



Hanover Zoning Board of Appeals
550 Hanover Street
Hanover, MA 02339
Meeting Minutes
Wednesday, September 23, 2020 – 7:30 pm
Via Zoom

Committee Attendees

Matthew Perkins, Chairman
David Connolly
Frederick Adami
Christopher Bernard
Brian Callow
Glen Openshaw

Other Attendees

Melsi Xhengo, Applicant
David Hall, Hanover Company
Nate Cheal, Tetra Tech

Opening

Chairman Matthew Perkins opened the meeting at 7:31 pm. The Chair read the hearing rules into the record and noted the meeting was being recorded.

Public Hearing- Brothers Grill - 778 Washington Street – Case Z-20-7

The Board opened a public hearing for Brothers Grill, 778 Washington Street, Map 39, Lot 18, Commercial District. The applicant, Melsi Xhengo, is requesting a variance under Section 7.410 front setback for a temporary outdoor seating deck to be made permanent. Board member David Connolly recused himself due to being related to an abutter. The Chair read the hearing notice into the record. The Board voted to waive the reading of the abutters list. The Board reviewed all the documents submitted with the application. Mr. Xhengo explained the building is pre-existing, non-conforming, and the deck was added to accommodate more patrons while adhering to COVID 19 health regulations. The side of the building did not have adequate space to add the deck. The land elevation to the rear of the building greatly decreases and is also the location of the septic system. Mr. Xhengo noted the deck is no closer to the front setback than the electrical transformer and bollards around it. Mr. Xhengo explained to the Board the deck is vital to the survival of the restaurant and without a variance approval; he will have to remove it

causing financial hardship. The Board confirmed the existing septic will be adequate for the additional outdoor deck seating once the inside seating is restored to full capacity. The Board discussed adequate parking, and it was noted the Planning Board has confirmed the presents of adequate parking. Board member Fred Adami questioned whether the Board should approve a variance that increases a non-conformance. The Chair stated the COVID 19 crisis and the subject property being a restaurant makes the case unique and does not set a precedent for future variance requests. The Chair noted the two letters of support received by the Board from abutters. The Chair asked if any objections have been received by the Board from abutters. Administrator Irene Coleman stated no objections have been received. The Chair asked for questions or comments from other Zoom attendees, seeing and hearing none. The Board voted unanimously to approve the variance given the COVID 19 crisis, the need for outdoor seating so the restaurant may survive, the pre-existing non-conformance and the unique case not setting precedent for future variance requests. The Board voted to close the hearing at 7:51 pm.

Informal – Hanover Company

The Board met with David Hall of Hanover Company and Nate Cheal of Tetra Tech for review and clarification of condition #3 of the Board decision ZBA Case Z-19-1 for Hanover Crossing, the residential portion. The Board's decision stated rooftop water would be captured and used for irrigation using cisterns. Hanover Company, the developer of the residential portion, is proposing underground pre-treatment chambers instead of cisterns. The Board voted to approve the change to condition #3 of their original decision with all other conditions remaining unchanged. The Board will provide a letter to Hanover Company detailing the change.

Review of Minutes

The Board voted to approve the meeting minutes from June 10, 2020 was written.

Other Business

The Board discussed and scheduled their next meeting for October 28, 2020.

Adjournment

The meeting adjourned at 8:03 pm.

Next Meetings

Wednesday, October 28, 2020