



TOWN OF GROVELAND

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**TOWN OF GROVELAND
ZONING BOARD OF APPEALS**

**DECISION FOR SPECIAL PERMIT
APPLICATION #2017-5**

YOU ARE HEREBY notified of the Decision of the Board of Appeals on the application made by Fadi Issa (the "Applicant") for property located at 929-931 Salem Street, Groveland, Massachusetts, Assessor's Plat # 49 Lot # 04, located in the Industrial District (the "Property").

Application # 2017-5 was filed with the Board on May 8, 2017 as signified by the Town Clerk's date stamp. The Applicant proposes redeveloping the Property's existing commercial/industrial and two-family uses and constructing an 8,000 square foot building to include a convenience store, five (5) auto repair bays and two (2) auto body bays and to install four (4) fuel dispensing pumps, with eight (8) fueling positions under a 44-foot by 47-foot steel overhead canopy.

Notice of such public hearing was given by posting in Town Hall posting, publication in The Eagle Tribune on June 7, 2017 and June 14, 2017, and by certified mail to all parties-in-interest as defined in Section 11 of Chapter 40A of the Massachusetts General Laws.

The Board, as authorized by Section 15 of Chapter 40A of the Massachusetts General Laws, heard Application #2017-4 at a public hearing conducted on June 21, 2017.

FINDINGS:

The Board makes the following findings in connection with this Decision:

1. Under the Zoning By-Laws, the proposed uses are permitted with a special permit from the Board of Appeals.
2. The proposed auto repair and auto body uses are relocating from a nearby property.
3. The traffic generated by the proposed uses will not negatively impact the neighborhood because the auto repair and auto body traffic already exists and is just being relocated, because most gas station trips are pass-by rather than new trips, and because Salem Street (Route 97) can accommodate heavy volume of traffic.
4. The site design is adequate to prevent queuing of cars at the fueling positions and no backup of cars onto Salem Street is anticipated.

5. The Applicant proposes 58 parking spaces and this number is sufficient for all proposed uses.
6. The proposed improvements will reduce impacts to the environment over existing site conditions because of the extensive stormwater management system that will be installed to reduce stormwater runoff into the wetlands.
7. The proposed improvements will protect the health and safety of abutters and residents through the installation of a spray hood which will reduce nuisances associated with auto body repair.
8. The redevelopment of the Property will improve the tax base in town and provide additional employment opportunities.
9. The proposed uses will provide necessary services and convenience to residents and visitors to town.
10. There are adequate utilities and public services to serve the use.
11. The Applicant has obtained site plan approval from the Groveland Planning Board and an Order of Conditions from the Groveland Conservation Commission, through which outside consulting engineers have reviewed the proposed site design and stormwater management system.
12. No one appeared or submitted testimony in opposition of the proposed uses.

DECISION:

The Board voted 4-0 to approve Application 2017-5 and grant the Applicant a special permit for use of the proposed building on the Property as a convenience store, five (5) auto repair bays and two (2) auto body bays and to install four (4) fuel dispensing pumps, with eight (8) fueling positions under a 44-foot by 47-foot steel overhead canopy, all as shown on the plans submitted with the application, titled "Proposed Automobile Service Station and C-Store, 929-931 Salem Street, Groveland, MA 01834" prepared by Choubah Engineering Group, P.C., last revised March 21, 2017 (the "Plans"), on the following terms.

1. No auto repair or auto body work will be conducted outside of the proposed building.
2. The hours of operation are limited to:
 - Auto body and auto repair work: Monday through Friday 8 am to 5 pm, Saturday 8 am to 3 pm
 - Gasoline fueling and convenience store: Sunday through Saturday, 5 am to 11 pm.
3. The proposed building and fueling station will be constructed in accordance with the Plans.

4. This special permit shall not take effect until it has been recorded in the Essex County Registry of Deeds.

Vote on the Motion to approve this Decision:

	YES	NO	ABSTAIN	ABSENT
CHAIR (K. Bailey)	X			
MEMBER (K. Franson)	X			
MEMBER (D. MacDonald)	X			
MEMBER (J. Norman)	X			
MEMBER (Vacant)				

Any Appeal of this Decision shall be made pursuant to Section 17 of Chapter 40A.



Chair: Katherine C. Bailey

6/24/17

Date:

Please be aware that the amendments to the Town of Groveland's Zoning Bylaws approved by a vote of Town Meeting on April 24, 2017 are currently being reviewed by the Office of the Attorney General, and any action taken under any permit issued pursuant to the amended Bylaw is taken at the permit holder's risk with the understanding that a disapproval of the amended Bylaw may result in the activity undertaken pursuant to said permit being disallowed.