

SHARON ZONING BOARD OF APPEALS MINUTES OF AUGUST 8, 2018

A regular meeting of the Sharon Zoning Board of Appeals was held on Wednesday, August 8, 2018 at 7:00 P.M. in the Second Floor conference room at the Sharon Community Center, 219 Massapoag Avenue. The following members were present: Seth Ruskin, Abe Brahmachari, Steve Cohen and Barry Barth. Joe Garber arrived 7:10 P.M.

7:02 P.M. Sharon Country Club, 149 East Street, Case No. 1826 – New Hearing

Mr. Ruskin read the Legal Notice, a letter from Greg Meister, Conservation Administrator, dated July 30, 2018, and a letter from Kevin Davis, Agent of the Board of Health, dated August 2, 2018, letter from Joe Kent, Building Inspector, dated August 5, 2018.

The following individuals were also at the meeting: Joel Fishman, Ralph Cappola of Main Street Architects, Stephanie Hoban of Star Point Engineering, and Patrick O'Brien, President of Sharon Country Club.

Mr. Joel Fishman, attorney for applicant, explained the project. The current clubhouse would be demolished and a new clubhouse would be constructed. The back of the clubhouse would be seen from the street as is the current clubhouse. There would be 55 parking spaces available. The first tee would be shortened by 55 feet. A dumpster would be 100 feet from property line and golf carts would be 230 feet from the street. The current building is 5450 square feet of 3 floors and the new building would be 5855 square feet on one level. The basement would be for storage and support but could be finished in the future. The required setback is 40 feet and it would be 41 feet.

Mr. Fishman explained that the Department of Environmental Protection (DEP) is in the process of making a decision regarding the septic system.

Ms. Stephanie Hoban of Star Point Engineering explained that landscaping currently exists along the stone wall, which is historic, but none has been proposed for the new building.

Mr. Ruskin read a letter from an abutter at 146 East Street, Carol and Sigmund Slavsky. This abutter is directly across the street and expressed concerns about noise level, lighting, preserving the historic nature of the street, and storm water floods. They also proposed a six (6) foot fence along East Street.

A few points were explained: there is a three (3) foot differential therefore it would look like a three (3) foot fence; the back of the building has no doors or windows to allow filtration of noise, car passing would be rerouted to the front of building, golf cart activity would be

more inside the property than close to the road; condensers would be on the ground behind the building; there would be some outside seating; membership would not be expanded; a 70 foot setback would not work due to space needed for golfing activity.

Mr. Cappola of Main Street Architects explained that there would be lighting in the form of wall sconces at the back of the building on East Street and there would be an emergency light fixture at the access door to the basement. There would be no special lighting in the parking lot area.

It was further explained that members can reserve the clubhouse for parties however it would not be exclusive use as all other members would be able to access the building therefore the situation is self-limiting. Parking spaces are also self-limiting.

An abutter, Mr. Joe Bernstein of 2 Fairway Lane, expressed that the country club is a good neighbor. He is concerned about possible noise and trash due to the parking lot expanding. He asked if membership could be limited. He has had issues with noise after parties. Due to the outdoor seating more vocal members are heard.

Mr. Fishman explained that the hours are 7:00 am to 10:00 pm except Saturday with a close of 11:00 pm. He also provided a copy of a letter from Pat O'Brien about code of conduct sent to members.

Mr. Brahmachari suggested: mechanical equipment needs to be screened, visual barrier to parking lot from East Street, noise isolation along north side of parking (Fairway Lane).

Ms. Hoban explained it is possible to do something along the edge of the parking towards East Street. Also, that they are waiting for flow determination for septic system. If the determination is not in favor a new system would be designed.

Mr. Ruskin expressed that he is supportive of the project.

Mr. Barth likes the project but has concerns about the noise and the time the Town requires alcohol sales to stop.

Mr. Fishman stated that outside seating will be slightly increased.

Applicant asked to continue to August 22, 2018.

8:06 P.M. Ward Jaros, Project Manager, 635 Old Post Road

Mr. Ruskin explained that the project is a 40B and the Board will hear from neighbors and get an update on the project regarding the change in ownership and landscaping.

Mr. Jaros explained that he has been involved in the last 5 months and that progress has been made on building 1 and building 2 as well as the landscaping.

Mr. Devin explained the change in ownership as per a letter dated August 1, 2018, issued by MassHousing, which was read by Mr. Ruskin. No action is required of the Board regarding the ownership change.

Mr. Ruskin asked the Project Manager to address the complaint about late hour spraying.

Mr. Jaros gave a copy to the Board of signage that was installed to address compliance of the hours.

An abutter, Mr. John Lee of 509 Old Post Rd, made the following comments regarding the project: the project began in 2003; the site was cleared in 2016 into the wetlands buffer and into the wetlands and the Conservation Commission had applicant replant trees; work has been taking place before and after hours; truck partially blocked Old Post Rd; trash left on site and was blowing off; building permits operated under permit that is not allowed; a stop work order should be issued; there is lack of communication and transparency; and vegetation planting plan is in the decision.

Mr. Devin stated that since there has been a change in management there have been less issues and an effective working relationship with the Building Inspector is being established.

Mr. Lee stated that Mr. Devin doesn't know the impact on neighbors and violations need to be addressed.

An abutter, Mr. Drew Delaney of 859 Old Post Rd, made the following comments: the site was entered early even with the sign posting the work hours; hazardous spraying was not communicated to abutters; employees came in early; construction debris was falling off as vehicles are leaving work area; construction vehicle broke down outside of site; insulators working late; an employee was working on Sunday; a plan is needed and abutters need to be notified; a project manager, at the expense of the applicant, should be hired to manage the detail.

Mr. Jaros explained that the foam used meets the code and that new management is making an effort to get project completed.

Mr. Brahmachari would like a plan presented to the Board.

Mr. Ruskin conveyed the Building Inspector's message that the new owner is being cooperative and believes it is in the best interest of the Town to continue work.

The Board asked Mr. Jaros to provide a plan and to hear from Building Inspector, Joe Kent, in 30 days, September 12, 2018.

A conversation ensued about speed tables on Old Post Road. More information needs to be presented.

Laura Knosp of Ryan Associates discussed the landscaping.

Mr. Lee stated that he would work with Ms. Knosp on the landscaping along his property line.

Mr. Lee also stated that the swimming pool is no longer part of the plan as was originally planned.

Mr. Delaney expressed concerns about the lighting on the parking lot which could be addressed with taller shrubs as stated by Ms. Knosp.

The Board stated that information presented this evening was informational and nothing was presented for approval.

Minutes: Mr. Ruskin moved to approve the minutes of July 25, 2018. Mr. Cohen seconded the motion. The Board voted 3-0-0 to approve it.

It was moved, seconded, and voted to adjourn.

The meeting adjourned at 9:07 P.M.

Respectfully submitted

Approved September 12, 2018