

or opposed. Dept. letters from Fire dept., City Planner, B.O.H and Conservation Commission were read into the record.

Motion made and seconded to grant as Presented:

Vote: Staples, Amaral, Berube, Correira, VieiraYes

Petition Granted

Case #3318 **Wessels** **34 Robert Boyden Rd.**
For: A Special Permit from Section 5.2 of the Zoning Ordinance to allow a motorcycle repair & sales in the existing 1,485 sq. ft. building.

For the Petitioner: Scott Wessels, 34 Robert Boyden Rd. Taunton, Ma.

In favor: None
Opposed: None

Mr. Wessels stated this is the former Pring Plumbing building. He is asking to be able to put a small motorcycle repair & sales in the existing small building in the rear Wayne asked where will it be located and Mr. Wessels answers in the small building in back.. Wayne asked if it will be a separate LLC and he answers yes. Mike asked if everything would be done inside and he answers yes. The main building is the Bear's Den Fly Fishing. Dept. letters from City Planner, Board of Health, Fire Dept. and Conservation Commission were read into the record. Wayne asked if there would be a sign? And he says it will be more word of mouth business. Mr. Wessels said it's more of assembly. No one in favor or opposed.

Motion made and seconded to grant as Presented:

Vote: Staples, Amaral, Berube, Correira, VieiraYes

Petition Granted

Case #3317 **490 Winthrop Street LLC** **Winthrop Street (88-115)**
For: A Special Permit from Section 5.2 of the Zoning Ordinance for mixed use consisting of 36 residential units & 4 office units in a Highway Business District.

For the Petitioner: Atty. John-Paul Thomas, 98 County St., Taunton, Ma.
Atty. John Zajac, 170 High St., Taunton, Ma.
Joseph Tutsch,Jr., Mgr. The Lopes Companies, 490 Winthrop St., Taunton, Ma.

In favor: None
Opposed: Ann Silvia, 21 Craven Court, Taunton, Ma.

Atty. Thomas stated they are here tonight for approval of a 36 residential units with 4 offices on the parcel adjacent to 490 Winthrop Street. The Lopes Office building. They are proposing 800 square feet of office space and the residential units will be about 1,800 square feet. They have attempted to bring commercial to the area and due to the sewer abatement it has been unsuccessful. He stated there are many properties that are vacant. He stated this project will bring more customers to the area. There is sewer, water and gas and the proposed use will not

be intrusive to the neighborhood. There are curb cuts on Route 44. Wayne asked about the 4 buildings and what type of commercial were they thinking about? Atty. Thomas stated they are proposing office space and they don't know if the residential units will be rentals? Wayne stated it will probably depend on the market, whether or not rental condo style? Atty. Thomas stated it's the intention for long term is to have higher level of living at market rate. Wayne asked what size? Atty. Thomas answers about 1,800 square feet, 3 bedroom 2 1/2 baths. The front and back units are single story and units in middle are up & down. Joe asked when did the City put sewer in? Joe remembers residents came before us stating the taxes applied on them put burden on them. Joe states he likes the proposal. Wayne states this stretch of Winthrop Street is limited commercial and less commercials toward Rhode Island. Atty. Thomas stated he owns property in the area and he can't attract any renters. Mike asked about the layout of the units? Atty. Thomas answers the middle units will have 3 bedrooms and end units will be mixed. Mike asked if they considered putting in some type of play/recreation area for children? Atty. Thomas stated they would bring liability issues. Mike stated with 3 bedroom units you will get some children. Atty. Thomas stated if units had deck? Wayne said it might be unfeasible at this time to put some kind of court yard play area for children. Letters from Dept. letters from Fire dept., City Planner, B.O.H and Conservation Commission were read into the record. Atty. Thomas stated they could look at putting some small fenced in court yard in the corner. No one in favor. Opposed: Ann Silvia, 21 Craven Court, had several concerns including, 3 bedroom units will attract children, water pressure, play area, what type of commercial uses are they proposing, what type of housing, market or low income, height restriction, dumpsters? She asked the Board how they could make a decision without knowing all the facts. Joe stated she pays high taxes because she is located in Winthrop Heights. Joe stated the commercial tax rate is \$32.00 per 1,000 and residential \$15 per 1,000. They think the commercial rate should be lowered to bring some life back to this area. Joe stated he was against another project but now that sewer has gone in he would business with residential. There was an abutter who voices his concerns about the sewer tie in and if they were going to get any breaks. He also asked about how many abutters were notified. Steve informed them the Assessor's Office certifies the abutters list and it's for 300 foot radius. He asked what happens if anything changes with the development? Wayne stated we can only vote on what is presented to us. Wayne said they will high end market rate units probably charging between \$1,500 - \$3,000 per month. He stated the issues with the wetlands will be addressed by Conservation Commission. George stated that Mr. Lopes will build a nice project and won't allow any drama. Mrs. Silvia stated she has been dealing with trucks all hours. She stated Mr. Lopes doesn't live here, he lives in Dighton so he's not impacted. Atty. Thomas stated the property is in the highway business district and they could put trucks on this lot. They could use this lot for a higher commercial use but they don't want to. Atty. Thomas stated they would have to comply with the height requirements, and they cannot restrict to who they rent/sell to. Atty. Thomas state during the Site Plan Review process they will be required to submit architect plans. They will be no more than 2 stories. Atty. Thomas stated they are within the zoning ordinance as 12 units per acre. The number of units was determined on the taxes and sewer costs. Anything less would be a financial burden. Steve asked Atty. Thomas about the water pressure and he answered he was unaware of any issues with pressure. He stated the dumpster would be emptied regularly and would be on concrete pad fenced in. George suggested putting some sort of convenience store on the 2 end buildings. Atty. Thomas stated no he would not want that type of business, they are proposing offices and they will be street level. Joseph Tutsch, The Lopes Companies. 490 Winthrop St. stated they have tried to market this site but have been unsuccessful. They would do nice landscaping, fenced in dumpster and market them at \$1,500 - \$1,800 per month. He stated every business west of this site is gone due to high rents. Joe asked about the trucks and he stated it's the headquarters trucks. They do use them occasionally at night. He stated anyone can call him with complaints. Atty. Thomas requested the Board if they grant it to requests #500 for the street address. He was informed the City Engineer assigns the street addresses. Wayne stated they have limited powers as the special permit granting authority. The Board needs to determine that commercial use is not viable on first floor. Steve stated the issues that were brought up relative to impacts on schools, taxes, wetlands will have to be addressed at the appropriate meetings. Joe stated that Route 44 is unique and we have to take each case by case.

Motion made and seconded to grant with the following condition:

1. Provide a play/recreation area for children on the southeast corner if feasible.

Vote: Staples, Amaral, Berube, Correira, VieiraYes

Petition Granted

OTHER BUSINESS:

Request from Atty. Matthew W. Gaines - Powhattan Estates Condominium Proposed Amendments to Rules & Regulations

Wayne made motion to refer to the Law Dept. for legal opinion to see if we can vote on this, or if it's a minor or major change. Seconded by Joe. All in favor.

A woman from the association stated it's just clarification of the language and a few changes.

Meeting adjourned at 7:33 PM

