

Roger Marquis, Chairman
Donald Keller - Member
James Carty - Member
Patrick Guertin - Alternate
Brian Lord - Alternate



TOWN OF MENDON
ZONING BOARD OF APPEALS
Mendon Town Hall
20 Main Street
Mendon, Massachusetts 01756

December 27, 2006

Wojnowski, Public Hearing

Attending Board Members:

Roger Marquis
Don Keller
Jim Carty
Patrick Guertin
Jay Talerman, Counsel

Applicant:

Mike Wojnowski
Wayne LeBlanc, Wojnowski's counsel

7:36 PM Roger opens meeting.

Jay Talerman explains/reiterates reason for Special Permit, reasons for denial and explains appeal process and re-filing procedures by Wojnowski. Jay also explains that the ZBA did not want to appeal and that the prime reason for this meeting was to set conditions since applicant can now have Special Permit granted now by law.

7:41 PM Wayne LeBlanc, counsel for Mike Wojnowski speaks of representation. Mr. LeBlanc has copies of the decision and offers them to the ZBA Board. Wayne LeBlanc presents ZBA Board and Jay Talerman the proposed additional structure to the existing building. The changes are indicated to the bay area of the existing garage. Wayne LeBlanc states that the septic was previously submitted to Board of Health and is okay for one more year.

Roger Marquis questions applicant about restroom facilities.

7:52 PM Jim Carty questions if everything is to code and Mike Wojnowski replies yes.

Don asks how many people will be employed and working in the building and Mike Wojnowski replies that there will be (2) employees and himself. He also states that he has no intentions to hire more than (2) employees and that he just needs more work space.

Don Keller discusses and questions parking around the existing building. Mike Wojnowski explains that the front and south side is paved. Mike continues to explain that the side parking will eliminate the parking in the front of the building. Don Keller also asks if the plan submitted now has the same square footage as before when originally submitted. Mike replies, yes.

Don Keller explains zoning bylaw to attendees and references to page 6 “Uses”, page 10 “non-conforming Uses”, page 13 item 4, and page 14 item 5. Don Keller also reassures the applicant that the ZBA Board is “friendly to business”.

Roger Marquis confers with Jay Talerma if the ZBA Board can make suggestions as to the conditions. Jay replies that, yes, the ZBA Board can make suggestions as long as Mike Wojnowski is not denied the Special Permit. With that, Roger Marquis suggests that there be a men’s and women’s restroom. Jay states that he is not aware of any such provisions of law. Mike Wojnowski then states that there are no female employees and that that his business is a “no wait” type of business. Cars are dropped off and picked up at a later time.

8:10 PM Roger Marquis questions if the front access doors can be moved to the side of the structure. Wayne LeBlanc states that Mike Wojnowski is not renovating the northerly side of the addition. Mike explains the current parking situation and explains why he is opposed to Roger’s suggestion to move bay openings.

Roger Marquis then opens up the meeting to the audience members. At this time there are no questions or comments.

Jay Talerma questions southerly side parking and if possible elimination completely and keep all parking on northerly side in case of re-sale due to the southerly side parking being close to the residents next door to Mike Wojnowski’s building structure. Jay Talerma also inquires as to time of business operation.

Don Keller states that if the business is sold or there is a management change, a renewed Special Permit would have to be redone. Don asks Jay for advice on this matter. Jay Talerma replies and states that he leaves that decision up to the ZBA Board.

Jim Carty inquires as to the hours of operation.

Mike Wojnowski states that Monday through Saturday 8AM-5PM and no customers after 5PM.

Elieen Reed, 25 Miscoe Road asks if there are any other restrictions of other auto repair shops. Roger replies that he is not sure.

James Quirk, 14 Park Street asks if there are any current complaints on Mike Wojnowski that have been brought before the board. None heard.

8:33 PM Jay Talerma states that complaints are a case-by-case situation and the police would be the people to handle them.

Lawney Tinio, 52 Milford Street, speaks and does not agree with restrictions.

Jim Carty questions deed provisions as to employees, same hours and no parking in front. This would pertain to the same "use" but different owner.

Roger Marquis questions if any abutters have concerns about property values and resale.

Mike Ammendolia, 186 Blackstone Street, states that he has never seen a problem at the address and business of Mike Wojnowski.

Lawney Tinio questions if the permit has to be granted at this point and time regardless and Roger Marquis answers yes.

Jim Carty questions parking and number of cars to be worked on and parked out front at one given time. A suggestion was given as to (6) as a limit. Lawney Tinio suggests more cars.

Jim Carty would like to motion and grant the Special Permit based upon the conditions that follow. Don Keller seconds the motion. Motion carries.

Conditions attached to minutes.

AJ Fiske 101 Blackstone Street asks/comments on permanent parking.

Roger motions the board if all in favor and the board unanimously agrees all in favor, motion carried.

9:17PM Meeting is adjourned.