

**SOUTHBOROUGH ZONING BOARD OF APPEALS
MEETING ADMINISTRATIVE MINUTES**

MEETING DATE/LOCATION: Wednesday, February 15, 2017; McAuliffe Hearing Room, Town Offices

MEMBERS SITTING/PRESENT:

TOWN OFFICIALS (& OTHERS) PRESENT:

R/A/C		Mooney Park Variance	Richardson Tennis Courts Var.	
R	Mr. Dennington, Chair	S	S	
R	Mr. Williams	S	S	
R	Mr. Bartolini	S	S	
R	Mr. Nicholson, Clerk	S	S	
R	Mr. Drepanos	S	S	
A	Mr. Walker	A	A	
A	Ms. DeMuria	P	P	
	Karen Finelli, Admin	P	P	
	Joe Giniewicz, Admin	P	P	

Ms. Doreen Ferguson, Dir. Southborough Recreation
 Mr. Daniel Ruiz, Capital Group Properties LLC
 Mr. Brian Shifrin, Southborough Recreation Comm.
 Mr. Secrist, Southborough Youth Baseball

Regular/Alternate

Sitting/Present/Absent

Meeting opened at 7PM

Sitting as a Board: Dennington, Bartolini, Nicholson, Williams, Drepanos

Park Central LLC Applicant has requested a continuance of public hearing for appeal of Planning Board’s denial of site plan review.

On a motion made by Mr. Drepanos, seconded by Mr. Williams the Board approved the applicant’s request to continue the public hearing of appeal to April 12, 2017 @ 7PM and to extend the application deadline until May 12, 2017. The motion passed (5-0-0) all in favor: Dennington, Bartolini, Nicholson, Williams, Drepanos.

Park Central LLC Applicant has requested a continuance of public hearing for appeal regarding failure of the building inspector to issue a decision.

Administrative assistant read public hearing notice for appeal.

On a motion made by Mr. Bartolini, seconded by Mr. Williams the Board approved the applicant’s request to continue the public hearing of appeal to April 12, 2017 @ 7:05PM. The motion passed (5-0-0) all in favor: Dennington, Bartolini, Nicholson, Williams, Drepanos.

On a motion made by Mr. Bartolini, seconded by Mr. Williams to extend the appeal application deadline until May 12, 2017. The motion passed (5-0-0) all in favor: Dennington, Bartolini, Nicholson, Williams, Drepanos.

Bartolini Builders Inc. request to extend an existing Special Permit for an 11 unit over 55 housing for an additional one year period.

Sitting as a Board: Dennington, DeMuria, Nicholson, Williams, Drepanos

Mr. Leo Bartolini recused himself for this matter.

Mr. Jack Bartolini stated that he is requesting an extension to an existing special permit granted to Bartolini Builders Inc. at a previous Zoning Board of Appeals meeting on April 20, 2016 for elderly housing consisting

of 11 units. Also, he would prefer to begin construction during a drier season other than spring and that he is continuing to meet with the Conservation Commission.

On a motion made by Mr. Drepanos, seconded by Mr. Nicholson to extend the existing special Permit for an additional one year period. The motion passed (5-0-0) all in favor: Dennington, DeMuria, Nicholson, Williams, Drepanos.

Zoning Board of Appeals Rules and Regulations:

Sitting as a Board: Dennington, Bartolini, Nicholson, Williams, Drepanos

Chairman Dennington discussed minor changes to the existing Board's rules & regulations since current rules and regulations on file are from year 2007. One correction to be made is the tenure of the Chairperson currently states term July 1st thru August 31st and it should be changed to reflect a term of July 1st thru June 30th.

On a motion made by Mr. Nicholson, seconded by Mr. Williams to affirm amendments presented and recommended for the Board's rules & regulations. The motion passed (5-0-0) all in favor: Dennington, Bartolini, Nicholson, Williams, Drepanos.

Approval of Minutes:

On a motion made by Mr. Bartolini, seconded by Mr. Nicholson to approve the meeting minutes of January 18, 2017 as amended. The motion passed (5-0-0) all in favor: Dennington, Bartolini, Nicholson, Williams, Drepanos.

On a motion made by Mr. Drepanos, seconded by Mr. Bartolini to approve the meeting minutes of January 25, 2017. The motion passed (5-0-0) all in favor: Dennington, Bartolini, Nicholson, Williams, Drepanos.

On a motion made by Mr. Bartolini, seconded by Mr. Nicholson for the Board to take a 30 minute recess, the motion passed.

Continued Public Hearing – 0 Parkervilled Rd., Mooney Park – Variance

Continued hearing opened at 8PM

Sitting as a Board: Dennington, Bartolini, Nicholson, Williams, Drepanos

Chairman Dennington stated that the original public notice did not reference lights being proposed are up to 70 feet. A new public hearing notice was mailed and advertised in the newspaper to correct the original notice.

Administrative assistant read the additional public hearing notice into the record.

Mr. Brian Shirfin, 79 Oak Hill Rd., Chairman of Recreation Commission stated they have submitted a draft copy of possible policies pertaining to the use of lights at the field. The draft was compiled after a public forum was held on January 31, 2017 for the abutters to attend and discuss potential policies regarding use of lights.

Administrative assistant read the draft of recommended polices for lighting use at Mooney Park submitted by Southborough Recreation Commission, dated February 13, 2017.

Chairman Dennington acknowledged receiving letters of support and from:

Mr. Dan Kolenda, 7 Blendon Woods Drive

Mr. John Carulli, 35 Constitution Drive

Mr. Patrick Cote, 11 Fairview Lane

Mr. Ken Trehub, 2 Heather Lane

Mr. Nicholson asked if the draft policy is a direct result of working with the abutters at the public forum as well as concerns raised by Ms. Bonnie Phaneuf. Mr. Shifrin stated that he does believe the policy addresses abutters concerns. Landscaping was also discussed and Southborough Youth Baseball would like to follow up at a later time.

Ms. Bonnie Phaneuf, 179 Middle Rd. commented that she attended the public forum as a resident and submitted comments to be included in the draft policy. She also addressed concerns regarding parking, potential bus parking, hours of lights in use, grade of the site, whether or not the grade will reduce the height of the lights and the potential glare. Mr. Secrist responded, when the lights are lit only one field will be in use.

Ms. Phaneuf thanked the applicants for meeting with the abutters and taking into consideration their concerns. She also recommended that the Board wait to make a final decision until the lights at Choate Field have been installed completely to see the impact. Mr. Secrist stated the configuration of lighting at Choate Field will be different than the lights being proposed at Mooney Park.

Mr. Shifrin stated they will install LED lights at Mooney Park, 0 Parkerville Rd.

Ms. Phaneuf recommended that the Board receive approval from Life Flight and Boston Med Flight since this site is a landing zone for UMass Medical.

Ms. Doreen Ferguson stated that she did receive an email from the Fire Chief stating that both organization are ok with the installation of the lights.

Ms. Amy Norcross, 215 Parkerville Rd. stated she does not believe that the burden of hardship has been met by the applicant.

Mr. Jim French, 219 Parkerville Rd. stated he has concerns regarding installing lights at Mooney Park, the close proximity of homes and the number of teams playing at the field.

Ms. Donna Merlini, 221 Parkerville Rd. expressed concern about Southborough Youth Baseball adhering to the rules and hours of light usage.

Ms. Jim Norcross, 215 Parkerville Rd. does not agree there is a need for the lights and urged the Board not to approve the variance.

Mr. Mike Robbins, 47 Deerfoot Rd. asked if the variance requested falls under Chapter 40A section 10. He also stated he does not see how the relief being requested meets the criteria for a variance.

Ms. Sara Neilson, 50 Richards Rd. made clarifications as to the proposed policies which were discussed at the previous meeting with Southborough Youth Baseball and Southborough Recreation.

Mr. Jason Henson, 6 Foley Drive discussed concerned of the safety of youth baseball players if lights were installed lower than the height which is being requested by the applicant.

Mr. David Kline, 18 Middle Rd. commented that having fields with lights will promote health and wellbeing for youth. Also, other towns have lit fields which are close to homes.

Mr. Brian Diesenhaus, 2 Foxhill Dr. spoke in favor of the lights.

Mr. Howard Rosenstein, 9 Hickory Rd. stated they will meet with the abutters annually to ensure policies are being adhered to.

Mr. Rob Titus, 4 Moore Rd. believes LED lights would be better, he does not agree that there is a hardship and he would like to see a final policy for all parties involved to review.

Ms. Phaneuf, agreed that a final policy should be presented and reviewed.

The Board discussed requesting a final draft of the policy to be submitted for the Board's review. Also, the possibility of waiting until the lights at the Choate Field are lit to view the impact of the lights. However, the lights proposed at Mooney Park will be LED and will decrease the impact on abutters while the lights at Choate Field are not LED. Potentially requesting that the lights not be in operation during the off season. Whether or not lights should be left on after a ball game ends or left on to accommodate practices. Also, CPC funds and how they apply to this application.

On a motion made by Mr. Bartolini, seconded by Mr. Nicholson to continue the public hearing of 0 Parkerville Rd. Mooney Park until March 1, 2017 @ 7PM. The motion passed, all in favor: Dennington, Bartolini, Nicholson, Williams and Drepanos.

Continued Public Hearing – 53 Parkerville Rd., Richardson Tennis Courts - Variance

Continued hearing opened at 9:24PM

Sitting as a Board: Dennington, Bartolini, Nicholson, Williams, Drepanos

Ms. Doreen Ferguson said that both Mr. Wallace, 18 Clifford St. and Mr. Mike Robbins, 47 Deerfoot Rd. attended the meeting with the abutters and some of the same concerns were addressed. Mr. Robbins stated that during meetings discussing the construction of the Trottier School there was a promise made not to install lights at the fields. He also stated that Mr. Kacevich recalls the promise being made however, he did not have it in writing. Ms. Ferguson also checked with Mass School funding authority, School Administration and the Building Inspector and none could provide anything in writing pertaining to the promise.

Ms. Ferguson commented that she received an email and article forwarded to her by Mr. Chris Robbins regarding playing tennis at night. Also, Mr. Robbins requested that tress be installed at the north side, removal Southborough Zoning Board of Appeals February 15, 2017

of old street light poles which would fall be under the authority of DPW, a push button to be installed to turn off the lights and that the lights are turned off by 9PM. Ms. Ferguson commented that the push button to extend the use of the lights does not work to turn the lights off.

The Board acknowledged receiving letters of support from:

David Blore, 1 Glenwood Rd.

Zuzana Farhat, 4 Vickery Hill Lane

Ashvin Kalyanaraman, 32 Framingham Rd.

Ted and Sara Davis, 11 Clifford St.

Sasi Kanth Vallipalli, 38 Sears Rd.

Denise Pappalardo, 56 Presidential Drive

Mohan Nannapaneni, 5 Glenwood Rd.

Robin Logan, 2 Alexandra Circle

Claire Fishman, 29 Lynbrook Rd.

Trisha Richardson, 32 Deerfoot Rd.

The Board recommended that Southborough Recreation meet with the abutters annually to discuss concerns.

Mr. Mike Robbins, 47 Deerfoot Rd. reiterated that he does not see the legal hardship or basis for granting the variance. Also, he is searching for documentation which may state that a promise was made to the abutters during meetings 20 years ago discussing the construction of the Trotter School.

Mr. Richard Wallace, 18 Clifford St. expressed concern whether or not there is a hardship also, whether or not the lights need to be installed as high as what is being proposed. Ms. Ferguson responded that the height being proposed benefits the abutters and will promote less spillage.

On a motion made by Mr. Bartolini, seconded by Mr. Nicholson to continue the public hearing of 53 Parkerville Rd. Richardson Tennis Courts until March 1, 2017 @ 7:15PM. The motion passed, all in favor: Dennington, Bartolini, Nicholson, Williams, Drepanos.

Motion made and seconded to adjourn the meeting at 9:50PM, the motion passed.

Respectfully submitted by: Karen Finelli