



## TOWN OF WILBRAHAM

Zoning Board of Appeals  
240 Springfield Street  
Wilbraham, Massachusetts 01095

### MINUTES OF THE WILBRAHAM BOARD OF APPEALS MEETING THURSDAY, APRIL 4, 2019

In Attendance: Chairman Edward Kivari Jr.  
Mark Albano  
Jamil Eyvazzadeh  
Betsy Johnsen – Associate

Not in Attendance: Charles Pelouze – Associate

Staff: Lance Trevallion, Zoning Enforcement Officer  
John Pearsall, Planning Director  
Nicole Moriarty, Administrative Assistant

**The meeting was called to order at 5:41 PM by Chairman Kivari.**

1. **Welcome New Member** – Mr. Jamil Eyvazzadeh
2. **Public Hearing**  
**Special Permit Application – Classic Site Solutions, Inc. & TAAVI, LLC**  
**New Building and Contractor's Yard – 2338 Boston Road**

(Digitally Recorded)

Chairman Edward Kivari opened the public hearing at 5:42 PM and read the legal notice into the record. Bruce Zamora from TAAVI, LLC, Talia LePage from Classic Site Solutions, and John Furman from VHB, Vanasse Hangen Brustlin, Inc., appeared before the Board to present building plans for a new contractor's yard located at 2338 Boston Road. Mr. Zamora informed the Board that he is the property owner of this site and for the last 6 – 8 months has cleared and maintained the empty lot.

Mr. Zamora explained that he is a general contractor who works together with Ms. LePage and her company. Both companies are mostly contracted to build federally funded government projects and would like to build a new contractor's building and yard that would be approximately 5700 square feet. The building would include office spaces and a storage garage containing unused contractor's equipment. Mr. Zamora explained that he and Ms. LePage are both currently renting space at two separate locations and would like to move their business to this new property. He stated due to the nature of their Federal building contracts the contractor equipment will be stored minimally on this site and the hours of operation will be from 7am to 5pm seven days a week. There will be approximately 3-8 employees at the location and there would be no hazardous material or truck maintenance that will occur on site.

Mr. Furman indicated to the Board that the entire perimeter will be surrounded by a 6 feet tall black chain link fence and included a gated contractor's yard. The area will also be landscaped with 6 feet tall arborvitae to create a visual screen. The parking area in front of the building will be paved and striped to provide parking spaces for employees and visitors and the fenced-in contractor's yard will be constructed with hard-packed gravel and topped with milling material for dust control.

There were several abutters who attended the public hearing who expressed concerns about the noise the equipment would bring, the use of hazardous material, and if the building could be expanded upon. The Board stated that there will be conditions to the special permit which will not allow hazardous material on site and due to what the applicant has stated it appears that the trucks that will be stored at the site will be very limited so there should be minimal noise. The Board also indicated that due to the size of the building lot there was no room for expansion.

Chairman Kivari read a letter from DPW Director Ed Miga stating that the applicant would need to obtain certain requirements or permits pertaining to traffic, water, wastewater, and stormwater. Additionally, Zoning Enforcement Officer Lance Trevallion requested that the applicant have an "As Built" inspection be performed on the foundation to assure that the setbacks are in compliance with the Zoning By-Laws.

The hearing was closed at 6:38 PM.

**MOTION (ALBANO, KIVARI, JOHNSEN) I move that the Wilbraham Board of Appeals grant the special permit request pursuant to Section 3.4.6.4 of the Wilbraham Zoning By-Law to allow the construction of a new building and operation of a contractor's yard established on the property owned by TAAVI, LLC located at 2338 Boston Road with the following conditions, millings be put on unpaved surface, no equipment maintenance to be performed on site, no hazardous waste to be stored on site, and provide an "As Built" inspection. Approved (3-0).**

*Materials referenced: Legal Notice stamped by the Town Clerk 3.15.19; First Floor proposed plan dated 8.29.19 prepared by Maier Design Group, LLC., received by Planning Office 3.14.19 (1page); Exterior Elevations plans dated 9.4.18 prepared by Maier Design Group, LLC, received by Planning Office 3.14.19 (1 page); Plan of Land dated 1.7.19 prepared by Smith Associates Surveyors, Inc., received by Planning Office 3.14.19 (1page); Site Plans dated 5.25.18 and revised 2.25.19 prepared by VHB received by Planning Office 2.27.19 (8 pages).*

**3. Public Hearing  
Special Permit Application -2030 Boston Road, LLC  
Multi-Tenant Commercial Building – 2030 Boston Road  
(Digitally Recorded)**

Chairman Edward Kivari opened the public hearing at 6:45 PM and read the legal notice into the record. Glen Garvey and Jerry Gagliarducci representing 2030 Boston Road, LLC presented preliminary building plans to the Board for a multi-tenant commercial building located at 2030 Boston Road. The building was previously occupied as a used car dealership before Mr. Garvey and Mr. Gagliarducci bought the property. Mr. Garvey and Mr. Gagliarducci have been granted permission from the Zoning Board of Appeals on February 28, 2019, to have the existing special permit for the grandfathered used car business transferred to 2030 Boston Road, LLC as the new owner of the property.

Both parties are now requesting to take this building from a single use building and divide it into smaller spaces based on potential tenants needs. Mr. Gagliarducci indicated that they still would like to have the opportunity to use the special permit for the used car dealership but on a much smaller scale. They plan to only have up to three (3) unregistered cars on the premises and do mostly internet car sales out of a small office.

The Board asked the applicant if they would object to the Board modifying the special permit to the car dealership to only allow three (3) unregistered cars on the premises from the previous condition allowing no more than fifteen (15) unregistered cars. The applicant agreed that the modification to the special permit would be acceptable as they are looking to have the building as a multi-tenant use building.

The hearing was closed at 7:11 PM

**MOTION (ALBANO, JOHNSEN, KIVARI) I move that the Wilbraham Board of Appeals grant an amendment to the special permit to convert to a multi-tenant building for the following commercial uses allowed in the General Business Zoning District pursuant to section 3.4.5 of the Wilbraham Zoning By-law: professional and business office (medical and non-medical), business service, retail sales, barber and beauty shop, public recreation and exercise fitness establishment, restaurant and food service establishment, and to modify the special permit to have up to three (3) unregistered cars on the premises at a time.**

*Materials referenced: Legal Notice stamped by the Town Clerk Site plan dated 1.11.19; revised 3.12.19 prepared by Paul S. Smith Land Surveying received in Planning Office 3.12.19 (2 pages) First Floor Plan dated 3.8.19 prepared by Architectural Insights received in the Planning Office 3.12.19 (1page).*

4. **Approval of Minutes**

Chairman Kivari called for a motion to approve the minutes of February 28, 2019 as submitted and the Board unanimously agreed.

*Materials referenced: Draft of the ZBA's Meeting Minutes from 2.28.19 submitted to the Board members by Nicole Moriarty, Admin Assistant.*

5. **Draft Decisions**

**A. Special Permit Transfer – 2030 Boston Road, LLC – 2030 Boston Road**

**B. Variance – Danio Residence – 4 Oak Ridge Drive**

The Board reviewed the documents without any issue.

*Materials referenced: 2030 Boston Road, LLC 2030 Boston Road Wilbraham, ZBA Decision dated 02.28.19 stamped by the Town Clerk 04.05.19 (3 pages); Irving and Mary Danio 4 Oak Ridge Drive Wilbraham, ZBA Decision dated 02.28.19 stamped by the Town Clerk on 04.05.19 (3 pages).*

6. **Other Business**

No matters were presented for discussion.

Having no further business, the meeting was adjourned at approximately 7:30 PM.

Submitted:

Nicole Moriarty 6/6/19  
Nicole Moriarty, Administrative Assistant

Approved As To Form And Content:

Edward Kivari Jr., Chairman

Date: 6-13-19