

Zoning Board of Appeals  
Meeting Minutes

Minutes of May 18, 2016

Hearing on the petition of Jeffrey Granville of 21 Dale Court, Rochdale, MA for a Special Permit to allow a Trucking Depot for the purpose of towing and storage of vehicles on property located at 30 Mill Street, Rochdale, MA

Members present: David Kirwan, Chairman; Vaughn Hathaway, David Orth, Acting Clerk

Alternate members present: Jim Reinke, Mary Moore, Dick Johnston

Meeting called to order at 7:35PM

Instructions were given on the hearing procedures.

Mr. Orth read the Notice and application into the record.

Submitted into Evidence: copy of Assessor's Map showing the property; drawing of existing building and graphical street map showing parking spaces

Correspondence received: a letter from Joe Johnson of Buckley Auto stating being in favor of the project; Site Consideration from the Building Inspector; Memo from Conservation Commission stating concern with runoff contributing to the resource area (French River).

Mr. Kirwan opened up discussion for the applicant to address the Board.

Mr. Jeffrey Granville submitted pictures' showing the paved parking area for 9 vehicles. The lot was private and will be gated at night.

The business is located to the left when entering the lot. There will be 18 cars total, 9 cars outside and 9 cars inside.

The cars kept inside will be ones involved with the Police Department and part of an investigation.

Mr. Kirwan asked if there were any provisions taken for vehicles with any type of damage that could leak oil or any fluids.

Mr. Granville said there will be trays placed under the cars and there will be plenty of steady-dry kept on site.

He explained there won't be any long term storage of cars because he will salvage the vehicle as soon as he can.

Mr. Orth asked how long a towed vehicle could stay on site. Mr. Granville said up to two weeks or when the police investigation was done.

Mr. Johnston asked where the outside cars would be kept. Mr. Granville said the 9 cars outside will be placed right along the front.

Mr. Kirwan asked if there would be any restoration of vehicles. Mr. Granville said no. As of right now, he would be working with only the Leicester Police Department. The building was inspected by the Fire Department and Building Inspector and they checked his insurance and his years of experience.

Mr. Kirwan asked if there was any stormwater runoff management on site. Conservation mentioned something about untreated stormwater runoff to the resource area.

Mr. Granville said there was a stormwater drain on site and the site was connected to public water and sewer.

Ms. Moore asked whether the stormwater runoff would change because the site was already paved.

Mr. Reinke questioned the potential impact additional vehicles parked on that lot could have and asked if there should be a trench drain and a storm drain with an oil/water separator, etc, because looking at the pictures, the building was basically surrounded on three sides by the French River. He said any runoff that wasn't captured by the one storm drain would go right into the river.

Mr. Kirwan said this is an existing building that at one time had industrial usage of various manufacturing businesses and to this day, is still trying to get some kind of use out of the building. He questioned whether any stormwater management has ever been considered on this site.

Mr. Granville said when he tows cars for the police department, the Department of Transportation will get involved and they have numerous regulations that have to be met. He felt DOT would not allow site contamination.

Mr. Kirwan asked if the Board's decision would have to be contingent upon review before the Conservation Commission.

Mr. Granville felt the property had approval for 100+ vehicles when it was a factory. He felt because the site has had numerous businesses and numerous inspections done upon each new business going in, at some point stormwater was addressed.

Mr. Hathaway asked what was in place to contain any leakage. Mr. Granville said there would be a large tray put under the vehicle, whether it's inside the building or outside. If fluid got on the ground before the tray was under the vehicle, he would apply the speedy-dry.

Mr. Hathaway felt that could address the concern with untreated runoff entering the river and asked about the uphill elevation.

Mr. Granville said what comes down the hill goes to a flat lot and the building lot is flat and continues flat around the building.

The vehicles will be stored in the front on pavement and not around back on the gravel area.

Mr. Hathaway asked where the storm drain was in relation to where the pavement was.

Mr. Granville said the drain was at the entrance to the left. Mr. Hathaway noted the cars being stored would be down below. Mr. Granville said yes.

Mr. Hathaway asked about Town sewer hookups. Mr. Granville said the site is hooked into Town sewer.

Mr. Hathaway had some concern with junk cars being stored on the site and possible leakage.

Mr. Granville explained the vehicles will be at least a football field away from the river.

Mr. Kirwan asked if vehicles will be moved from the front of the building to the rear of the building.

Mr. Granville explained he will only be using the front quarter of the building and won't be using the back part.

Mr. Orth asked if there were any precautions taken to contain potential runoff going into the river during a downpour event.

Mr. Granville said vehicles with potential of leaking would have a drip tray under it and could be put inside the building.

Ms. Moore asked if a condition could be added that any vehicles with the potential of leaking must be placed inside the building over a drip tray and cannot be stored outside.

Mr. Orth asked what would determine which vehicles are kept outside and which are kept inside. Mr. Granville said basically, there really won't be that many stored outside and most will be kept inside. He included the 9 outside to have that option opened. If he tows a vehicle from a DUI call, that wouldn't have to be put inside, but if he towed a vehicle from an accident and under investigation that would be put inside.

Mr. Hathaway asked about making a condition that no vehicle involved in any kind of accident can be stored outside. Ms. Moore agreed, but not includes a minor fender bender.

Mr. Orth agreed and suggested having the condition that any vehicle involved in an accident with the potential of leakage is required to be stored inside the building. Mr. Granville agreed.

Hearing no further comments or questions from the Board or the public, Mr. Kirwan asked for a motion.

Voting at tonight's hearing: David Kirwan, David Orth, Vaughn Hathaway, Jim Reinke and Dick Johnston

Voting: Vaughn, David O, David K, Dick, Jim R

MOTION: David Orth to approve the petition of Jeffrey Granville of 21 Dale Court, Rochdale, MA for a Special Permit to allow a Trucking Depot for the purpose of towing and storage of vehicles on property located at 30 Mill Street, Rochdale, MA, with stipulation on having no more than 19 vehicles, which includes the tow vehicle, on the lot at one time. Any vehicles having the potential of leakage is required to be stored inside the building and vehicles that do not have that potential of leaking, can be kept outside the building.

SECONDED: Jim Reinke– Discussion: The Board made the Finding that this would not be detrimental to neighborhood because the Mill was a pre-existing structure being located in an Industrial zoned area and that it was in harmony with the intent and purpose of the Bylaw.

VOTE: All in Favor

Instructions were given on the appeal process and the filing of this decision with the Registry of Deeds.

MOTION: Mr. Reinke moved to close the hearing

SECONDED: Mr. Orth – Discussion: None – VOTE- All in Favor

Meeting adjourned at 8:30PM

**Approval of Minutes**

2/3/2016 (2)

6 So. Main Street; Variance & 1 & 3 Paxton Street; Variance

MOTION: Mr. Reinke moved to approve the minutes with noted minor corrections

SECONDED: Mr. Orth – Discussion: None – VOTE: All in Favor

3/21/2016 (1)

30 Huntoon Highway; Special Permit

MOTION: Mr. Reinke moved to approve the minutes with noted minor corrections

SECONDED: Mr. Orth – Discussion: None – VOTE: All in Favor

Meeting adjourned at 8:45PM

Respectfully submitted:

*Barbara Knox*

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