

## SHARON ZONING BOARD OF APPEALS MINUTES OF WEDNESDAY, APRIL 8, 2020

**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 live by Sharon Community TV 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, April 8, 2020, at 7:00 P.M. The following members were present as established by roll call: Abe Brahmachari, Steve Cohen, and Steve Weis were present. David Young, Joe Garber, and Samuel Reef were not present. Mr. Brahmachari opened meeting noting reasoning for virtual meeting and procedural ground rules.

Also present were: Kelly Killeen, PE, CHA design/construction solutions, Norwell, MA; Robert Shelmerdine, Esq., Sharon, MA, attorney for the applicant; Scott Hickey, 145 Old Post Road LLC; Richard Vazza, 135 Old Post Road; William Depietri, President, Capital Group Properties, Southborough, MA

### **7:05 P.M. Ninety-Five LLC, 144 Old Post Road, Case No. 1855, Sharon Gallery—Continued Hearing**

Mr. Brahmachari explained the case was continued by applicant request from March 11, 2020 to April 8, 2020, and now continued to April 15, 2020.

Mr. Shelmerdine commented that applicant just received a 26-page report from Tom Houston, PSC, Foxboro, MA that also includes Town Engineer's comments in a consolidated report and applicant's engineers will not be ready to respond to those comments on April 15, 2020, but he was fine with ZBA wanting to keep the momentum going. Mr. Brahmachari responded to Mr. Shelmerdine's inquiry regarding other Committees that may present on April 15, 2020, by explaining that while there were other committees reviewing the project (Design Review Committee, Board of Health, Conservation Commission, and Planning Board), he did not know which ones might be ready by April 15, 2020.

Mr. Depietri asked if peer review was public. Ms. Schustek will request that Peter OCain add it to the Google drive that can be viewed at [townofsharon.net](http://townofsharon.net) under Zoning Board and then Upcoming cases so public can review.

Mr. Brahmachari made a motion to move Case No. 1855, Ninety-Five LLC, 144 Old Post Road, Case No. 1855, Sharon Gallery from April 8, 2020 to April 15, 2020 at 7 PM. Mr. Cohen

seconded the motion. By roll call, Mr. Brahmachari, Mr. Cohen, and Mr. Weiss voted yes unanimously, 3-0-0 (Brahmachari, Cohen, Weiss).

Mr. Brahmachari made a motion to approve the minutes of the meetings from March 11, 2020, March 19, 2020, and March 25, 2020. Mr. Cohen seconded the motion. By roll call, Mr. Brahmachari, Mr. Cohen, and Mr. Weiss voted yes unanimously, 3-0-0 (Brahmachari, Cohen, Weiss).

Mr. Shelmerdine requested that Ms. Schustek let him know if Design Review Committee is seeking any additional information to conduct review. Mr. Brahmachari noted that the DRC has access to the link to conduct their review.

Ms. Schustek responded that DRC questions regarding greenery and green space had been forwarded to him and he said they are working on that so he doesn't have anything to give DRC on those two questions. Mr. Shelmerdine explained that with three architects on committee he expected that they would want to look at signage as well. Ms. Schustek noted that she had a late afternoon email today with some questions on signage that she would be forwarding to him, but the email regarding greenspace was the outstanding question from the DRC currently.

It was moved, seconded, and voted to adjourn.

The meeting adjourned at 7:29 P.M.

Respectfully submitted