

**TOWN OF NEW BOSTON
NEW BOSTON ZONING BOARD OF ADJUSTMENT
Minutes of 2019**

February 19, 2019

The meeting was called to order at 7:00 p.m. by Zoning Board of Adjustment Chairman David Craig. Present were regular members Ken Clinton, Anthony Olivier and Alternate Members Michael Dahlberg and Wayne Charest. Also present were Zoning Board Clerk Nadine Scholes and Planning Coordinator Shannon Silver. Absent was Doug Martin.

The Planning Coordinator, Shannon Silver noted that Gregory Mattison had submitted his resignation and the Board would need to reappoint a new Vice Chairman.

SYSTEMATIC, LLC (OWNER)

ETHAN PRESTON (APPLICANT)

Application for Special Exception – Change of Use/Retail Store to Contractor’s Yard

Location: 481 Weare Road

Tax/Map Lot #2/28-2

Small Scaled Planned Commercial “COM” District

Present in the audience were Ethan Preston, abutters Doris Byam, Maureen Mansfield and Dean Dezak.

Ethan Preston noted that he had gone to the Planning Board and they had recommended changing the use from a Retail Store to Contractor’s Yard to be in compliance with what he proposed for the use of the property. He stated that he purchased the property to store materials and equipment for his excavating business. He noted that the property is currently zoned Commercial and was previously the NAPA Retail Store. He requested the Special Exception to change the use to a Contractor’s Yard but it would be more of a storage hub for his employees to prepare supplies necessary for the job that day. The Chairman asked how many employees would be coming to the site each day. Ethan Preston said he currently has 6 full time employees but only the Foreman would come to the site in the morning or throughout the day if supplies are needed on a job site. The Chairman asked Ethan Preston what type of materials would be stored on site. Ethan Preston replied drainage piping, compactors, tools, equipment, etc. The Chairman asked how the materials would be delivered to the site. Ethan Preston replied that the materials would be delivered mostly by box trucks and the fork lift on site would move to the appropriate storage location.

The Chairman confirmed that Ethan Preston owned the property but under the LLC. Ethan Preston said yes, he owned the property under Systematic, LLC, and his excavating company was named Preston Excavation.

The Chairman asked what the hours of operation would be. Ethan Preston replied that he proposed Monday through Friday, from 5 a.m. to 8 p.m. and Saturday & Sunday from 7 a.m. to 5 p.m.

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The Chairman asked what type of vehicles and equipment would be kept onsite. Ethan Preston said most of the heavy equipment would be out on job sites but a few pickup trucks would be parked onsite overnight. He explained that all equipment repairs and maintenance would be done inside the building.

Michael Dahlberg asked if the lowboy could make the turn on and off the site if it were carrying the excavator. He mentioned that he had been hung up one day because a lowboy was turning out onto the road and took up both lanes. Ethan Preston explained that the lowboy entry and exit off the property had been tested and any large equipment would take up two lanes coming off of any road. Ken Clinton recommended that Ethan Preston check with the State on changing the permitted use for the driveway and any improvements that could be required for the driveway entry. He noted that the Planning Board would review the driveway as part of the site plan application. The Planning Coordinator, Shannon Silver explained that the Planning Board gave Ethan Preston permission to use the existing site plan but would still need to provide the standard items necessary with the Non-Residential Site Plan Review Application.

Michael Dahlberg suggested that equipment not be started before 6:30 a.m. and recommended there be no hours on Sunday. Ken Clinton noted that these items were more of the Planning Board's purview but agreed with Michael Dahlberg's recommendations.

The Chairman opened for public comment.

Doris Byam said she lived in the house across the street and had no concerns with the proposed use. She explained that NAPA had no problem with the tractor trailers coming and going from the property.

Dean Dezak noted that he was not a direct abutter, but he did not have any concerns with the proposed use.

Maureen Mansfield noted that she had no concerns. She owns the backlot that shares the driveway with the NAPA store, but does not believe Ethan Preston's business operation should be limited or restricted. This use will most likely have less of an impact than the NAPA store did when it was operating.

The Board requested that Ethan Preston provide his comments to the required criteria to grant the Special Exception.

Ethan Preston noted that Town services would have little to no impact. He currently operated from another location in New Boston with no impacts on Town services. He stated that the character would not be impacted, as the building was

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existing, and the proposed use would fall right into the character of that area, there are many other commercial properties on Route 77. Lastly, Ethan Preston said that the traffic would be less of an impact than when NAPA was operating.

Ken Clinton **MOVED** to approve the Special Exception change of use from a Retail Store to a Contractor's Yard, subject to the following conditions:

1. The applicant shall forthwith apply for a Non-Residential Site Plan with the Planning Board, prior to a permit to operate being issued by the Building Department.

The Chairman explained that the Zoning Board had granted the Special Exception and next step required submitting the application for the Planning Board to review and approve the site plan.

The Chairman noted that the minutes of the September 18, 2018, and October 16, 2018, meetings would need to be approved with or without changes.

Ken Clinton **MOVED** to approve the Zoning Board of Adjustment meeting minutes, of September 18, 2018, and October 16, 2018, as written. Michael Dahlberg seconded the motion and it **PASSED** unanimously.

The Chairman noted that Gregory Mattison resigned and thanked him for 15 years of service as a member of the Zoning Board.

The Chairman nominated Ken Clinton as the Vice Chairman. Ken Clinton accepted the nomination and noted that he would need to submit his reappointment application for another 3 year term.

Michael Dahlberg **MOVED** to approve Ken Clinton as Vice Chairman, as nominated. Anthony Olivier seconded the motion and it **PASSED** unanimously.

Ken Clinton **MOVED** to adjourn at 7:29 p.m. Anthony Olivier seconded the motion and it **PASSED** unanimously.

Respectfully submitted,
Nadine Scholes, Zoning Board Clerk

Minutes Approved: 11/19/19