Section IV-B

Mr. Rosen read the legal notice into record. Other acting Board members included Mr. George, Ms. Cossette, Ms. Lynch and Mr. Mulcahy.

The appellant, Tamika Wallen Hearson, was present, along with Steve Glover of Midstate Builders. The appellant is looking to construct a two car garage with an addition over the garage. Mr. Rosen clarified this is a special permit request because it is increasing the existing nonconformity.

Mr. Mulcahy asked if the addition is bigger than the existing house. Mr. Glover said it looks like it is the same size. Mr. McGoldrick adds the existing breeze way and garage also contributes to the size on the plan. The living space calculation was not provided. Mr. Rosen noted if the appellant is adding more than 50% living space, it would be considered a Variance. He suggested the hearing be continued to the next meeting to be able to gather this information. Mr. Glover asked if they could have a few minutes to gather some calculations.

Mr. Glover noted one plan would be an increase of 33% and the other plan would be an increase of 32% additional. Mr. Rosen asked which one they would be going with. Ms. Hearson noted she wants to proceed with the gable front plan.

Mr. George moved to grant the Special Permit. Mr. Mulcahy seconded. The Motion was granted.

Hearing 6:

**152 Main Street – India Society of Worcester, Inc.
Parking Variance – Section VII-D-c**

Mr. Rosen read the legal notice into record. Other acting Board members included Mr. George, Ms. Cossette, Ms. Lynch and Mr. Mulcahy.

The appellant, Ashish Cowlagi, was present, along with Richard Ricker representing the appellant. Attorney Ricker explained they are looking for a reduction in parking spaces due to the addition that is proposed. They have been in this property since the early 1990's and have many activities that go on in the facility. They now need a larger facility. The diagram given shows the addition in the rear is split down the middle with a hallway. The partitions for the classroom space is intended for an average of 15 students per class. The partitions are removable and therefore the use is considered "place of assembly". When large functions are held, they rent out other sites, such as Oak Middle School in Shrewsbury. The class sizes will change depending on what type of class is held with the rooms rearranged accordingly. There is existing storm water management on the right side of the building in conjunction with the large slope limiting the property.

Mr. Rosen and Mr. Mulcahy asked if a variance would be required if the partitions were not removable. Attorney Ricker noted he believed they would still require relief. Mr. George asked how many spaces they are asking for relief from. Attorney Ricker noted it would be 41 of the 191 required spaces.

Mr. George asked if there is any drainage on the property and if the gazebo could be moved to the other side of the building. Attorney Ricker noted the only drain water management is the basin on the property and that the gazebo cannot be moved to the side due to the existing slope. Mr. Mulcahy asked if the new space will be used for large events. Attorney Ricker stated they will rent out space if they are going to have large events.

Mr. George moved to grant the Variance with conditions. Mr. Mulcahy seconded. The Motion was granted.

Hearing 7:

**151 Hartford Turnpike – Bees LLC c/o PMI., Shrewsbury Street, Worcester, MA
Special Permit – Section IV-B**

Mr. Rosen read the legal notice into record. Other acting Board members included Mr. George, Ms. Cossette, Ms. Lynch and Mr. Mulcahy.

The appellants were not present. Mr. McGoldrick stated there was an email requesting to continue this hearing to the next meeting.

Ms. Lynch moved to continue the hearing to March 25, 2019 meeting. Mr. Mulcahy seconded. The Motion was granted.

Hearing 8:

939 Boston Turnpike – Pharmacannis Massachusetts, Inc., 1010 Lake St, 2nd Floor, Oak Park, IL

Variance – Section VII- T.4

Special Permit – Section IV-A

Mr. Rosen read the legal notice into record. Other acting Board members included Mr. George, Ms. Cossette, Ms. Lynch and Mr. Mulcahy.

The appellants, Shelley Stormell and Matthew Levine, along with Donna Reidy representing the appellants, were present. Attorney Gould has requested a continuance on the Special Permit portion until the next meeting. Ms. Reidy explained they are proposing to build a licensed marijuana dispensary within 500 feet of a licensed daycare facility. The subject property is on the westbound side of Route 9, a divided highway, and is across the street from the daycare facility, located at 910 Boston Turnpike. There is no pedestrian crossing or access to cross up and down Route 9 for up to a mile or mile and a half either way.

Mr. Levine explained they have an adult medical and recreational facility already open in Wareham which is a much smaller facility. Mr. Levine clarified there is no consumption proposed on the property. The applicants noted an email from Heather Evans, stating she does not have any concerns about the facility locating there. The facility would not be visible to the daycare as the entrance to the facility would face away from Route 9.

Ms. Cossette asked to clarify the intent of the bylaw Mr. McGoldrick noted he did not want to presume too much of the intent, but his understanding was that the 500 foot restriction is to limit any type of marijuana use from locating in close proximity to an existing daycare or school facility. The restriction on distance does not apply if a marijuana facility was existing and a daycare facility wanted to move to a location within the 500 feet.

Mohamad Chehadeh, 41 Lebeaux Drive, explained he has three children who stand at a bus stop about 100 feet from the facility. He stated he is not in support of the proposal.

Ashish Cowlagi, 25 Whippoorwill Drive, suggested the Board should disregard the email from the owner of the daycare facility, since they are not the party that would be affected or harmed. Mr. Rosen explained the Variance is specifically for the daycare within the 500 feet of the proposal. Mr. Cowlagi represented he believes the parents that bring their children to the daycare facility will be the ones being harmed.

Ms. Lynch moved to continue the Special Permit to the next meeting, March 25th. Mr. Mulcahy seconded. The motion was granted.

Ms. Lynch moved to approve the Variance. Ms. Cossette seconded. The Motion was granted.

Correspondence: None

Mr. George moved to adjourn the meeting. Ms. Lynch seconded. The meeting adjourned at 7:53 PM.

Respectfully submitted by



Kristen Rupolo, Administrative Assistant

Reviewed by



Christopher McGoldrick, Assistant Town Planner