

**SHARON ZONING BOARD OF APPEALS
MINUTES OF WEDNESDAY, October 20, 2021**

Location of Meeting: In compliance with the Governor's emergency declaration relative to the conduct of public meetings, the Town arranged to conduct board and committee meetings using Zoom video/audio conferencing in an effort to minimize the spread of COVID-19. Interested citizens received directions on how to attend the meeting remotely in the Agenda as posted on the ZBA website and the Town. This meeting was presented with the video and/or audio available for later broadcast. The Zoning Board of Appeals is focused on observing the spirit of the Open Meeting Law during this temporary emergency situation to assure accountability for the deliberations and actions of elected and appointed officials conducting the public's business.

A virtual meeting of the Sharon Zoning Board of Appeals was held on Wednesday, October 20, 2021, at 5:00 P.M. The following members were present as established by roll call: Joe Garber, Chair, David Young, Steve Weiss and Abe Brahmachari. Sam Reef was not present. Mr. Garber, Chair, read Covid19 protocols per the Governor of MA and procedural ground rules. Kris White, Building Inspector/Zoning Officer, and Matt Baldassari, Facilities manager were also present.

5:03 PM –Sharon Public Library – October 20, 2021 Order of Remand from MA Land Court

Present for the applicant: Gordon Gladstone of the Sharon Standing Building Committee and Cheryl Weinstein on behalf of the Sharon Public Library Board of Trustees. Attorney Dick Gelerman, Town Counsel, and Attorney Brian Winner counsel to the Library Board of Trustees were also present.

Attorney Winner addressed the meeting on behalf of the Library Board of Trustees, explaining that the Sharon Standing Building Committee met with himself and Attorney Gelerman on October 19, 2021 as well as the Sharon Standing Building Committee design team and the Library Board of Trustees. Town Counsel prepared a list of conditions for the Library Board of Trustees to consider and Attorney Winner replied on behalf of his clients. At the October 20, 2021 meeting the Sharon Standing Building Committee members and Library Board of Trustees were present to answer any questions.

Attorney Gelerman described the document as a "working document" for consideration only and looked forward to hearing from the board, the applicant, and other interested parties. The ZBA was charged with voting whether or not to obtain a grant and retain Dick Gelerman as counsel by not continuing to deny the project.

The Chair read correspondence from residents regarding the proposed project.

Mr. Brahmachari continued the discussion asking about the visual buffers along School Street. He suggested a buffer of tall trees on the School Street side to present residents across the street from seeing the building and requested 5-6 Tulip trees rather than 3 on the south side.

Project architect, Drayton Fair, identified where the mature drip line would be on the property. Members discussed replacing deciduous trees with evergreens to provide a better visual barricade and it was explained that due to salt intolerance and building shade as well as other reasons, that was not an option. Also noted was the attempt to attain LEED Certification which requires a certain amount of natural light to enter the building. Mr. Weiss stated he does not need to change this part of the plan with special conditions. He stated he is not for moving the building but understands board members' differing opinions.

The Chair read from the document titled, "Draft Conditions w SSBC Clean 4." Light bleed, traffic flow, soil testing and state-regulated blasting, and first responders' access were discussed while opening the meeting up to comments.

Attorney Gelerman's plans include sending conditions to ZBA members with comments that need addressing. Because of the open meeting law it will be e-mail correspondence only and then Town Counsel will draft up an order.

Mike Berkley from 39 Pleasant Street addressed the meeting asking ZBA members to continue to deny the variances and requested special permits.

Cheryl Weinstein from 4 Coach Lane briefly addressed lot size, saying the current library occupies 46% of the lot it is on and the proposed building on the new lot would only have 32% coverage and includes parking on the premises.

Mr. Gladstone of the Sharon Standing Building Committee closed the public portion of the meeting.

Mr. Garber made a motion to close the public portion of the hearing.

Mr. Brahmachari seconded.

Unanimous vote 4-0-0 (Garber, Brahmachari, Weiss, Young)

The Chair made a motion to vote on the grant relief requested by the Library Board of Trustees.

Mr. Brahmachari seconded.

Unanimously approved 3-0-0 (Garber, Brahmachari, Weiss)

The chair read a statement regarding drafting conditions which was unanimously approved by Mr. Garber, Mr. Brahmachari, and Mr. Weiss.

We further direct town counsel to draft and submit a decision incorporating the above which includes conditions which address the matters contained in the several draft versions of those conditions previously submitted to the board by counsel

Mr. Gladstone asked about a storm water variance. Attorney Gelerman reviewed the application and noted that the five discussed variances were included in the votes. Mr. Brahmachari noted the storm water variances were included in #4.

Members of the ZBA and Library Trustees expressed gratitude to each other and for the process.

Meeting adjourned at 6:10 PM.

Respectfully submitted