

## **Zoning Board of Appeals February 13, 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 7:00pm

### **Attendees:**

Present: Brian Heath, Acting Chairman; Gerald Chipman, and Michael Mainvielle, Member

Absent: Anna Klimas, Associate Member

Staff Present: Jennifer Burke, Director of Community and Economic Development  
Azu Etoniru, Town Engineer

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### **81 Grove Street – Use Variance**

Mr. Brian Heath, Acting Chairman, opened the continued public hearing and read a letter dated February 7, 2019 from Troy B. G. Clarkson, Principal, Clarkson Consulting. into the record. It stated the following:

*“My client, West Point realty, is scheduled for a continued hearing with the Zoning Board of Appeals (Zoning BA) on February 13, 2019. At this point, we are reconsidering the best options for development of the site and wish to withdraw our application. Thank you for your assistance.”*

Mr. Gerald Chipman, Member, made a motion to accept the applicant’s request to withdraw the petition. Mr. Brian Heath, Member, seconded the motion. VOTE: All in favor, none opposed.

### **Review of Minor Modification of Pratt Town 40B**

Mr. Brian Heath, Acting Chairman, opened the meeting and reviewed a letter dated January 10, 2019 from Marion V. McEtrick, Attorney at Law, 10 Crown Street, Milton, representing Jeffrey Cutter requesting a minor modification in the garage length. The Board also reviewed plans presented depicting the change, dated January 2019 prepared for Bridgewater Homes, Plymouth Street, Bridgewater, MA by Graf Architects, 2 Liberty Street, Newburyport, MA entitled “Floor Plans – Model C”.

The Board along with Ms. Marion McEtrick and Jeffrey Cutter discussed the proposed change in detail.

Ms. Jennifer Burke, Director, Community and Economic Development, stated that she discussed the modification with Steve Solari, Zoning Enforcement Officer, and they both agreed that it was a major modification and would require a new hearing.

Ms. McEtrick stated that she would review the modification with DHCD request with DHCD and report back to the Board in writing.

Mr. Gerald Chipman, Member, made a motion to continue the hearing to March 27, 2019 at 7pm. Mr. Brian Heath, Member, seconded the motion. VOTE: All in favor, none opposed.

**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 The Zoning Board of Appeals will hold a Public Hearing on February 13, 2019 at 7:00pm in the Council Chambers located on the second floor of the Municipal Offices, 66 Central Square, Bridgewater, MA to review an application filed by CC MPZ Main Street, LLC, c/o Capstone Communities LLC, 950 Boylston Street, Suite 103, Newton Highlands, MA 02461 for a proposed 40B Comprehensive Permit filed under MGL Chapter 40B § 20-23 known as McElwain School Apartments for property located at 242 and 250 Main Street, as identified on Assessor's Map 20, Parcel 40, and Map 21, Parcel 16. The applicant proposes to develop 57 rental apartments on approximately 3.5 acres. Area is zoned Residential D.

Present: Mathieu Zahler, Principal, MPZ Development; Jason Korb, Principal; and Jennifer Tamarkin, Development and Management Associate, from Capstone Communities; David A. Mackwell, Senior Associate, Kelly Engineering Group, Inc., David Chilinski, President, Prellwitz Chilinski Associates, John Copley, President and Principal, Copley Wolff Design Group, Francisco Lovera, P.E., Project Manager, McMahon Transportation Engineers and Planners; and Ruth H. Silman.

The following documents were reviewed and/or discussed in detail:

- Engineered Plans, dated December 13, 2018 entitled "McElwain School Apartments, 242 & 250 main Street, Bridgewater, MA", Sheet C1 "Existing Conditions Plan", Sheet C2 "Layout Plan", Sheet C3 "Grading Plan", Sheet C4 "Utility Plan", Sheets C5-C7, "Detail Sheet", Sheet L-001 "Tree Protection Plan", Sheet L-100 "Landscape Plan", Sheet L-200-L-201 "Site Details", Sheet L-300 "Photometric Plan", Sheet A1.10 "250 Main Existing School – Level 1 & 2 Floor Plans", Sheet A1.11 "250 Main Existing School – Level 2 & Roof Plans", Sheets A2.10-A2.11 "250 Main Existing School – Elevations", Sheet A1.20 "250 Main New Building – Level 1 Floor Plan", Sheet A1.21 "250 Main New Building – Level 2 & 3 Floor Plans", Sheet A1.22 "250 Main New Building – Roof Plan", Sheet A1.22 "250 Main New Building – Roof Plan", Sheets A2.20-A2.21 "250 Main New Building – Elevations", Sheet A1.30 "242 Main House – Basement 7 Level 1 Floor Plans", Sheet A1.31 "242 Main House – Level 2 & Roof Plans", Sheet A1.32 "242 Main Garage – Floor Plans", Sheet A2.30-A2.31 "242 Main – Elevations" and Sheet A3.10 "Project Views".
- A letter dated January 3, 2019 to Zoning Board of Appeals from Laurie Keane, Office Administrator, Board of Health.
- An email dated January 4, 2019 Chief Thomas Levy, Fire Department.
- A letter dated January 21, 2019 to Jennifer Burke, Director of Community and Economic Development from Francisco Lovera, P.E., Project Manager, McMahon Transportation Engineers and Planners outlining a Traffic Impact Analysis Peer Review of the proposed residential development project.
- A letter dated January 22, 2019 to the Zoning Board of Appeals from Azu Etoniru, Town Engineer.
- A letter dated February 7, 2019 to the Zoning Board of Appeals from David A. Mackwell, Senior Associate, Kelly Engineering Group, Inc in response to the Town Engineer Comments made in his January 22, 2019 letter to the Zoning Board of Appeals.
- A letter dated February 13, 2019 to the Zoning Board of Appeals from Azu Etoniru, Town Engineer, in response to the response letter dated February 7, 2019 from David A. Mackwell, Senior Associate, Kelly Engineering Group, Inc.

**APPROVED: February 27, 2019**

- An email dated February 13, 2019 to Azu Etoniru, Town Engineer from David A. Mackwell, Senior Associate, Kelly Engineering Group, Inc.
- Updated engineered plans entitled “McElwain School Apartments 242 & 250 Main Street, Bridgewater – Utility Plan” revision date February 6, 2019
- A support letter dated October 30, 2018 from Marc R. Pacheco, President Pro Tempore, Massachusetts State Senate to Kate Racer, Associate Director, DHCD.
- A support letter dated October 31, 2018 from Edward Haley, President, Councilor at Large; Dennis Gallagher, Vice President, Councilor at Large, and Francis Sousa, Town Councilor Precinct 7 to Kate Racer, Associate Director, DHCD.
- A support letter dated October 31, 2018 from Michael Dutton, Town Manager to Kate Racer, Associate Director, DHCD.
- A support letter dated February 4, 2019 from Lucas Carvalho, Executive Vice President, Brockton Area Multi-Services, Inc.
- A support letter dated February 4, 2019 from Nicholas Bagas, Chairperson and Karen A. Rudd, Executive Director of the Bridgewater Housing Authority.

Attorney Ruth Silman, representative for the applicant, reviewed and discussed the requested waivers with the Board. Attorney Ruth Silman also discussed the best course of action to take in regards to the wetlands, and determined that they would file an Request for Determination of Applicability with the Conservation Commission.

Ms. Ruth Ghlefi, 226R Main Street, expressed her concerns regarding her home being adjacent to her property. She did acknowledge that the applicant will be putting up a fence, but for the record didn't think that it was fair that the other side of the development will be parks and playgrounds and she is looking at that.

Susan McCombe from Bridgewater State University spoke in support of the project.

The applicant requested that the hearing be continued. Mr. Gerald Chipman, Member, made a motion to accept the applicant's request and to continue the hearing to April 10, 2019 at 7:00pm on the second floor of the Municipal Office Building located at 66 Central Square, Bridgewater, MA. Mr. Brian Heath, Member, seconded the motion. VOTE: All in favor, none opposed

**Zoning Board of Appeals Business**

**Board Reorganization**

Mr. Gerald Chipman made a motion to nominated Brian Heath as the Chairman of the Board. Mr. Michael Mainvielle, Member seconded the motion. VOTE: All in favor, none opposed.

Mr. Brian Heath made a motion to nominated Gerald Chipman as the Vice-Chairman of the Board. Mr. Michael Mainvielle, Member seconded the motion. VOTE: All in favor, none opposed.

**Review of Meeting Minutes**

The Board reviewed the meeting minutes from the July 25, 2018, August 8, 2018, August 22, 2018, September 12, 2018, September 26, 2018, October 10, 2018, November 14, 2018 and January 23, 2019 meetings.

**APPROVED: February 27, 2019**

Mr. Gerald Chipman, Member, made a motion to approve the minutes for July 25, 2018, August 8, 2018, August 22, 2018, September 12, 2018, September 26, 2018, October 10, 2018, November 14, 2018 and January 23, 2019 as presented. Mr. Michael Mainvielle, Member, seconded the motion. VOTE: All in favor, none opposed

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Mr. Gerald Chipman, Member, made a motion to adjourn the regular meeting at 9:37pm. 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 27, 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