

Commonwealth of Massachusetts  
Town of Acushnet  
Zoning Board of Appeals

**MEETING MINUTES - June 6, 2017**

Present were: Mr. Paul Hipolito, Chairman  
Mr. Marc Cenerizio

Mr. Rick Lilly  
Ms. Carol Westgate

Mr. Robert Brown (alternate) Absent

Mr. David Costa (Absent)

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**I. Meeting called to order at 6:30 P.M. by Chairman, Paul Hipolito**

**II. Minutes to be approved – March 7, 2017**

Minutes of March 7, 2017 meeting approved as written – Carol Westgate made motion, Rick Lilly 2<sup>nd</sup> – All were in favor.

**1. New Business**

- a. **Case #2017.06.A** – Linda M. Norcross of 264 Reed Road – Westport, MA. Petitioning for a Special Permit under Section 3.3.1RA & “B” 8 for 690 Main Street - to allow the parking of 8-10 commercial vehicles on property.

Mr. Hipolito asked Mrs. Norcross to the podium asking if she had the list of vehicles that will be parked on site that he requested at previous meeting. She stated she was not aware that she needed to bring in a list to the Board. Mr. Hipolito stated that the board needs to know the specifics of how many vehicles are on site.

Ms. Norcross stated that the purchase of this property is contingent on these special permits being given by the board; and, if this doesn't happen, then this is not a property that we will be interested in purchasing. Mr. Hipolito said that this was understood in the first meeting; and if he had known they were more than one commercial vehicle on property he would have addressed this at the first meeting and it would have saved them an addition \$300.00 for refiling a special permit. The By-law only allows 3 automobiles and 1 commercial vehicle. If you have more than one commercial vehicle, a special permit is need.

Mrs. Norcross said he owns 8 Plus commercial vehicles, because they also have a landscaping business. Mr. Hipolito stated to her that a special permit was granted to you last month, it does not give permission to run two businesses on this site. Mrs. Norcross stated that it's one business called, “Landscaping Development and Masonry business. Mr. Hipolito stated that he wants to make it

clear, that she cannot run two businesses on this site under the special permit the board issued for a Masonry business; and not a landscaping and masonry business.

Mrs. Norcross stated that it is one business at that the site at 690 Main Street is only for the mason business; has nothing to do with the landscaping business. Mr. Hipolito asked that all the vehicles stored at this site are they part of landscaping business. She replied they are only for the Mason business.

Mrs. Norcross asked the board that they have some old trucks and are looking to replace them, if that would pose a problem later on. Mr. Hipolito stated that if and when they replace a vehicle like an F-150 they cannot replace it with an F-250 that would be converting it into a different type of truck. She stated they would not be doing that, only replacing the same kind of truck.

Mrs. Norcross gave us the following list of vehicles that are on site:

- 1. Mac Truck (10 Wheeler)
- 1. F-760 Dump Truck (dual axle)
- 1. F-650 Flat Bed
- 1. F-600 Dump Truck
- 2. F-350 Dump Trucks
- 1. F-550 Pickup Truck
- 2. F-350 Pickup Truck

**Total of 9 Commercial Vehicles**

Mr. Midurski of 700 Main Street (only neighbor that came to the meeting) asked about trailers that are on site. Mr. Hipolito stated "a trailer is not considered a commercial vehicle. It cannot go down the street 30 miles an hour on its own, what's towing it is considered the commercial vehicle.

Mr. Midurski stated that he tried to get other neighbors to come to meeting, but they refused. He still has some reservation about the hours, noise and the trucks coming in and out. He stated that there is a driver that comes in after 7:00 P.M. Mr. Hipolito stated that driving a truck in there at 7:00 P.M. is not big deal; you just get in there and leave. Mrs. Norcross said that there are some instances (although slight) that a driver would be last one to come in for the night as he is probably the driver who is coming the furthest working location. Of hand she doesn't who it could be, but would look into it.

Mrs. Westgate asked Mrs. Norcross if there was a time clock that the employees punch. She no there was not. Mr. Hipolito stated he knows what Carol is saying,

this would show who came in, at what time and time they left.

Mr. Cenerizio asked how many employees? Mrs. Norcross stated they have 26 employees and 4 of them are clerical.

Mr. Hipolito told Mr. Midurski that should a problem arise in the future, he should call the Building Inspector who is the enforcing officer of special permits. He told Mr. Midurski, it would be better for him to put the complaint in writing. Once he receives the complaint he can act upon it and respond to the complaint. If it is not in writing, he does not have to respond.

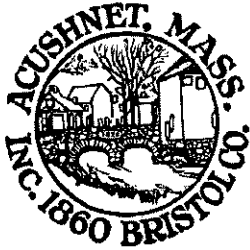
Mr. Hipolito stated that the Special Permit for the business has already been approved, and they can't run a business without trucks, so it's all in their hands now. If there are any complaints of noise you need to notify the zoning/enforcement officer.

Mr. Hipolito asked if they were all in agreement, because there are stipulations in these special permits. This could make or break a business. I'm not trying to be a bad guy here, but I'm putting it all out on the line. Mrs. Norcross stated that this could make or break it for them as well, if they will purchase the building in Acushnet.

Mr. Hipolito stated we have four (4) members here present and need a motion to approve the nine (9) commercial vehicles that were listed on site. Carol Westgate made 1<sup>st</sup> motion, to approve the 9 commercial vehicles there were listed on site, Marc Cenerizio 2<sup>nd</sup>. Mr. Hipolito asked all members present that are in favor to please show of right hands. All were in favor... Motion passed.

2. Future Business: (none)
3. Schedule next Zoning Board of Appeals Meeting: No meeting scheduled for July.

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Zoning Board of Appeals

Acushnet Zoning Board of Appeals Meeting – Tuesday, April 4, 2017

Respectfully submitted:  
Rachel Charbonneau

Minutes Approved:

*Richard Lally*  
*Paul Hipolito*  
*Mae King*

Date: \_\_\_\_\_

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