



## ZONING BOARD OF APPEALS

APRIL 29, 2015 – 7:30 PM

TOWN OF HANOVER

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The following minutes are from the meeting of the Hanover Zoning Board of Appeals held on Wednesday, April 29, 2015 in Hanover Town Hall.

**Zoning Board of Appeals Attendees:**

Present: David Delaney, David Connolly, and Christopher Bernard

Absent: Matthew Perkins, John Tuzik, and Brian Callow

Others: Town Planner Peter Matchak and Associate Town Planner Heather Lamplough.

David Delaney, Vice-Chairman of the Zoning Board of Appeals, called the meeting to order at 7:35 p.m. in the second floor hearing room at Town Hall, Hanover, Massachusetts.

**Review Minutes from Zoning Board of Appeals Meeting held on April 6, 2015:**

The Board reviewed the meeting minutes from April 6, 2015. David Connolly made a motion to accept the meeting minutes. Christopher Bernard seconded the motion. All others voted in favor.

**Review Minutes from Zoning Board of Appeals Meeting held on April 14, 2015:**

The Board reviewed the meeting minutes from April 14, 2015. David Connolly made a motion to accept the meeting minutes. Christopher Bernard seconded the motion. All others voted in favor.

**Review Minutes from Zoning Board of Appeals Meeting held on April 14, 2015:**

The Board reviewed the Executive Session meeting minutes from April 14, 2015. David Connolly made a motion to accept the meeting minutes. Christopher Bernard seconded the motion. All others voted in favor.

**Public Hearing for 700 Washington Street ZBA Case Z-15-1:**

Irene Dunn, of Elite Repeat requested a continuance for case Z-15-1, 700 Washington Street to Wednesday, May 27, 2015. David Connolly made a motion to grant the Board's final continuance and to continue the hearing to May 27, 2015 at 7:30 p.m. Christopher Bernard seconded the motion. All others voted in favor. The Board stated that they have granted this applicant a number of continuances, and that this would be the last one.

### **Public Hearing for 1222 Hanover Street Z-14-9:**

David Delaney re-opened the public hearing for ZBA Case Z-14-9, 1222 Hanover Street. The applicant is requesting Special Permits from Zoning Bylaw Section 4.110 A.1 and 4.110 A.2 Pre-Existing Non-Conforming Uses and a variance from Zoning Bylaw Section 7, Table 1: Dimensional Regulations, Front Setbacks within a Business District. The applicant is requesting Site Plan Approval Section 10.000 of the Hanover Bylaws. The applicant has downsized the proposed building size and is no longer seeking a variance for Section 7.540 B, Coverage of Land (Building Coverage and Lot Coverage within a Business District). Halim Choubah on behalf of his client, Savon Hatem, LLC presented the revised site plans to the Board. The application proposes site improvements and modifications which include the construction of a new 2,550 sq. ft., convenience store and a drive up window, four dispensing gasoline pumps covered by a steel overhead canopy, the replacement of the existing underground storage tanks and fuel lines with double-walled fiberglass tanks and lines and new concrete containment pads. The revised site plans have addressed most of Dave Nyman's comments. One comment does state that the grading change of the site will require a Special Permit from the Planning Board under Section 7.660, and the applicant was advised to file an application. The remaining comments are strictly engineering related questions that will render no effect on the zoning of the property. Cheryl Purcell of 1212 Hanover Street, owner and operator of Pooch Paws raised concerns about the height of the concrete block wall and fence. The applicant agreed to have a discussion with her about planting some of the trees on her side of the fence as well, to aide in screening the wall. Questions were raised by a neighbor about the height of the site, building and canopy. The grading of the site was explained further. David Connolly raised questions about snow removal on the property and the hours of operation of the business. The applicant stated that snow will be trucked off-site when necessary, as large snow piles would be a hindrance to the business operation. The applicant agreed to the Town's recommendations for the hours of operation of five a.m. to nine p.m. (5:00am-9:00pm) for the drive-thru, and five a.m. to midnight (5:00am-12:00am) for the convenience store and gas pumps. David Connolly made a motion to close the public hearing and to approve the application of ZBA Case Z-14-9, 1222 Hanover Street, with the conditions that the drive-thru hours of operation would be no greater than five a.m. to 9 p.m., and the convenience store hours would be no greater than five a.m. to midnight, that the applicant continue to work with abutters to plant trees in order to screen the wall/fence, and that they fix any remaining questions from the Town Engineer (Dave Nyman). Christopher Bernard seconded the motion. All others voted in favor.

### **Public Hearing for 24 Sproul Road ZBA Case Z-15-4:**

David Delaney, Vice-Chairman, opened the public hearing for 24 Sproul Road, ZBA case Z-15-4 and read the public hearing notice into the record. Christopher Bernard made a motion to waive the reading of abutters. David Connolly seconded the motion. All other voted in favor. The applicant, Dianne Purcell, 24 Sproul Road, filed an application requesting a special permit from section 6.020. C "Family Accessory Dwelling Units" of the Hanover Zoning By-laws. The applicant has filed a proposed floor plan and has executed both the Declaration of Covenants and Affidavit. William J. Hallett Jr., the architect representing the applicant, presented the proposed project to the Board. No parties of interest or abutters spoke in opposition. David Connolly made a motion to close the public hearing and approve the application for 24 Sproul Road, case Z-15-4, with the condition that the Affidavit and Declaration of Covenants is recorded at the Registry of Deeds. Christopher Bernard seconded the motion. All others voted in favor.

Christopher Bernard made a motion to adjourn the meeting at 9:00 p.m. David Connolly seconded the motion. All others voted in favor.

**The meeting was adjourned 9:00 p.m.**

Respectfully submitted by:

Heather Lamplough

Associate Planner