

James Carty - Chairman  
Patrick Guertin - Member  
John Vandersluis - Member  
Sherry Grant - Alt Member  
Lawney Tinio - Alt Member



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

January 15, 2015

Attending Members:

James Carty  
Patrick Guertin - Non voting Member tonight  
John Vandersluis  
Sherry Grant – Alt Member  
Lawney Tinio – Alt Member - Absent

J. Carty motions to approve the meeting minutes from 12/17/2014. S. Grant seconded the motion, motion passed unanimously.

**2 Stymast Drive - Variance Cont. PH from 12/17/2014**

Ernest Pettinari – representing Attorney for the applicants presented the Board with an amended set of plans.

J. Carty reads the PH notice for the cont. PH and memorandum (Memo B) issued by E. Pettinari's office.

J. Vandersluis states that the site-walk of the property went well.

Pat Sardonelli – 28 West Street asks if the property had changed hands yet. E. Pettinari stated that the property had not changed hands.

J. Carty asks about the fire safety turnaround which E. Pettinari states that the applicant is willing to mark that as a condition.

T. Aicaridi – Applicant – states that the driveway will be 150 feet long and that there will be plenty of room for a turnaround.

E. Pettinari states that a significant amount of vegetation will be left and states that this is a reasonable condition to the decision.

J. Vandersluis motions to approve lot 1RB on Stymast Drive as submitted and drawn on plans.

J. Carty wants fire department to verify a proper turn-around as a condition to the decision.

S. Grant seconded the motion – motion passed unanimously.

J. Vandersluis motions to adjourn hearing. S. Grant seconded the motion, motion passed unanimously.

#### **60 Uxbridge Road – Variance & Special Permit Cont PH from 12/17/2014**

J. Carty opens the continued public hearing and reads the PH notice.

Andrews Engineering demonstrates plan – new 3.4 feet off the sideline of original plan. There will be a new house constructed, same offset. The applicant is restricted because of the pond on the property, ledge – small area to work with.

Site walk performed previously by Board members separately.

J. Carty states that the adjacent house is a good distance away from the proposed house.

Mike Ammendolia – 186 Blackstone Street - asks how much distance is to the water's edge which the engineer states - (48) feet away. Engineer states that the Order of Conditions are met and Notice of Intent filed.

J. Vandersluis asks if a demo permit will need to be applied for which the engineer stated yes.

J. Vandersluis motions to grant the variance and special permit as per plans. S. Grant seconded the motion, motion passed unanimously.

J. Vandersluis motions to adjourn hearing. S. Grant seconded the motion, motion passed unanimously.

JAMES CARTY – CHAIRMAN  
JOHN VANDERSLUIS  
PATRICK GUERTIN  
SHERRY GRANT – ALT  
LAWNEY TINIO – ALT

## **TOWN OF MENDON**

### **ZONING BOARD OF APPEALS**

**20 Main Street  
Mendon, Massachusetts 01756**

**Omar Wenger  
127 Uxbridge Road**

Petition of property owner Omar Wenger, 1048 South Main Street, Bellingham MA 02019 requests relief from Article II, Sec. 2.01 (a), Table 1 of the Mendon Zoning Bylaws – Dimension Regulations requiring a two family dwelling in a rural residential district with a min. lot width of 300 feet at the building setback line. The applicant requests relief by a variance of approximately 15.5 feet from the 300 foot wide zoning setback width. Assessor's Map # 15-236-127.

J, Carty opened the public hearing held on May 7, 2015 and reads the public hearing notice. Advertising, posting of notice and mailing public hearing notices to abutters were performed.

The petitioner and his attorney presented a conceptual site plan demonstrating their reasoning for relief. The engineer stated that due to the radial curve of the front southwesterly property line, the zoning setback width was not achievable by approximately 15.5 feet and therefore, needs a variance from the 300 foot wide zoning setback width.

The abutters present at the hearing voiced their concerns about the prior Zoning Board decision granted in 2009 on the property with respect to the landscaping condition that was not followed through by the landowner. The abutters also questioned the hardship and lot concerns.

John Vandersluis motioned to grant the variance as written for the proposed subdivided lot 127(A) with a condition that the applicant immediately begins landscaping the existing lot 127(B) as agreed upon in the Zoning Board decision dated March 5, 2009. Patrick Guertin seconded the motion, motion passed unanimously.

P Guertin motions to close the public hearing. J. Vandersluis seconded the motion. Motion passes unanimously. Hearing adjourned.

ZBA Business: 1/15/2015 meeting minutes unanimously approved.

JAMES CARTY – CHAIRMAN  
JOHN VANDERSLUIJS  
PATRICK GUERTIN  
SHERRY GRANT – ALT  
LAWNEY TINIO – ALT

## **TOWN OF MENDON**

### **ZONING BOARD OF APPEALS**

**20 Main Street  
Mendon, Massachusetts 01756**

#### **Varsity Wireless, LLC**

**346 Congress Street, Suite 703 - Boston, MA 02210**

**Re: 101 Blackstone Street, Mendon, MA 01756**

Petition of Varsity Wireless, LLC, 346 Congress Street, Suite 703, Boston, MA 02210 requests relief from Article II, Sec. 2.01 and Table 1 which requires (200) feet of frontage in a residential zone. The applicant also seeks a modification of a prior ZBA decision restricting no further development on the property. The applicant requests relief by a Variance from 200 ft of frontage to 116 ft and also modification to a prior decision on the property that would allow further development of the proposed facility. The lot is located at 101 Blackstone Street, Mendon, MA and owned by Andrew Fiske of the same address. Assessor's Map # 16-108-101.

J. Carty opened the public hearing on July 9, 2015 and read the public hearing notice. Advertising, posting of notice and mailing public hearing notices to abutters was performed.

The attorney representing Varsity Wireless, LLC presented a conceptual site plan demonstrating their reasoning for relief. The proposed tower has been approved with the Town Engineer and Planning Board. August 23, 1994 a variance was approved with a condition that no further development of this parcel be allowed unless petitioned by the Board of Appeals. The property's frontage of 116 feet is also presented as a requested variance to the allowed 200 feet. The attorney states that the proposed cell tower will not cause traffic, noise, lights or odor and that the site will be very passive after construction. Also stated is that there will be no impact on the drainage. The attorney states that the single pole structure will be more esthetically pleasing than a lattice type structure with a non-reflective galvanized finish. The lot is wooded and there is a substantial tree canopy in the area. This tower will be a long term lease.

The abutters present at the hearing voiced their concerns about the previous decision stating that there be no further development on the property. The Board clarified that the variance granted in 1994 did state such conditions but was left open for a petitioner to come back to the Board to modify the condition. Other concerns were home values, future sale of the property and cell lease procedures.

Patrick Guertin motioned to approve the variance as written in the petition with a condition that any further development or modification on the property must petition Zoning Board of Appeals. An additional condition is imposed that if the tower location is modified significantly, the Planning Board should review the modification. Sherry Grant seconded the motion, motion passed unanimously.

J. Vandersluis motioned to close the public hearing. L Tinio seconded the motion. Motion passed unanimously. Hearing adjourned.

James P. Carty, Jr. - Chairman  
Patrick Guertin - Member  
John Vandersluis - Member  
Sherry Grant - Alternate  
Lawney Tinio - Alternate



**TOWN OF MENDON**  
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**Industrial Tower and Wireless, LLC**  
**40 Lone Street, Marshfield, MA 02050**

**Re: 7 Harrington Street, Mendon, MA 01756**

J. Carty opens the public hearing on July 9, 2015 and reads public hearing notice. Advertising, posting of notice and mailing public hearing notices to abutters were properly performed.

Petition of Industrial Tower and Wireless, LLC, 40 Lone Street, Marshfield, MA 02050 requests relief from Article II, Sec. 2.07 (f) (v) & 2.07 (f) (vi) of the Mendon Zoning Bylaws – 2.07 (f) (v): Proximity to existing residential dwellings and 2.07 (f) (vi): Setback from property lines. The applicant requests relief by a Variance from proximity to (5) existing dwellings requiring 500 ft in distance with the closest existing at 362 ft and setback from property lines one and half times overall height of cell tower requiring 225 ft in height to 175 ft in height. The lot is located at 7 Harrington Street, Mendon, MA and owned by Louis Sabatinelli of 69 Milford Street, Mendon, MA. Assessor's Map # 6-139-7

The attorney representing Industrial Tower and Wireless, LLC presented a conceptual site plan demonstrating their reasoning for relief. The proposed tower's location will reside on a 3.3 acre heavily wooded lot in the business zoned district. The plan has already been approved by the Planning Board will supply cell coverage in areas that presently have a significant gap in coverage. The attorney also states that the (5) homes located within the 500 ft distance requirement will not be able to view the cell tower. Also, due to the location proposed, the tower will also need a variance from required setback from property lines of less than one and half times the tower height.

The abutters present at the hearing were not opposed to the cell tower and the need for the (2) variances presented to the Board.

Lawney Tinio motioned to approve the (2) variances as written in the petition. Sherry Grant seconded the motion, motion passed unanimously.

L. Tinio motions to close hearing. J. Vandersluis seconded the motion – hearing adjourned.