



## ***Town of Tyngsborough Zoning Board of Appeals***

25 Bryants Lane  
Tyngsborough, Massachusetts 01879  
Office: (978) 649-2300 Ext. 112

### **APPROVED**

#### **Board of Appeals Meeting Minutes for April 15, 2010**

**Members Present:** Robb Kydd, Chris Mechalides, Claire Cloutier, Cheryl Bradley, Joseph Polin and alternate member Scott Bordeleau

**First Hearing:** **Preferred Business Solutions, LLC – 6 Progress Avenue, Tyngsboro, MA**

Read the legal notice advertised in the Lowell Sun on April 1 and April 8, 2010.

Chairman, R. Kydd asked if there were any challenges to the legal notice or abutter notification, there were non.

**Abutters list:** motion to waive the reading made by Chris Mechalides, seconded by Scott Bordeleau. Unanimous

Attorney Scott J. Eriksen made the presentation on behalf of his client Preferred Business Solutions, LLC. He presented the Board with the plans that the Planning Board had previously approved.

Chairman Kydd asked if there were any abutters present speaking for or against the application.

The residential abutter Mr. Connell of 30 Cummings Road was in attendance and reviewed with the Board his concerns regarding his property lot line and the plan for buffering as discussed with the Planning Board and Preferred Business Solutions, LLC representatives. After review with Atty. Eriksen the Board and Mr. Connell were satisfied that the plans for the buffering of the lot lines were acceptable.

Board members continued discussions with Atty. Scott Eriksen regarding the Memorandum he presented in support of this application. (copy attached). The Board found that the relief being sought would make improvements that would increase the safety of the traffic flow in and out of the property which is a corner lot.

Motion was made to close the public portion of the meeting. Motion made by Chris Mechalides and seconded by Claire Cloutier. Unanimous.

#### **Motions were made as follows:**

1. Variance from section 3.10.41 (1) regarding the entrance or exit center line. Motion made by Joseph Poulin to allow 100' relief so that the entrance / exit would be located as show on the site plan, Second by Chris Mechalides. Unanimous

2. Variance from section 3.10.41 (2) regarding the by-law requiring 400 feet line of sight visibility in each directions. The line of sight is approximately 320' requiring a variance of 80'. Motion made by Joseph Poulin and second by Chris Mechalides. Unanimous
3. Variance from Section 3.13.33 Landscape Strips. To allow 5' landscape strip on building front – Progress Avenue side in lieu of 10'. To allow 4' landscape strip on west side of building – Cummings Road side in lieu of 5' and to all 0' landscape strip on buildings east side and north side bordering Piconic's lot in lieu of 5'. Motion made by Joseph Poulin and second by Chris Mechalides. Unanimous

Next on the Boards agenda was a request by Mr. Peter Cricones of Whispering Pine Estates to address the board regarding a proposal he will be making to the Tyngsboro Housing Partnership. Mr. Cricones explained that with the current economy he finds that his current agreement to deed two of the units within his Whispering Pines development has become cost prohibitive. He is now suggesting that he might look into purchasing two existing units, in town, outright and deed those to the town. This would increase the number of affordable units from 2 to 4 because the two within Whispering Pines, when built and sold would remain affordable. After a brief discussion the Board said that they were not opposed to hearing from the Tyngsboro Housing Partnership on this matter after the discussions are held.

Motion made at 8:20 pm to adjourn by Claire Cloutier and second by Cheryl Bradley.