



## Deerfield Zoning Board of Appeals

Thursday, August 25, 2022 6:30 pm

8 Conway Street, South Deerfield MA 01373

Pursuant to a notice duly filed with the Town Clerk, a meeting of the Zoning Board of Appeals was held on Thursday, August 25, 2022 at 6:30 pm will be held in a hybrid fashion with the opportunity for both in-person attendance and remote participation in accordance with Chapter 107 of the Acts of 2022 which extended the Governor's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, M.G.L. c.30A § 20, until March 31, 2023. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda should make plans for in person vs. virtual attendance accordingly. For purposes of in-person attendance, the Town of Deerfield will host the meeting in the Main Meeting Room of the Deerfield Municipal Offices.

**Board members present:** Adam Sokoloski, Chairman; Robert Decker, David Potter Alex Herchenreder (Alternate).

**Also Present:** Jennifer Gannett, Assistant Town Administrator; Bob Walden, Building Commissioner; Doug Ryan; VESH Representative John Furman; and other members of the public.

1. Chairman Sokoloski opened the meeting at 6:31 pm
2. New Business-
3. Roll Call
4. Minutes -3/24/2022, 04/05/2022, 5/12/2022

***Motion to approve the minutes from March 24, April 5, May 12, 2022- Decker***

***Second. Potter Vote: Sokoloski – aye, Decker - aye, Potter- aye, Herchenreder- aye. Vote Passes (4-0-0)***

*The board recesses for 15 minutes and returned at 7:00 pm*

- **Public Hearing-** Hearing convened at 7:00 pm with notice read into the record Pursuant to MGL Chapter 40A section 9 & 11 a Special Permit application filed by VESH Development for an Amendment to an existing Special Permit for property located at 141 Greenfield Road (Map 15 Lot 276) for an expansion of the existing parking lot, increasing lot capacity to 105 spaces.

- Furman described the project in its current phase and the parking lot with its associated permits yet to be applied for. The main focus was on the increase from 51 parking spaces to 105 noting the current challenges with Covid-19 protocols. Patients remain in their vehicles and contribute to the necessity for additional parking.
  - Sokoloski proposes the idea of larger sign to increase visibility as well as safety along Route 5 & 10 to reduce U-Turns. Furman noted this and will discuss with applicant for future updates. Potter number of spaces question and why special permit was necessary, Walden describes the necessity as the use is a Special Permit in the Use Table Section of the Bylaws. Sokoloski noted the Selectboard would like a recent a delineation and Furman confirms that a specialist has confirmed the delineation.

***Motion to close the public hearing- Decker***

***Second. Herchenreder                      Vote: Sokoloski – aye, Decker - aye, Potter- aye, Herchenreder-aye. Vote Passes (4-0-0)***

The board is overall supportive of the use and the expansion as presented and confirms the findings presented by the Applicant in their application narrative.

*The following is quoted from the Special Permit Application submitted to the board. Dated 07/22/22 and as requested to be entered into the minutes as evidence of findings.*

- a. *Social, economic, or community needs which are served by the proposal (Section 5321).*

The VESH Center is an established business providing health care for family pets. Since its establishment, the Center has been steadily growing to keep up with public demand for health care services. This project will provide a much-needed expansion in the parking area which supports the main hospital.

- b. *Traffic flow and safety, including parking and loading (Section 5322).*

An existing conditions analysis of Traffic prepared by VHB accompanies this application noted as Key Document #3. The analysis provides a review of existing conditions which supports the expansion of the parking lot. A future building expansion is planned and will be the subject of future Special Permit request. The parking expansion will increase the available parking from 48 spaces to 105 spaces. The number of spaces required by the Zoning ByLaw is 50 spaces. Given the need for parking that currently exists, the additional spaces are necessary to support future additional growth. No new curb cut are planned or requested at this time.

- c. *Adequacy of utilities and other public services (Section 5323).*

A new stormwater management system is proposed for the parking area expansion. Additionally, the existing stormwater management basin will be re-excavated as part of this project to restore the capacity and design parameters intended.

*d. Neighborhood character and social structure (Section 5324).*

As an existing business, the parking expansion does not negatively impact the neighborhood or character of the businesses along Route 5. The expansion is well suited for the surrounding area and allows the existing parking area to be utilized during the construction phase.

*e. Impacts on the natural environment (Section 5325).*

The project site does contain several resource areas regulated by the Wetlands Protection Act and the Massachusetts Rivers Protection Act. The parking expansion areas have been designated to have minimal impact on the resource areas. Through careful planning, no direct wetland or resource area impact is anticipated for this project. All work is planned to occur within the buffer zones of resource areas. Additionally, all planned expansion work will be surrounded by appropriately sized erosion control barriers aimed to protect these resource areas from impact. A filing with the Deerfield Conservation Commission will be made in the immediate future to present this project and the minor impacts associated with it.

*f. Potential fiscal impact, including impact on town services, tax base and employment (Section 5326).*

There are no impacts anticipated on town services, as no additional or expanded services are planned for this project. There are no new hires anticipated for this phase of the project, but as time progresses, long range plans would include new employees to provide support in servicing our clients.

***Motion to approve the Special Permit Amendment for VESH Development with the following conditions and authorize the chairman to sign- Herchenreder***

***Second. Decker                      Vote: Sokoloski – aye, Decker - aye, Potter- aye, Herchenreder- aye. Vote Passes (4-0-0)***

**Conditions:**

1. The Special Permit shall remain with the Applicant.
2. Any substantial changes to the plans shall be brought back before the board.

3. The Applicant shall obtain all necessary permits, licenses, and other approval from any Board, Commission, Official, or other Agency or Agent of the Town of Deerfield, Commonwealth of Massachusetts, and or Federal Government.
4. The Applicant shall maintain the stormwater retention systems in accordance with the stormwater management plan as presented.
5. The Applicant shall provide contact information for the director of operations and provide a report with the stormwater maintenance annually.

*The board recesses for 2 minutes and returned at 7:47 pm*

- **Public Hearing**- Hearing convened at 7:48 pm with notice read into the record Pursuant to MGL Chapter 40A section 9 &11 a Special Permit application filed by Doug Ryan for an Amendment to his existing Special Permit for property located at 951 River Road (Map 9, Lot 6) to allow for autobody repair and store/park 17 unregistered vehicles in the C-II district.
  - Ryan discusses his desire to increase the number of unregistered or registered vehicles and may include boats up to 17 in total. Decker asks a clarifying question regarding any sales, limit work to the specific map and lot. Sokoloski expresses concerns regarding number of cars and boats, and seeks a maximum amount from Ryan to include 20 registered unregistered vehicles and boats. Potter asks a further clarifying question regarding the total number be inside and outside of the garage or total on the property.

***Motion to close the public hearing -Sokoloski***

***Second. Decker***

***Vote: Sokoloski – aye, Decker - aye, Potter- aye, Herchenreder-aye. Vote Passes (4-0-0)***

*The board is overall in support of the amendment to the existing Special Permit and the benefits outweigh the detriments pursuant to the purpose and intent of the Zoning Bylaw.*

***Motion to approve the Amendment to the Special Permit for 951 River Road (Map 9 Lot 6) with the following conditions to and authorize the Chairman to sign - Herchenreder***

***Second. Potter           Vote: Sokoloski – aye, Decker - aye, Potter- aye, Herchenreder-aye. Vote Passes (4-0-0)***

1. The Special Permit shall remain with the Applicant.
2. The Applicant shall provide contact information to be on file with the town.

3. The Applicant shall have no more than 20 vehicles on the property including boats at any one given time.
4. The Use shall remain as a vehicle repair and autobody shop including boats.
5. Old Business
6. Review Mail
7. Items Unanticipated 48 Hours Prior to Posting
8. Adjourn

***Motion to adjourn at 8:13 pm - Potter***

***Second. Decker Vote: Sokoloski – aye, Decker - aye, Potter- aye, Herchenreder-aye. Vote Passes (4-0-0)***

**Upcoming Meetings:**

TBD

Respectfully Submitted,

Alex Herchenreder, Zoning Board of Appeals Alternate Member.