

## **Zoning Board of Appeals January 23, 2019 Meeting Minutes**

### **Call to Order:**

Mr. Brian Heath, Acting Chairman, called the meeting to order in the Council Chambers located on the second floor of the Municipal Office building, 66 Central Square, Bridgewater at 7:02pm

### **Attendees:**

Present: Brian Heath, Member; and Anna Klimas, Associate Member

Absent: Anthony Aveni, Chairman; Gerry Chipman, Member; and Michael Mainvielle, Associate Member

Staff Present: Jennifer Burke, Director of Community and Economic Development

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### **0 Plymouth Street, Map 24, Parcel 50 and 51 – Use Variance**

Mr. Brian Heath, Acting Chairman, opened the continued public hearing and read a letter dated January 17, 2019 from Lawrence P. Silva, President, Silva Engineering Associates, P.C. into the record. It stated the following:

*“On behalf of our client, Silva Engineering Associates (SEA) would like to request a continuation from the meeting scheduled for January 23, 2019, to your meeting scheduled for February 27, 2019. The additional time will allow for an opportunity to continue to pursue an alternative course of action which has been recommended by the Town Manager and Town Planner. If the alternative is feasible, then the petition will be withdrawn. If, however, the recommended path is not successful, we would like to hold open this hearing to pursue a decision from your Board. If you have any questions, please feel free to contact the office.”*

Ms. Anna Klimas, Member, made a motion to accept the applicant’s request for a continuance and continued the hearing to February 27, 2019 at 7pm. Mr. Brian Heath, Member, seconded the motion. VOTE: All in favor, none opposed.

### **0 Plymouth Street, Map 24, Parcel 50 and 51 – Appeal of Building Inspector’s Decision**

Mr. Brian Heath, Acting Chairman, opened the continued public hearing and read a letter dated January 17, 2019 from Lawrence P. Silva, President, Silva Engineering Associates, P.C. into the record. It stated the following:

*“On behalf of our client, Silva Engineering Associates (SEA) would like to request a continuation from the meeting scheduled for January 23, 2019, to your meeting scheduled for February 27, 2019. The additional time will allow for an opportunity to continue to pursue an alternative course of action which has been recommended by the Town Manager and Town Planner. If the alternative is feasible, then the petition will be withdrawn. If, however, the recommended path is not successful, we would like to hold open this hearing to pursue a decision from your Board. If you have any questions, please feel free to contact the office.”*

Ms. Anna Klimas, Member, made a motion to accept the applicant’s request for a continuance and continued the hearing to February 27, 2019 at 7pm. Mr. Brian Heath, Member, seconded the motion. VOTE: All in favor, none opposed.

Jennifer Burke, Director of Community and Economic Development, informed the Board that she continues to work with the applicant and the applicant’s representative for both 0 Plymouth Street petitions.

**APPROVED: February 13, 2019**

**McElwain School Apartments 40B – 242 and 250 Main Street, Map 20, Parcel 40, and Map 21, Parcel 16**

Mr. Brian Heath, Acting Chairman, opened the public hearing and read a letter dated January 23, 2019 from Mathieu Zahler, Managing Member, and Jason Korb, Managing Member, from CC MPZ Main Street LLC into the record. It stated the following:

*“On December 13, 2018, CC MPZ Main Street LLC (the “Applicant”) filed a Comprehensive Permit application (“Application”) with the Zoning Board of Appeals (“ZBA”) for a project known as the McElwain School Apartments (the “Project”) located at 242 and 250 Main Street (the “Property”). Pursuant to 760 CMR 56.05(3), the ZBA shall open a hearing within 30 days of its receipt of a Chapter 40B application. The Application was submitted on December 13, 2018. On December 19, 2018, we submitted a request for an extension of the opening of the hearing through January 23, 2019. Due to a number of issues including our desire to be able to respond effectively to the Town’s peer review of the Project, the Applicant authorizes a further extension for the ZBA to open the hearing through February 13, 2019. Please let us know if you have any questions. Thank you for your attention to this matter.”*

Ms. Anna Klimas, Member, made a motion to grant the extension request. The petition will be re-advertised and all abutters will be re-notified. Mr. Brian Heath, Member, seconded the motion. VOTE: All in favor, none opposed.

**Zoning Board of Appeals Business**

**Review of Meeting Minutes**

The Board reviewed the meeting minutes from the October 24, 2018 and December 12, 2018 meetings.

Ms. Anna Klimas, Associate Member, made a motion to approve the October 24, 2018 and December 12, 2018 minutes as presented. Mr. Brian Heath, Member, seconded the motion. VOTE: All in favor, none opposed

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Ms. Anna Klimas, Associate Member, made a motion to adjourn the regular meeting at 7:07pm. Mr. Brian Heath, Member, seconded the motion. VOTE: All in favor, none opposed. Mr. Brian Heath, Acting Chairman, closed the meeting. Next Zoning Board of Appeals meeting will be held on February 13, 2019 at 7:00pm in the Council Chambers located on the second floor of the Municipal Office Building, 66 Central Square, Bridgewater.

Respectfully submitted,

Jane K. Brown  
Administrative Assistant