



Georgetown Zoning Board of Appeals
Memorial Town Hall ♦ One Library Street ♦ Georgetown, MA 01833
Phone (978) 352-5742 ♦ Fax (978) 352-5725

MINUTES OF A PUBLIC HEARING
240 Andover Street/Twisdenwood Farm, Georgetown MA
ZBA File #16-06
Renewal of Special Permit/Transfer of Property

Board Members Present:

Gina Thibeault, Chairperson - GT
Jeff Moore, regular member - JM
Sharon Freeman, regular member - SF
Paul Shilhan, regular member - PS
Dave Kapnis, regular member - Absent
Shawn Deane, associate member – Voting this hearing - SD
David Twiss, associate member - Absent

Owner: Current Benjamin Bowden

Applicant present: Mark Tashjian (*P&S agreement with Bowden*)

*Board members are referred to in minutes by their initials.

GT opened the Hearing at 7:43pm, and read the Rules of Procedure paragraph.

PS read legal ad; An Application has been filed and will be heard on June 7, 2016 at 7:30pm at the Georgetown Town Hall 3rd Fl. Meeting Room at 7:30pm by Owner Benjamin Bowden/Twisdenwood Farm, LLC of 86 Lake Shore Rd, Boxford MA, 01921 and Applicant Mark Tashjian of 354 Highland St, S. Hamilton MA, 01936. The owner/applicants are requesting to renew a Special Permit for the use of a Public Stable and Riding Academy located at 240 Andover Street, Georgetown, MA, in the RC zone and identified on the Assessor's Map 5, Lot 5, as the previous Special Permit for the same use, ZBA File #98-11 will expire upon transfer of the property, under M.G. L. Chapter 40A, §9 and the Georgetown Zoning bylaws, Chapter 165 Sections 9, 74 -79. *ZBA File #16-06*

Applicants Presentation:

Mark Tashjian - I am in the process of purchasing the property and keeping it the exactly the same no new structures or changes, just taking it over from the Bowden's, and I know part of the requirement is to renew this permit.

Board Questions

No new correspondence was submitted.

JM – So this use required a special permit, so this is to transfer to the new owner per the previous decision that it shall lapse with any sale or transfer.

JM to Ben Bowden, you have been operating this use since 1998?

Jill Bowden – Yes.

JM – Any complaints about noise or anything? I know sometimes you have shows and you can hear the announcements a little down the street.

B. Bowden – The noise is calling riders to their class, announcements are just on shows, there is only one scheduled for this year, but nothing really it's been peaceful, a couple times I had to move the manure pile about 50 ft. to the east per the Board of Health. They have stable regulations which includes storage and removal of manure.

JM – What about parking?

B. Bowden – On a couple shows we had an issue, so we provided more parking on the back of the property, and the country club offered us some parking to keep cars off RT. 133.

Audience - None

Mickey Frackelton, 23 Baldpate Road - I would be glad to have the applicant purchase the farm/riding academy, the only thing is sometime the smell of horse manure, which has been resolved I just want to see if the new owner will continue to keep up on it. This year has been ok, so I would ask if Mr. Bowden has done something different.

B. Bowden – We addressed by using a 30 yard dumpster, I fill it, it gets taken every Monday.

The applicant stated he would not have an issue if any concerns came up he would address them.

PS – Do you think you will have more or less shows?

Mark T. - Maybe more they haven't done any shows lately, I don't have a huge amount of experience with horse show, so I don't envision right of the bat, doing 50 a year or anything like that, but a few more than what is going on now, and the noise and parking will be something we will be attentive of, it's mainly lessons, and polo practices, its' not like a bunch of trailers with a lot of horse.

PS – So more for lessons?

Mark T. – Yes lessons and some competitions, and things like that, a lot of what I do is polo related, so there would be matches that would involve about 8 people showing up in the back ring, it would not be a lot of people.

B. Bowden – We also have the indoor riding ring for the polo.

GT – So you can keep the manure as they do now with the dumpster.

Mark T. – Yes, I will keep it where Ben moved it to the side of the property.

JM – Do you have an issue with a condition with keeping parking off of RT 133?

Jill Bowden – We have not had parking on RT 133 in years, when we did, they were leasing it from us and was a large association, and they would provide police to monitor the traffic, they hired a bus, and we used parking with a shuttle with VRW and the country club, those where big shows.

JM – It seems like there is plenty of parking. We just don't want issues on 133. I don't think it's a big deal I just think we should look at it for conditions, and there are other conditions we should keep.

S. Deane asked about the fence on the old decision, shall install a fence on southeast boundary. Shawn reads the condition. Does that fence still exist?

B. Bowden – Yes we installed the fence, and the previous owner that we bought from had horses there that did trail run, there, but I did block it off, since then it's completely grown in, the fence I put up in 1998 is still there, there is no way in, I actually took another piece and went further across, it's impossible to get through, we have never had a horse get out.

SD to the board, can you carry over conditions?

JM – Yes, this is a renewal so we can put anything we want or take away.

SF – I want to ask about the apartment, is it still necessary, it's on the decision as a note, but not a condition.

JM – Is the apartment still there.

Mark T. – Yes, it's on the property for security, like a night watchman, and yes I would like to keep it as it is.

GT – Are you ok with us keeping that as a condition?

Mark T. – Yes.

Discussion on conditions on the apartment, manure, and to expire on sale or transfer.

Discussion followed on Manure.

Mark T. – It's more of the storage of it, so what Ben did was moved it to the side of the property in a more wooded area. Where it is now if fine, it's 19 acres and its find.

B. Bowden – Where the dumpster is now is fine. Farms have odors, and it depends where the wind blows.

GT – I don't think we can tell him he can manage the manure, they had.

Multiple audience and board speaking (section was inaudible)

More discussion on putting a condition on Manure or not.

Brief discussion with abutter Mickey Frackleton and Board of Health manure regulations and setbacks.

B. Bowden – One time I called the Board of Health and they come down and they check it out, and we did move it once to appease a neighbor.

SD – I would think the new owners would make their best efforts, I would keep the other two conditions, of the apartment and on sale or transfer expiration. Decided not to condition the manure or parking.

After brief discussion motion was made by SD.

Motion – S. Deane- I move to Grant to the Applicant, Mark Tashjian of 354 Highland Street, Hamilton, MA, who has a Purchase & Sale agreement with current Owner Benjamin Bowden of Boxford, MA for the property located at 240 Andover Street, in the RC district and identified on the Assessor's Map 5, Lot 5, Georgetown MA, a Special Permit for a renewal of a previous Special Permit ZBA #98-11 for the same use of a Public Stable and Riding Academy as it was conditioned to expire upon sale/transfer of ownership, under M.G. L. Chapter 40A, § 9 and the Georgetown Zoning bylaws, Chapter 165 Sections 9, 74 -79.

S. Deane - I Further move that the application for 240 Andover Street, that the Board find the **use** as required by the Georgetown Zoning Bylaw, Chapter 165, Section 79 is essential or desirable to the public convenience or welfare, will not overload any public water or other municipal system so as to unduly subject any area to hazards affecting health, safety or the general welfare, and will not impair the integrity or character of the district or adjoining districts, and will not cause an excess of that particular use which could be detrimental to the character of the neighborhood.

With the Following Conditions:

1. This special permit shall expire upon any subsequent Transfer or sale of property and the new owner shall come back to the Zoning Board of Appeals for a new special permit.
2. The existing apartment for Security of the Stables shall remain as such and shall not be rented to persons not directly involved with the security of the Stables and property.

Seconded by SF, no further discussion.

GT asked Board, All in Favor. All answered yes. Motion carried unanimously 5-0.

Special Permit Granted with Conditions.

GT - The Zoning clerk has 14 days to file a decision any appeal of this decision shall be made pursuant to Massachusetts General Laws Chapter 40A, Section 17, within 20 days after the date the notice of decision was filed with the Town Clerk. An applicant may file this decision before the 20 days but does so at their own risk.

Motion – SF/-PS - I make a motion to close the hearing on 240 Andover Street, all in favor. Motion carried.

Patty Pitari
Zoning Administrative Assistant

Approved 7-12-16 Business meeting