

**Zoning Board of Appeals Minutes
June 13, 2018**

Attendees:

Present: Anthony Aveni, Chairman; Gerry Chipman, Member; Brian Heath, Member; Michael Mainvielle, Member; and Anna Klimas, Associate Member

Staff Present: Jennifer Burke, Director of Community and Economic Development

Lyman Place/Off Bedford Street – Appeal of Building Inspector's Decision

Mr. Anthony Aveni, opened the continued hearing and Mr. Silva asked to table the discussions pending the application for the Use Variance request for the same address, on the agenda for 7:05pm. Mr. Gerald Chipman, Member, made a motion to table the discussions. Mr. Brian Heath, Member, seconded the motion. VOTE: All in favor, none opposed.

Mr. Silva requested that the petition be continued to August 8, 2018 pending the end of the appeal period of the newly granted use variance.

Gerald Chipman, Member, motioned to accept the continuation request and continued the hearing to August 8, 2018. Mr. Brian Heath, Member, second the motion. The vote was unanimous.

Lyman Place/Off Bedford Street – Request for Use Variance under Section 6.30.A.1

Mr. Anthony Aveni, Chair, opened the public hearing on an application filed by Lawrence P. Silva (Representative), 1615 Bedford Street, Bridgewater, MA 02346 seeking a Use Variance under § 6.30.A.1 (detached single-family dwellings) of the Bridgewater Zoning By-laws. Petitioner is seeking relief allowing the construction and maintenance of detached single-family residences in the South Business district. Said property is owned by Saw Realty Trust, JZ Realty Trust, Walter Zaverucha Jr. and Robert Zaverucha and is located at Lyman Place and Off Bedford Street, Bridgewater, MA as shown on Assessor's Map 111, Parcel 39, 15; Map 112, Parcel 2. Area is currently zoned Residential A/B and South Business District. Notices of the hearing was mailed to all abutters and parties of interest as required by statute and was published in The Enterprise on May 30, 2018 and June 6, 2018. Notice was also posted on the Town Hall bulletin board and a copy was given to the Town Clerk.

Board members present, and voting were Anthony Aveni, Chairman; Mr. Brian Heath, Member; and Gerald Chipman, Member. Ms. Anna Klimas, Associate Member, was present but not voting. Michael Mainvielle, Associate Member was absent. The application was filed with the Town Clerk on May 4 2018. The abutter's listing is public record, therefore, Gerald Chipman, Member, motioned to waive the reading of the abutters list and Brian Heath, Member, second the motion. The vote was unanimous.

A letter dated July 27, 2016 from Michael White; Inspector of Buildings/Zoning Enforcement Officer to Mr. Silva Engineering Associates was reviewed by the Board and read into the record. It stated the following: *"The Inspectional Services Department has reviewed the information provided to us for a conceptual nine (9) lot subdivision located off Lyman Place, Map 111 Lot 39 & 15 & Map 112 Lot 2 for a written determination. Our findings are as such: 1) This property is Transects the Residential A/B and South Business District zoning areas. 2) All nine proposed house lots are partially or totally in the South Business District, 3) Per section 6.30.A.1 — "Detached dwelling on a separate lot occupied by not more than one family" Single family units are not allowed in the South Business District. If you wish to pursue this conceptual plan you will be required to obtain a use variance from the Bridgewater Zoning Board of Appeals for relief of section 6.30.A.1 of the Town of Bridgewater's Zoning Regulations. You have the right to appeal this decision to the Zoning Board of Appeals within thirty days of receipt of this letter. If you have any other questions or concerns, please contact me at my office."*

A letter dated June 11, 2018 from Jennifer Burke, Community and Economic Development Director to Mr. Silva Engineering Associates was reviewed by the Board and read into the record. It stated the following: *"I have performed a review of the plans and the application documents submitted with the use variance application for the above*

referenced location. The application seeks to allow residential development within the South Business District (SBD) which is not currently allowed in that district. Based on my review of the application, I submit the following comments for your consideration: 1) Residential Use is not an allowed use in the SBD zoning district. 2) While I might agree that residential use is the best option for the land in question, I disagree with the need for a use variance. 3) A use variance does not change the underlying zoning of the land. Therefore, it is possible under a use variance to have a subdivision for residential use but have one lot converted to the underlying business zoning which would result in a business in the middle of the subdivision. While I don't believe that is the intent of the Applicant/Developer in this case, I would caution the Board to consider the possibility if the property was sold, etc. 4) The Applicant has also submitted an amendment to the zoning ordinance that also addresses this issue. The Planning Board and Community & Economic Development Committee will be holding a joint hearing on this issue on June 20, 2018. From a planning perspective, I believe this is the appropriate method for achieving the Applicant's goals. 5) At this time, I would ask that the Board of Appeals not act on the use variance until the parallel application for a zoning amendment has been acted upon. Please do not hesitate to contact me if you have any questions."

Mr. Silva stated that the use variance was granted in 2016, and the applicant began work on securing the necessary permits to build the project including perc tests and soil tests that were witnessed by the Board of Health and the Town Engineer. Mr. Silva stated that things went through land court because some of the land was registered, and some was unregistered. Mr. Silva stated that once the land matter was resolved, the applicant filed with the Planning Board for site development, as well as a filing with Conservation Commission. It was during the Planning Board process that the applicant was told that the variance had expired, which has necessitated the applicant to re-file with the Zoning Board of Appeals. Mr. Lawrence Silva, PE, representing the applicant, made a presentation to the Board, explaining that the scope of the project as depicted at on engineered plans presented dated July 12, 2016 entitled "Conceptual Plan" as prepared for Robert Zaverucha, and "Attachment Plan, Request for Use Variance" and prepared by Silva Engineering Associates, P.C., 1615 Bedford Street, Bridgewater, MA 02324 presented to the Board for review. Mr. Silva explained the history and topography of the parcel. Mr. Silva reviewed the proposed project was for a single-family residential development. The three properties extend from Lyman Place at Keith Place easterly to Bedford Street, much of the total land area is wetland making access to the useable upland area from Bedford Street infeasible. Mr. Silva stated that the establishment of the SBD zoning district was based upon the notion that large tracts of land fronting on Bedford Street might be developed if the zone depth was made 1600 feet deep. The idea had merit but the presence of extensive areas of wetlands along Bedford Street limited the potential for large commercial developments. Bedford Park was the only development along this stretch that extended a sizable distance westerly from Bedford. Most other areas have extensive wetlands or are in proximity to the Saw Mill Brook. The majority of the useable upland on the subject site, is adjacent to Keith Place and Lyman Place where a stub was left for Lyman Place to be extended. Recent changes to the zoning bylaws sought to place hard boundaries between the various zones, raising the bar for justification of residential uses within the Industrial and Business zones. It is for this reason that this request before you is for a variance and not a special permit. The specific location where a use variance is requested is shown on the attached plan. This plan also identifies a number of single family house sites along Keith and Lyman Place. The proposed subdivision area is entirely residential in nature and approval of this use in this location would be in keeping with the character of the neighborhood. The uplands shape is narrow, a thin strip of useable land that runs parallel to the extension of Lyman Place. The topography of the land is limiting, as well, since the useable area is restricted because of the 50' wetland setback to a structure, a bylaw unique to Bridgewater. The remaining land in the SBD will be transferred to Kravitz for use in conjunction with his cranberry bog operation. The land transfer will allow for there to be a connection between the two properties that are currently owned by Kravitz and will make use of the potential wetland crossing to Bedford Street if needed to grow the business use. That would not be possible without this land swap therefore granting of the variance will also further the potential for agricultural and business use with access to Bedford Street.

Mr. Silva stated that the most appropriate use of this portion of this property is for single family homes given the nature of the neighborhood, shape of the available upland, and topography of the land. Granting of the use variance would be in keeping with the intent of the zoning bylaws and for the public good, especially those residents along Keith and Lyman Place. I ask that you vote to grant the requested use variances which would not derogate from the intent of the bylaw. The alternative use of the property for commercial venues that are allowed in the South Business District (SBD) would require access through residential neighborhoods. That impact would be far greater than the impacts of nine homes which would be buffered from existing homes by the wetlands.

Mr. Brian Heath, Member, asked what the timeline would be for the potential zoning change to be approved through the Town Council. Mr. Silva stated that it could potentially take three to four months for a zoning change to be approved through the process.

Jamel Lee an abutter residing at 98 Lyman Place asked for clarification of the requested variance. Mr. Aveni explained the nature of a variance.

Mr. Robert Ohman, an abutter residing at 80 Lyman Place, spoke in support of the project.

The Board reviewed and discussed all the facts as presented by the applicant and there were no further comments or concerns. The hearing was closed. Mr. Gerald Chipman, Member, made a motion to approve the Use Variance under Section 6.30.A.1 of the Bridgewater Zoning By-laws to allow the construction of single family homes that will meet Residential A/B zoning requirements as depicted on engineered plan presented dated September 6, 2016 and entitled "Attachment Plan – Request for a Use Variance" for 9.5 acres as prepared by Silva Engineering Associates, PC. Mr. Brian Heath, Member, seconded the motion. The vote was recorded as follows: Anthony Aveni – in the affirmative; Brian Heath – in the affirmative; and Gerald Chipman – in the affirmative. The reasons for granting the variance were the fact that there was a prior approval of the project, that lapsed, the most appropriate use of this portion of the property is for single family homes given the nature of the neighborhood, it will not be a detrimental to the neighborhood, as evident in the support of the abutters, and the proposed use does not derogate from the intent of the by-law. The use variance was conditioned so that no commercial or industrial uses shall be allowed on the proposed lots indefinitely and shall follow the Residential A/B zoning requirements.

81 Grove Street – Use Variance 6.30.4

Mr. Anthony Aveni, Chairman, opened the public hearing The Zoning Board of Appeals will hold a Public Hearing on June 13, 2018 at 7:15pm on the second floor of the Municipal Office Building located at 66 Central Square, Bridgewater, MA to review an application filed by James Paskell, 51 Thorney Meadow Lane, Hanover, MA 02339. Applicant proposes to construct 36 townhouses. A use variance from Section 6.30.4 of the Bridgewater Zoning Bylaws is requested. Said property is owned by West Point Realty, 51 Thorney Meadow Lane, Hanover, MA 02339 and is located at 81 Grove St, Bridgewater, MA as shown on Assessor's Map 34, Parcel 165. Area is zoned Residential D. Notices of the hearing was mailed to all abutters and parties of interest as required by statute and was published in The Enterprise on May 30, 2018 and June 6, 2018. Notice was also posted on the Town Hall bulletin board and a copy was given to the Town Clerk.

Board members present, and voting were Anthony Aveni, Chairman; Mr. Brian Heath, Member; and Gerald Chipman, Member. Ms. Anna Klimas, Associate Member, was present but not voting. Michael Mainvielle, Associate Member was absent. The application was filed with the Town Clerk on May 2, 2018. The abutter's listing is public record, therefore, Gerald Chipman, Member, motioned to waive the reading of the abutters list and Brian Heath, Member, second the motion. The vote was unanimous.

Mr. Troy Clarkson, Clarkson Consulting LLC, representing the applicant, Mr. James Paskell, noted for the record that on June 13, 2018, he received an email from Mr. Azu Etoniru, Town Engineer, outlining several concerns regarding the proposed project. Mr. Clarkson requested that after a presentation of the proposed project, the hearing be continued to allow time to address the concerns raised.

Mr. Anthony Aveni, Chairman, as a point of reference to those present, reviewed and read into the record the email dated June 13, 2018 from Azu Etoniru, PE, PLS, Town Engineering, Community and Economic Development Department, to Jane Brown, Administrative Assistant, Zoning Board of Appeals, and read it into the record, it stated the following:

"This office has performed a preliminary/cursory review of the application for a variance filed by James Paskell for the development of 36 townhouse residential units at the above subject location. The following represent my initial review comments on the application: 1, the site plan does not contain adequate cadastral and topographic data that will provide for a thorough review and assessment/evaluation of the development's impacts; 2, the site plan includes land boundary data and street line information (intersection angles, etc.) that have not been prepared/provided by a land surveyor registered in the Commonwealth, as evidenced by the absence of a surveyor's seal and signature, and as such, the site plan can neither be relied upon for evaluating any compliance with zoning setback requirements, nor relied upon to corroborate the setback distances reflected thereon; 3, there are jurisdictional wetlands resources that could restrict/limit the proposed development but they have not been delineated and shown on the site plan; 4, stormwater impact of the proposed development has not been assessed/evaluated and it could be highly consequential; 5, potential traffic impact of the development has not been properly characterized; 6, impact of the proposed development on public infrastructure (including, but not limited to sanitary sewer and water supply) has not been evaluated, and any potential mitigation has not been articulated; 7, the requested variance(s) has no merit, and cannot be supported by any of the key elements provided under the Zoning Act (M.G.L. Ch. 40A, as amended) because the applicant has not demonstrated any hardship on the land, there is no information on the limitations of soils and topography that is unique to the site, and the proposed development far exceeds the intensity that is allowed under the Zoning District; and it is inconsistent with the zoning and not in harmony with the character of the neighborhood. The only potential mechanism that could possibly be explored by the applicant for the level of development being sought is a Chapter 40B application. In sum, I find no rationale that would support the applicant's variance petition at this time. Please do not hesitate to contact this office should the Board have any questions or require additional information."

Mr. Anthony Aveni, Chairman, also reviewed and read into the record the email dated June 11, 2018 from Patrick O. Driscoll, Chairman, Planning Board, and Jennifer Burke, Community and Economic Development Department Director, to the Zoning Board of Appeals and read it into the record, it stated the following:

"The Bridgewater Planning Board (BPB) and its staff have performed a preliminary review of the plans and the application documents submitted with the use variance application for the above referenced location. The application seeks to develop 36 townhouse units on approximately 1.75 acres of land in the residential D (RD) zoning district. Based on our initial review of the application, the BPB wishes to submit the following comments for your consideration: 1) Multi-family dwelling(s) is not an allowed use in the RD zoning district. The proposed use is inconsistent with the character of the neighborhood. 2) The minimum lot area required for a single-family dwelling is 18,500 S.F., and a minimum of 10,000 S.F. per dwelling unit is required for a 2-family use. Assuming the project site is 1.75 acres (76,230 S.F.), the proposed 36-unit development would yield a density of 2,117.5 S.F. per dwelling unit, a significant increase in density over what is allowed for both single family development and 2-family development. 3) The existing parcel contains a preexisting nonconforming 4 unit dwelling which could be rehabbed or redeveloped. The parcel could also be subdivided to potentially yield more lots. 4) The project as proposed not only requires the use variance as submitted but will also require variances for Section 4.4— Not more than one principal building on each lot; Section 8.3 — The distance between the nearest parts of each building shall not be less than 20 feet; 8.4 — Land Space Requirements for minimum lot size & area per dwelling unit, maximum % building coverage, maximum building height, front, side & rear yard setbacks; 10.7 — off street loading requirements. 5) The maximum allowed building height is three stories; two four-story buildings are proposed. The massing and scale of the proposed buildings are out of context with the surrounding neighborhood. 6) The applicant has only submitted an architectural site plan which does not show items typically looked at addressed during the permitting process including but not limited to site lighting, stormwater management, traffic, parking lot design, utilities, landscaping and elevations. These items would normally be considered under site plan review. 7) Site lighting plan has not been provided to demonstrate that glare on abutting lands would not result from the proposed development. The Applicant should provide a photometric plan for review. 8) Impact on the town's water supply and the sanitary sewer systems have not been adequately addressed. As you know significant residential growth in Bridgewater continues to stress the existing infrastructure. All town services are under increasing pressure to perform at higher levels with limited resources that continue to dwindle. 9) No storm water management design analysis has been provided, and the impact of the proposed connection to the town's drainage system has not been evaluated; and any existing system inadequacies have not been assessed. The BPB recommends strict compliance with the Town's storm water regulations and that all storm water management should be handled on site and not as part of the Town's drainage system. 10) No proposed landscaping plan has been prepared by a Registered Landscape architect. 11) No traffic impact study has been provided. 12) No engineered site plan has been provided. 13) Building elevations have not been provided. 14) The BPB recognizes the

difficult work done by the Board of Appeals and is aware that certain standards must be met in order to grant a use or dimensional variance. Specifically, "The board specifically finds that owing to circumstances of the soil conditions, shape, or topography of such land or structure and especially affecting such land or structure, but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of this bylaw would involve substantial hardship, financial or otherwise to the petitioner or appellant and that the desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the ordinance." The applicant has failed to prove any hardship as stated in the above criterion, to the soil, shape or topography, and one would argue that a site that currently is only zoned for a single family as of right, 36 housing units needing 6 use and dimensional variances certainly derogates from the zoning district and certainly nullifies just about all of our zoning ordinances. There is no hardship to grant this variance(s) request. The applicant lists physical location to a university, a nearby zoning district, market segment demand, and abutter support as hardships and a basis for supporting the project. This demand can be met by revitalizing or rebuilding the existing or a new 4 family structure as well as potentially seeking an additional lots(s) based on frontage and area. Again, no hardship exists to develop this property under the current zoning ordinance or Subdivision Rules and Regulations. 15) In addition to totally nullifying our zoning ordinance this would if not nullify, certainly compromise the: LIP/40b Process, Subdivision Control in the Town of Bridgewater. 16) The Applicant also mentions making a payment to the Town's Affordable Housing Trust. The BPB questions how the amount of this payment will be calculated. As you know the Town has not yet adopted inclusionary zoning and the formula for calculating these types of payments has not yet been determined. 17) At its meeting on June 6, 2018, the BPB voted unanimously to submit this letter to the Board and to ask the Board to not issue the use variance as requested. The foregoing numbered items represent our initial comments and concerns. We ask that the Board not grant the use variance and ask the Applicant to design a project that meets our ordinances, rules and regulations. Please do not hesitate to contact Jennifer Burke, Community & Economic Development Director if you have any questions."

Mr. Anthony Aveni, Chairman, reviewed an email dated June 1, 2018 from Rebekah and Jeffrey Caylor 38 Bedford Street, Bridgewater, MA 02324 to the Zoning Board of Appeals, and read it into the record, it stated the following:

"I am out of the country in Africa and cannot attend the hearing on June 13, 2018 in person. I respectfully request that this email be read into the official record. My husband I are homeowners at 38 Bedford St and received the notice about the request for a zoning bylaw variance from Mr. James Paskell of Hanover regarding his property at 81 Grove St. He is requesting 36 townhouse units in a Residential D zoned neighborhood on approximately 1 acre of land. My husband are adamantly opposed as this type of development and it is not allowed in a residential D zoned area; only single or 2 family homes are permitted, it does not fit the character of the neighborhood and will not meet set-backs of 35' from the front, 20' on each side and 30' from the rear as required. There is also no space for adequate parking spaces as there are 2 required per unit. Nor is there adequate space for snow removal or trash removal. I strongly urge the town deny any requests for such variance for this property now and in the future."

Mr. Troy Clarkson, Clarkson Consulting LLC, representing the applicant, Mr. James Paskell, gave a history of Mr. Paskell's investments in the Town of Bridgewater, and then read his narrative letter dated May 4, 2018 to the Zoning Board of Appeals in support of the Use Variance request to the Board. It stated the following:

"Background: Clarkson Consulting, LLC represents West Point Realty, LLC on a project on Grove Street in Bridgewater, MA. The parcel in question (Map 34, Parcel 165) consists of a proposed multi-unit dwelling development on approximately 1.75 acres. The property is adjacent to Bridgewater State University's (BSU's) Harrington Hall to the west, and is across from BSU's main building, Boyden Hall, to the north. The development is designed to provide much-needed housing for BSU's growing faculty, and to provide a housing option for BSU's graduate students. The South Shore Chamber of Commerce, in their recent report on housing and economic development, noted that, "The South Shore needs more housing with small footprints built near walkable, vibrant neighborhoods or near transit that will entice a young and diverse population to choose to build their lives here." This project does all of that. By creating a concentration of town homes adjacent to the campus, we will create an appropriate adjacent use that will benefit the University and fill a currently unmet need, while significantly increasing the financial benefit of this underutilized property to the town. The Town of Bridgewater sets forth three criteria for the granting of a variance: 1) Facts to support that there is a hardship to the land; 2) Facts to support that the request would be without substantial detriment to the public good; and 3) Facts to support that there would be no substantial derogation from the intent and purpose of the zoning bylaw. This memo is intended to support all three criteria. Facts to support there is a hardship: This parcel is the largest non-University owned parcel in the area. As noted above, BSU properties border the property to the north and east, while the commercial operation of the Prophet, Chapman, Cole & Gleason funeral home is the primary abutter to the south. To the west, one town-owned parcel encompasses most of the property line, in addition to several small parcels of

less than one-half acre. Simply put, this parcel has many adjacent dense and intense uses. The hardship that actually exists is a community hardship. The University has few options for housing for graduate students and new faculty. They are increasing their faculty and have few options for updated, modern housing in proximity to the campus. The University supports this proposal to provide that option. In addition, a hardship is created by the limits of the Central Business District (CBD) itself. In a practical sense, the business or commercial hub of Bridgewater encompasses the University Campus and the surrounding properties, as its students and employees are important pieces of Bridgewater's economic puzzle. The University — and this parcel — are steps away from the current boundaries of the CBD, creating a hardship for those parcels, this one in particular, who are in the environs but do not enjoy the benefit of the density and the zoning in the CBD. In fact, in the town's Downtown Revitalization Plan prepared by the Cecil Group in 2014, this parcel was included in a map of recommended 'Focus Areas for Investment.' Facts to support the request would be without substantial detriment — To the contrary, the request would enhance the area, providing well-maintained housing and provide a significant tax revenue benefit to the town. On the issue of 'spot zoning', the aforementioned explanation of the surrounding uses and the singular nature of this parcel's dilemma support a use more similar to the surrounding parcels than the smaller, more distant ones. This project is also part of an overall revitalization effort undertaken by West Point Realty, which will invest nearly \$30 million in the Central Business District and this parcel, upgrading several properties in an attempt to both revitalize and provide necessary upgrades to the Central Business District. The addition of these townhomes will provide citizens with sustainable incomes to support the businesses that will be coming to Broad Street. Since the neighboring parcels to this one are either academic or commercial uses in three directions, the development of dense housing appears to be both appropriate and necessary. The proposed density of 18 units per acre is specifically designed to be consistent with the nearby Central Business District. In addition, this proposal fits within several goals of the town's housing production plan, namely: "Create, maintain, and preserve affordable multi-family housing units in the downtown." Although not constructed under an affordable statute, this project will enhance affordable development through "in-lieu of" payments as noted below; and "Leverage existing funding sources (CPA Funds and In-Lieu of Payments from the Inclusionary Zoning Requirement)" — we plan to make a donation per unit to the town's affordable housing trust. In short, this development would enhance the town's efforts for both downtown revitalization and affordable development, while filling a critical need for this type of housing. It will have enduring benefits for the town. Facts to support no substantial derogation from the intent and purpose of the bylaw — In 2013, The Town Council adopted Section 19 of the Zoning Bylaw, specifically to encourage dense development in the Central Business District and attract pedestrian-scale shoppers and investment in this particular region of town, as well as to adapt to changing household sizes and types. The purpose of the section, as noted in the bylaw, is to, "allow for the redevelopment of the Central Business District to expand small retail and restaurant uses while providing flexibility to respond to changing household sizes and needs." This parcel is both nearby that area of investment focus, and, as stated earlier, adjacent to other dense and intense uses. The typical use and density in the Residence D district does not overtly consider the uses at BSU, nor does it take into account this particular parcel, which many already believe to be part of the University property because of its strategic location."

Mr. Tim Johnson, Project Architect, Tim Johnson Architect, LLC, 190 Old Colony Avenue, Boston, MA, representing the applicant, made a presentation to the Board, explaining that the scope of the project as depicted on engineered plans presented dated April 30, 2018 entitled "Architectural Site Plan" for the proposed 36 townhouse residential development, with 72 Parking Spaces, 81 Grove Street, Bridgewater, MA. Mr. Johnson noted that all the parking will be shielded from view from the road, and in underground parking. The proposed townhouses will be 4 bedroom, 3 ½ bath units, and will stretch energy code, and the lighting will be shielded. Mr. Johnson reviewed the discrepancies of the proposed project, vs the zoning district requirements. Discussed the landscaping and facade of the proposed dwellings.

Ms. Roberta Sapphire, 45 Bedford Street, expressed her concerns regarding the project.

Mr. James Moore, 70 Grove Street, expressed his concerns regarding the project and any impact from wetlands in the rear of the parcel, and also noted concerns regarding the traffic. Philosophically not opposed to somebody developing their land, but this particular project is a huge change for the neighborhood and would be a hard fit.

Mr. Mark Chapman, Prophet Funeral Home, stated that there are wetlands at the rear of the parcel after it rains. Mr. Aveni stated that the Town Engineer would look at that issue. Mr. Anthony Aveni, Chair, noted that there are many concerns regards in this project that would be addressed.

Ms. Ann Wood, who stated that she owns property directly across the street, discussed her concerns regarding traffic and accidents and the impact on the neighborhood.

Ms. Shannon Schofield, abutter residing at 109 Maple Avenue, expressed her concern regarding the proposed project, in particular, wetland issues and stormwater management plans, the impact on the sewer system, parking and traffic and aesthetics of how it fits into the neighborhood.

Mr. Robert Wood, 60 Forest Street, noted for the record that there are a significant amount of accidents on Grove Street and Bedford Street intersection and expressed his concern for the potential increased traffic, and snow removal.

Mr. Tom St. Thomas, abutter residing at 21 School Street, expressed his concern regarding the density of the proposed project.

Mr. Mark Chapman, owner of Prophet Funeral Home, stated that he would be in favor of the project, but was concerned with the density and height of the proposed dwellings.

Mr. Robert Wallace, owner of 58 Bedford Street, stated that this memory stretches back to the 1938 hurricane, and spoke in strong opposition of the project.

Peter O'Connor, abutter residing at 60 Vera Drive, expressed his concern and opposition to the proposed project.

Ms. Joan Vernaglia, 92, Bedford Street, expressed her opposition regarding the proposed project.

Mr. Patrick Driscoll, 35 Stonehill Lane, spoke in opposition to the proposed project, stating that there is no hardship.

Mr. Steve Solari, Building Inspector/Zoning Enforcement, stated that his letter was specifically for a use variance for the number of units being requested, and nothing to do with a hardship to the land, dimensions or topography, and what is allowed by the Town of Bridgewater Residential D zoning district. Mr. Solari stated that the proposed project being presented this evening is completely different from what he reviewed at the time he wrote his zoning determination letter.

Mr. Anthony Aveni, agreed with Mr. Solari and stated that the proposed project does not make any sense and the only way they can get away with this type of density is through the 40B process, and wasn't sure how far this application was going to go, and stated that it would not be supported by him.

Mr. Aveni stated that the hearing can be continued to allow sufficient time for the applicant to address the issues raised by during the public hearing process, as well as in the letters and emails provided.

Mr. Gerald Chipman, Member, made a motion to accept the applicant's request to continue the hearing to July 25, 2018 at 7:00pm on the second floor of the Municipal Office Building located at 66 Central Square, Bridgewater, MA. Mr. Brian Heath, Member, seconded the motion. VOTE: All in favor, none opposed

Burrill Place Apartments 40B

Mr. Anthony Aveni, Chairman, opened the continued public hearing and reviewed an email dated June 1, 2018 from Geoff Engler, SEB LLC, 257 Hillside Avenue, Needham, MA to the Zoning Board of Appeals, and read it into the record, it stated the following:

"I am writing to respectfully request a continuance from the June 13th public hearing. A large portion of the June 13th public hearing was going to be dedicated to the review of our proposed stormwater management design. Despite our best efforts, we are not going to have a stormwater management plan ready in time to allow Nitsch adequate time to review the plan and prepare written comments. I have copied Steve Ventresca from Nitsch on this email. I would respectfully ask Steve how long he needs to review the stormwater plan, presuming he gets a full plan by June 13th. His input should help inform the ZBA on when to schedule the next public hearing. We submitted our revised traffic analysis as you know. But I do not believe it is an efficient use of the Board's time or the time of all the consultants and professionals to convene on the 13th just to review some supplemental traffic information. Traffic can easily be addressed (and hopefully closed out) the same evening that stormwater management gets discussed. In addition, by the next hearing, we hope to have a landscaping plan prepared by a landscape architect as well as some additional visuals in response to some of the Board's previous questions. We appreciate your understanding. We look forward to hearing from the ZBA about the next available date. Please let me know if you have any questions."

Mr. Gerald Chipman, Member, made a motion to accept the applicant's request and to continue the hearing to July 11, 2018 at 7:00pm on the second floor of the Municipal Office Building located at 66 Central Square, Bridgewater, MA. Mr. Brian Heath, Member, seconded the motion. VOTE: All in favor, none opposed

Zoning Board of Appeals Business

There was no board business for discussion.

Mr. Gerald Chipman, Member, made a motion to adjourn the regular meeting at 9:09pm. Mr. Brian Heath, Member, seconded the motion. VOTE: All in favor, none opposed. Chairman Anthony Aveni closed the meeting. Next Zoning Board of Appeals meeting will be held on June 27, 2018 at 7:00pm in the Council Chambers located on the second floor of the Municipal Office Building, 66 Central Square, Bridgewater.

Respectfully submitted,


Jane K. Brown
Administrative Assistant