

SHARON ZONING BOARD OF APPEALS

MINUTES OF WEDNESDAY, February 8, 2023

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, February 8, 2023, at 7:00 P.M. The following members were present as established by roll call: Joe Garber, Chair, Hemant Mehta, Arnold Wallenstein, and Michelle Katapodis, Administrative Assistant. Also present for the town Peter O'Cain, Town Engineer, Dana Hinthorne, Building Inspector and Tom Houston, PSC

Mr. Garber, Chair called the meeting to order at 7:00 PM. Mr. Garber, Chair, read Covid 19 protocols per the Governor of MA and procedural ground rules.

Mr. Garber opened the meeting by reading the agenda items. There are two continued cases that will be continued again.

Case 1912 – 1200 General Edwards Highway (Four Daughters Compassionate Care)- Continued from February 8, 2023

Motion:

Chair made a motion to continue Case 1912- 1200 General Edwards Highway (Four Daughters Compassionate Care) to March 8, 2023. Mr. Mehta seconded the motion. Approved by unanimous roll call vote 3-0-0 (Garber, Mehta, Wallenstein).

Case 1906 – 299-303 North Main Street – Continued from January 11, 2023

Present for the applicant: Attorney Mike Khoury of Maddoff & Khoury, LLP representing Yuriy Lande, Applicant.

Mr. Khoury stated that they have responded to all comments to date from Mr. Houston and Mr. O'Cain. Mr. Garber asked if he saw the comments from Mr. Wallenstein. Mr. Wallenstein stated that he sent his comments this afternoon. Mr. Garber suggested that Mr. Wallenstein go over his comments for Mr. Khoury. Mr. Wallenstein stated that he will email them to Mr. Khoury.

Mr. Khoury gave a brief history of the project and explained that it was submitted to all of the proper authorities. He noted that they have heard from and addressed comments from the abutters. He also explained that he and Mr. Buckley met with approximately 20-30 abutters prior to submitting the application. Mr. Khoury explained that they have met with various departments in the Town and modified the plans based on their comments and concerns, as well as concerns raised by the abutters after the initial hearing in August.

Mr. Garber stated that he has the 17-page draft that Mr. Khoury has submitted, and he wanted to make sure that they are ok with the comments from the various departments or if they needed to discuss anything. Mr. Lande wasn't on the zoom call, but Mr. Khoury will reach out to him to confirm that he doesn't have anything further to discuss. Mr. Lande responded to Mr. Khoury and stated that he is fine with all of the changes.

Mr. Garber asked Mr. O'Cain if he had anything further to discuss. He stated that Mr. Khoury has addressed all of his comments which included comments from the police department and the building inspector.

Mr. Garber asked Mr. Houston if he had anything further and he stated that he did not.

Mr. Wallenstein had a technical question on the variance codes and wanted to confirm that this was being done under the old zoning by-law. Mr. Wallenstein wanted to confirm that it was all the same approval. Mr. Garber asked Mr. Khoury if he would make the changes to the new by-law codes. Mr. Khoury stated that he would make the revisions and he will confirm that they are exactly the same.

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Mr. Mehta stated that we had multiple reviews of this project and Mr. Houston and Mr. O'Ca in and his staff did a good thorough review and addressed all of the issues. All of these issues have been addressed properly to our satisfaction and it meets our needs for the conceptual phase.

Mr. Garber stated that the board will vote on each item one by one and the conditions as a package. He asked Mr. Khoury if there is anything else that he needs. Mr. Khoury wanted to confirm that the only members he should mention are Mr. Garber, Mr. Mehta & Mr. Wallenstein.

Mr. Garber asked Mr. Hinthorne if he wanted to add anything, and Mr. Hinthorne stated that once he reviews the final plans, he may have additional comments.

Mr. Garber asked Mr. Khoury how much time he would need and explained that March 8th would be the next available date. Mr. Khoury asked if we could add him to the February 28th agenda. Mr. Garber explained that we are anticipating that the meeting on the 28th will be lengthy. Mr. Garber asked the board members if they would be available to meet on February 15th. Mr. Wallenstein and Mr. Mehta will be available. Mr. Houston has a conflict so he can't attend. Mr. O'Ca in is available and will attend.

Motion:

Chair made a motion to continue Case 1906-299-303 North Main Street to February 15, 2023. Mr. Mehta seconded the motion. Approved by unanimous roll call vote 3-0-0 (Garber, Mehta, Wallenstein).

MINUTES

December 21, 2022

Motion:

Chair made a motion to approve minutes from December 21, 2022. Mr. Wallenstein seconded the motion. Approved by unanimous roll call vote 3-0-0 (Garber, Mehta, Wallenstein).

The meeting adjourned.

Respectfully submitted