



TOWN OF AVON, MASSACHUSETTS

A Great Place to Live, Work and Do Business.

BUCKLEY CENTER, Avon, MA 02322
Telephone: 508-588-0414

Avon Planning Board -Meeting Minutes

Date: April 1, 2010
Members Attending: Charles Comeau, Dolores Daigle, Charles Marinelli, Robert Pillarella
Also Present: Robert Borden, Building Inspector; Edward Mekjian and Robert Brady, Zoning Board; Jim Watson, Old Colony Planning
Absent: Matthew Curley
Visitor's Forum: Sherry Madore

APPOINTMENTS

None.

PUBLIC HEARING

8:00 P.M. - Zoning ByLaws

Charles Comeau called the meeting of the Planning Board to order at 7:20 P.M.

The Planning Board began by reading a letter written to the Old Colony Planning Council in regard to District Local Technical Assistance funds. The letter was approved and signed.

The Planning Board received an email from Rockland Trust in regard to the Parkview subdivision requesting information on the estimated amount to complete the roadwork. The Planning Board figured an estimate and wrote up a response to be sent to Rockland Trust.

PUBLIC HEARING

The Public Hearing for proposed zoning bylaw changes began at 8:05 P.M. The Planning Board began by reading and explaining to the visitor's Chapter 41, Section 81U, Paragraph 16, which is one of the proposed articles to be place on town warrant. The proposed adoption of this bylaw will enable the town to recover cash bonds held in escrow to complete the work as specified in an approved plan. Robert Pillarella made a motion to approve and to place the article accepting the

provisions of Chapter 41, Section 81U, Paragraph 16 on the town warrant seconded by Charles Marinelli. The Chair asked if there was any further discussion. See none. All in favor.

The Planning Board proposes to modify Section 5-3, H(6) of the zoning bylaws to restrict locations of cell towers. The text in this section will read “Wireless or Broadcasting Towers over 100 feet high erected on federal, state, county or town property only” which would require a Special Permit in all zoning districts. Robert Pillarella made a motion to approve and to place the article to modify Section 5-3, H(6) and to place the article on the town warrant, seconded by Charles Marinelli. The Chair asked if there was any further discussion. See none. All in favor.

The Planning Board proposes to add a “Wind Energy Conversion Facility” zoning bylaw to be placed as an article on the town warrant. The Planning Board notes that the acceptance of this proposed zoning bylaw is important for future planning. Robert Pillarella made a motion to approve and to place the “Wind Energy Conversion Facility” article on the town warrant, seconded by Charles Marinelli. The Chair asked if there was any further discussion. See none. Unanimous.

The Planning Board proposes to modify the Town of Avon Zoning Map along the route 28 area and proposes to change existing uses and take them out of the nonconforming situation that they are in and make them conforming. Right now business zone is a 100 feet back from the roadway, there is a tremendous amount of residential in there as well as business. So the idea is that driving from Randolph to Brockton, all the properties were looked at and what we attempted to do is put small mixed use business on one end of town, mixed business/residential where the residential exists as you go along and down on the other end of town is to continue the business down there and make that business zoned to handle the larger businesses such as Walmart or if CVS comes to town then that is an area where we would want to locate them. What we are attempting to do is to get some control over the zoning in the square so that when monies become available for revitalization in that square and the potential to sewer that particular area up there is to have it zoned correctly so that will entice a developer to come in there and look at it and put something in there that will have off street parking in the back, some type of a café type that we can pull people in. More people are probably going to end up having to live in situations where they can walk from one location and just go shopping and get something at the store. The issue of people driving over 75 issue of being able to live somewhere and walk someplace to get your convenient store items, your coffee, go to a pharmacy and be in a neighborhood area so that we can get businesses on the first floor, residential on the second floor and entice people to actually pull into this area. The potential is there because the police/fire station is up on the block as far as what is going to happen there or where the new one may or may not be located nobody knows just yet and the fact we attempting to figure out how to sewer that section. We are trying to get something executed on that and attempt get the industrial park sewered. That whole thing is the backbone of the town and if we don't do something up there and get proactive we are going to lose our tax base. Sherry Madore, a citizen of the town asked if the town would tie into the MWRA. Chairman, Charles Comeau stated that they are looking to sewer in the town so we don't have to rely on anybody. Edward Mekjian, visitor and Zoning Board member asked if they were looking from the square all the way to Randolph to be all business. Chairman, Charles Comeau requested Robert Borden, Building Inspector to assist in explaining the different types of changes to be made to the zoning. Robert Borden began to explain the colors on the zoning map as follows: The blue area highlighted is for mixed use, low density residential which means putting a business and residential on the same lot. The residential limit would be four (4) units per acre. As it exists now, there is a 100 foot wide business zone in the area which means that you cannot put a viable business on a 100 foot lot where there is no on-street parking. The proposal is in the area from the Randolph line down to the church property on the westerly side of the street and Randolph down to Demarco Park on the easterly side of the street to the back of lot lines 200 feet or the real lot line, whichever is further. The idea is possibly or hopefully through

subdivision or planning board site plan review to push the businesses a little further back from the street so that there is a wider walking area and locate the parking in the rear. Once you are down beyond the Blanchard Museum property on the easterly side of the street and beyond West High Street on westerly side of the street it is strictly business use down to Robbins Street on the easterly side and down to Bryant Lane including the town hall property will be strictly business use to the depth of the lots or 200 feet whichever is deeper. Across the street would be mixed use again with the same 4 residential units per acre density. From Bryant Lane down to Harrison Boulevard would be mixed use again. The property on the easterly side of the street starting at Fagan Drive and going all the way down to East Street would be strictly either residential on 25,000 square foot lots which is predominantly what is there now or if they wanted to convert that residence to a business they could do it but they couldn't mix it. It is one or the other on these parcels where it is now a 100 foot business zoned and it is all residential houses. Once you get beyond Harrison Boulevard on the westerly side and beyond East Street on the easterly side it goes just to general business which is business without residential associated with it which will continue on down to the Brockton line. The green areas you see are referred to as restricted use, that would require an act of the town meeting to change whatever is here now to different zoning. Bob Borden pointed out the green areas and noted the church owned property on the easterly side, DeMarco Park on the westerly side, Blanchard Trust property, Crowley School, Avon Cemetery, and the Avon Water Department property. The concept is to create a living business area in the center of town because what we have now isn't viable and move the businesses a little further out away from the concentrated residential area. To do this requires adopting a new zoning map and many changes to the zoning bylaws. Basically, the Department of Communities and Development is looking for this type of zoning- mixed uses and things like that- it greatly enhances the town's appearance when the town is looking for money from the state. So we propose to create to high density residential zone which is 10 units per acre. One is at the end of Langley Road extending in a north westerly direction up behind where King Street ends towards the Randolph line. The other parcel is bordered by Old South Street, Reservoir Street and Route 24 at the far end of town where it abuts Brockton. The reason these areas were picked is access to sewer, they are out of the way for the town as to not impact traffic in the town excessively and there is no by right multi-family zoning in the Town of Avon- we need to put it in. Sherry Madore, visitor asked what would happen to a home where the zoning is changed to mixed use or business and Bob Borden stated that it would become pre-existing nonconforming. Bob Borden stated that Avon does not tax by zoning but they tax by the use of the property. The intention of doing this is to create a viable zone where businesses can locate where we can get the parking off the streets where it is not allowed anyway. Push businesses approximately 12 feet from the street and have parking in the back, you do not need massive parking lots if you have a lot of them. Bob Borden noted that in order to change the zoning it takes changes in the definitions, the table of use regulations, it'll take changes in the allowable uses, but one of the requirements is when they develop these business as a multi use property if they are using the backyard for parking they need to put a 10 foot high fence at the back of the property to protect the residential zone behind it and it prohibits access to these lots through a different zone. In other words they cannot come into the lots from a residential zone. The Board noted that from Pratt Street to Victory Ave could benefit from mixed use, low density and that area was included. Also the area from the town center down to Bartlett Street would be yellow which would be zoned as general business.

The Chair made a motion to continue the public hearing and defers any recommendations until April 15, 2010 at 8:00 P.M.

ADJOURNMENT

Meeting adjourned at 9:30 P.M.

Respectfully Submitted,

Dolores T. Daigle, Clerk

Avon Planning Board