

TOWN OF MENDON  
ZONING BOARD OF APPEALS  
20 Main Street  
Mendon, Massachusetts 01756

James P. Carty, Chairman  
Patrick Guertin - Member  
John Vandersluis - Member  
Thomas Merolli - Alternate  
John D'Amelio - Alternate

**Minutes**  
**49 Milford St.**  
**George Funari, Showtime Entertainment, LLC**  
**March 25, 2021**

Members present James Carty, John Vandersluis, Patrick Guertin, Alternate John D'Amelio, Alternate Thomas Merolli.  
Due to COVID-19 guidelines for public meetings, this meeting was held in person and public access was available remotely.

**49 Milford St- Special Permit**

Hearing was opened at 7:00pm. Chairman Carty read the hearing notice which was properly posted and mailed to abutters.

Dale MacKinnon, P.E. of Guerriere & Halnon, Inc. and Tom Lesser, attorney represented the client. Attorney Lesser stated that this hearing was the next step in the permitting process. They have previously met with the Planning Board and Conservation Commission and received approval to proceed. Mr. Lesser outlined the 7 criteria that needed to be met to comply with Zoning regulations. He stated all these have been met.

Mr. MacKinnon spoke about the security measures ensuring only employees have access to the rear of the lot. Valet parking will be utilized and there will be a gate in place. There will be police details as well as in-house security on Th, F, and SA. All other nights will have two in-house security personnel which they feel is adequate for the anticipated patronage on those nights. Mr. Vandersluis noted that the Police Chief was fine with this plan as it was presented at the Planning Board hearing.

Mr. Merolli asked when they anticipate opening. Mr. Lesser's best guess was 2 years.

Mr. D'Amelio asked if the proposed dispensary next door will have any effect on the zoning. The answer was no.

Mr. Guertin asked about the traffic study and whether it was an overestimation. The reply was that it was an overestimation.

Mr. Carty noted that the application differs from the original in both size and maximum occupancy/number of employees. Mr. Lesser acknowledged that once they receive approval from Zoning, that they will need to file an amended application with the Select Board to address these changes.

Mr. Carty opened the hearing up to questions from remote participants.

Kylie Gibbons, representing Senator Ryan Fattman stated that MR. Fattman does not support this business and is concerned with the socioeconomic impact on the area.

Marcia Matthews and Katherine (?), Hopedale residents, expressed their displeasure with the location. Katherine wanted to know what studies were done on wetlands and drainage. The Board stated that the proper hearings were held with Conservation and Planning.

Bob Sweet, 50 Milford St., asked about drainage and the existence of a stream. Mr. MacKinnon said there is no evidence of a stream on the lot.

Eric Hodge, 3 Bates St., asked about the name of the establishment and if it will indicate the type of activity within. Mr. Lesser said they do not know the name yet, but it will not indicate what type of establishment is within and will have no sexual overtones.

Kathy Schofield, 135 Blackstone St., asked about the possibility of walk-up traffic from the drive-in. Mr. Lesser stated the site would be fenced in and there was no access between the buildings next door. Ms. Schofield questioned whether that could be enforced.

Sharron Luttrell, Wood Dr., asked after it was stated no intoxicated persons are allowed in the establishment) how they will monitor whether someone is intoxicated. Mr. Lesser. Said the employees will all have specialized training.

Karen Meade, 14 Blackstone St., stated she thought that the proposed security would be adequate since it seems to work for the drive-in with a much bigger volume of patrons.

Bob Sweet asked if the applicant also bought the lot to the left of this site. The answer was yes. Ms. Schofield asked about the plan for this lot. Mr. Lesser said it would potentially be parking or a buffer.

Cindy VanSlette, 32 Crestview Dr., asked about the traffic study which was done 11 years ago. Mr. MacKinnon answered that the D.O.T. decides whether the traffic is a

hazard. Ms. VanSlette asked whether the smoking area will be covered to reduce noise as it travels to the nearby residential neighborhood. Mr. Lesser said there is stockade fencing surrounding the area but no cover. Valet parking was also added to reduce patron noise in the back of the lot. She also inquired as to how often the owner will be on site. The answer was unknown.

Bob Sweet stated the State may be putting in a bike lane on Route 16 and wondered if that would affect the application. It is felt it would not.

Kathy Schofield asked whether there is any intention to have live bands. Mr. Lesser answered no, and they would need special permission for that from the Select Board.

There was no further comment from the public.

J. Vandersluis made a motion to approve the Special Permit. P. Guertin seconded. The motion passed unanimously. 8:05pm

#### **Minutes from 2.18.21**

On a motion from J. Vandersluis, 2<sup>nd</sup> by P. Guertin the minutes from 2.18.21 were approved as written. 8:06pm

J. Vandersluis made a motion to adjourn, P. Guertin seconded. Unanimous 8:11pm

Accepted April 29, 2021