



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

ZBA File #19-05

Special Permit

4 Carleton Drive, Georgetown MA

March 5, 2019 at 7:30pm

Board Members Present:

Shawn Deane, Chairman, regular member
Jeff Moore, regular member
Paul Shilhan, regular member
Dave Kapnis, regular member - Absent
Gina Thibeault, regular member
Sharon Freeman, associate member
David Twiss, associate member - Voting

Zoning Clerk: Patty Pitari

Applicant (s) present: Representative for applicant, Richard William, Williams & Sparages

Brian D'Arcangelo of Cambridgeport Air Systems

Scott Mennino, Manager – Cambridgeport Air Systems

Scott Cameron of Morin-Cameron

**Note Board Member are referenced by their initials, Brian D'Arcangelo (BD of Cambridgeport Air), S. Mennino (SM) Scott Cameron (SC), engineer, Richard Williams, (RW)*

Chairman **Shawn Deane** opened the hearing at 7:40pm, and introduced the board members.

SD read legal ad; A Public Hearing will be held on March 5, 2019, at 7:30pm at the Georgetown Town all 3rd Fl. Meeting Room, for an application filed by Owners and Applicants: John Desmond, & Thomasin J. Berry Trustees of the Salisbury Realty Trust/Cox Engineering, 21 Pacella Park Drive, Randolph, MA, 02368, DBA as Cambridgeport Air Systems located at 4 Carleton Drive, Georgetown MA 01833, in the IB district and identified on Assessor's Map 15, Lot 44. The applicant requires a Special Permit under; M.G. L. Chapter 40A, § 9, & the Georgetown Zoning Bylaws, Chapter 165 § 7, 9, 11, & 74-79, for a use not specifically listed in the Schedule of Uses in conformance with 165-9. To install a 81 ft. x 120 ft. Accessory Storage building (being a Fabric Quonset Hut, with metal frame). Also found on the website for: MA Newspaper Publishers Association (MNPA) masspublicnotices.org.

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Applicants Presentation:

R. Williams, Civil Engineer – Took the board through the project, this is for an accessory structure, he presents plan, pointing out on the plans location of structure and parking etc. The proposal is to construct an accessory building which is located off of the back of the existing pavement, between the pavement and the existing storm water management area, there is storm water pond over that wraps around, the building would be accessed from the back parking lot, there would be a small portion of pavement that will allow access to the storage building proposed. The storage facility will sit approximately 157 ft. behind the existing manufacturing building as shown on the accompanying plans.

The current IB zone does not list an accessory use in the Use Regulations Schedule, a special permit from this board will be required for a use not specifically listed in the Schedule of uses, so we are here and we will also need to go for Site Plan Approval, There will not be any storage of hazardous or toxic materials as listed under prohibited or Special permit uses defined in Chapter 165, Article V. 165-29-38 and will not require a Water Resource Special permit, per the building inspector.

BD of Cambridgeport Air systems stated we are a manufacturer of HVAC accessories primary rooftop units, for industrial and commercial uses. Our proposal is to install and 81 ft. X 120 ft. Quonset hut for the storage of HVAC finished goods and some lumber used for palletizing and shipping. It strictly storage, and the reason we are asking for that is because we need more storage, all our space in main building I taken up with manufacturing.

SM of Cambridgeport stated - The Quonset hut is made of a high durable cloth material over a metal framework and trusses. The framework and trusses are anchored by a series of metal storage containers.

S. Deane – Is it open or is there a door. SM – There is a door that shuts on the front of it.
SD asked if you can lock it. SM – Yes.

GT asked if it is on the ground or if there is a bottom.

BD – If you look at the picture, it will sit like that except longer.

SM – No foundation systems it's just sits on those boxes (shipping containers), those are placed on the ground and the fabric system is built on those.

GT – It's almost like a tent.

DT is it a permanent structure.

BD – I was told if it doesn't move it's a permanent structure by the building inspector.

Brian D. there was not good picture of what exactly we are doing so 3, 20 footer, this building is 120

GT how tall is this? We will do pavement or something inside the tent.

RW– Height is 30ft.

PS - Are you changing storm water runoff with this?

R. Williams, stated we will do this with planning, we will have impervious pavement, he shows on plan. We have a drainage study, we have crushed stone aprons on both sides.

SD – What size, the pictures look different.

BD – It is the one picture is 8 x 20 Ft. long but 3 containers long, there was no good picture of what we are doing. So 120 ft. long.

RW- We are within the setbacks.

SF – what kind of work and what going in and out.

BD – during the day, not 8 hrs. a day and truck is propane so it's quiet.

Audience

Joe Tirone & Michelle Tirone of 2 Carleton Drive were in attendance and had concerns regarding noise and vibrations from the property, including truck noise, banging, back up alarms and such, mostly from loading and unloading trucks. Ms. Amy Smith of 1 Katie Lane and Janet Talbot of 35 Tenney Street had concerns regarding the exterior lighting on the property which is visible from their homes.

JM should this be approved lighting, etc. will be under jurisdiction of Planning board.

Joe Tirone – Thinks they have 3 Shifts.

BD – There should not be noise at night, we run 2 shifts not 3.

JM – This is light industry, this type of work sounds like operational issues that may be worked out with building inspector must be confined to the property, so I would recommend the abutter keep an eye on this, and if this continues see the building inspector.

JM – Did you install any lighting when you moved it?

BD we did some coming in just if a truck is late its pitch black.

JM – Will they be painted? BD they are blue, we have not thought about that.

Discussion on lighting that will go to planning board.

SF asked about existing lighting.

JM my personal take is the concerns of abutter, I hope it doesn't exasperate, I would suggest you look into, the planning board will deal with that. It's not the most attractive storage units. I drove by I think the location a couple of times, I don't think the general public will be able to see, its below existing building, you have everything outside now, but where it is located it seems reasonable. Are you storing finished materials and raw materials?

BD – Lumber as far as raw that's it.

JM you would be loading from your dock during the day.... BD – Yes.

DT can we limit when?

JM – The board can condition operating hours.

DT – My sense it they would work with the neighbors and maybe fix some of this stuff before they see planning board. I don't see an issue, you can't see from road, and height is ok, I would like to alleviate any future complaints, we can limit to like 6- 6:30pm

Scott Mennino – we don't get deliveries that late.

BD – We had a delivery guy show up on Tuesday night, and was supposed to come Wed during the day.

JM – If there are trucks parked and idling on Carleton drive... GT call police

GT – It may be people coming off RT 95 just resting.

JM –how late to you tell them to come for delivering we always say 3:30 – 4pm, we can stipulate maybe 6pm. would you agree no deliveries to the facilities before say 6am – 6pm

SM – Yes.

PS – I would hesitate putting limitations on it because it tends to limit other activity to continue their hammering, or whatever they do. You still need to go to planning, you're on the radar now, and delivery will be address this with lighting. JM – but we can condition hours.

You can see building inspector, and going to planning. The noise issue you're going to address, I think if we put limitation on hours, it might mess with it.

JM – Planning will be looking at lighting, landscaping. Etc.
Gt can we condition their business if they just want a storage shed.

JM it's an accessory use, it's not in bylaw, so we would could condition hours.
JM – No fabrication done outside. BD – NO.

Discussion on what is done inside and outside. DT – I think we can put that condition in there.

The Board discussed with the Applicant the conditions of their existing Light Industry use as defined in the bylaw specifically that all fabrication, assembling, processing, finishing work or packaging shall be done in such a manner that noise, dust, odor, vibration, and similar objectionable features are to be confined to the premises. The Board also advised the abutters that if any nuisances continue, they should report it to the Zoning Enforcement officer (Building Inspector) who can visit the site and advise the owners of the issue.

The Applicant was not aware of the ongoing noise issues and expressed a sincere willingness to work with the abutters to minimize any disturbances. The Applicant agreed to restrict hours for deliveries and advised that the storage facility would only be accessed during the daylight hours and not have power or lighting installed.

JM stated that the style of the proposed storage facility is more suitable for agricultural or farm applications, and he would not generally want to have facilities of this type visible from the street or by abutting neighbors. However, in this particular location and setting, the storage facility will be situated well behind the main building, will be primarily surrounded by wooded areas, will not be lighted at night, and will not be easily visible from the street.

New Correspondence – None

SD read Exhibits for 4 Carleton Drive

Plans; All drawn by Named Existing Williams & Sparages Engineers of Middleton, MA, dated 1/15/19, and stamped 1/16/19 by Richard L. Williams Civil Engineer

Exhibit 1- Sheet 1 of 3 Named drawing Cover site plan

Exhibit 2 – Sheet 2 of 3, Named Existing conditions

Exhibit 3 – Sheet 3 of 3, Drawing SP Site Plan

J. Moore with this site I think it's a reasonable request. SD – I agree.
Brief discussion followed.

Motion by JM/DT to grant a Special Permit to Owners and Applicants: John Desmond, & Thomasin J. Berry Trustees of the Salisbury Realty Trust/Cox Engineering, 21 Pacella Park Drive, Randolph, MA, 02368, DBA as Cambridgeport Air Systems located at 4 Carleton Drive, Georgetown MA 01833, in the IB district and identified on Assessor's Map 15, Lot 44, To install a 81 ft. x 120 ft. Accessory Storage building (being a Fabric Quonset Hut, with metal frame).

JM make a motion that the board find that the accessory use being a (being a Fabric Quonset Hut, for storage to the rear of the facility is essential and desirable to the public convenience or welfare; will not overload any public water or other municipal services so as to unduly subject any area to hazards affecting health, safety or the general welfare; 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.

And grant as special permit as presented to Owners and Applicants: John Desmond, & Thomasin J. Berry Trustees of the Salisbury Realty Trust/Cox Engineering, 21 Pacella Park Drive, Randolph, MA, 02368, DBA as Cambridgeport Air Systems located at 4 Carleton Drive, Georgetown MA 01833, in the IB district and identified on Assessor's Map 15, Lot 44, As the use (Accessory Storage building) is a use not specifically listed in the Schedule of Uses in conformance with 165-9. Pursuant to; M.G. L. Chapter 40A, § 9, & the Georgetown Zoning Bylaws, Chapter 165 § 7, 9, 11, & 74-79,

With the following Conditions;

- 1, There shall be no power feed to new storage facility
2. All Fabrication shall be within the main structure, there shall be no fabrication outdoors or within the storage facility.
3. Site Plan Approval will be required by the Planning Board.
4. All outdoor lighting shall be reviewed as part of Site Plan Approval.
5. Material Deliveries to and from the facility shall be limited to 6am to 6pm.

All in favor – yes.

Granted unanimously 5-0.

SD stated the Zoning Board 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.

SD read Lapse of Special Permit - Per M.G.L. 40A §9, Special Permits granted shall lapse within a specified period of time, not more than 3 years, which shall not include such time required to pursue or await the determination of an appeal referred to in Section 17. If a substantial use thereof has not sooner commenced except for good cause, or in the case of permit for construction, if construction has not begun during that time period.

Motion - DT/GT to close the hearing for 4 Carleton Drive, all in favor – yes, no discussion. Motion carried.

Patty Pitari
Zoning Administrative Assistant

Approved 4-2-19