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THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF LUNENBURG
ZONING BOARD OF APPEALS

May 10, 2016

Certificate of Granting a Special Permit

A Special Permit was granted to Safelite Auto Glass, 2400 Farmers Drive, Columbus, OH 43235 under the Lunenburg Protective By-Law Section 4.6.3.1.d).

The petitioners were seeking a Special Permit to use a portion of the building located at 39 Massachusetts Avenue, Lunenburg, MA for an in-shop auto glass installation and repair business. The property which is the subject of this case is located at **39 Massachusetts Avenue, Lunenburg, MA 01462 and owned by Custom Realty Trust, Rocco & Carolyn Lastella, Trustees, 146 Elmwood Road, Lunenburg, MA 01462.**

The Board of Appeals of the Town of Lunenburg hereby certifies that a Special Permit has been granted pursuant to the Protective By-Laws of the Town of Lunenburg.

Board Members present: Chairman, Raymond Beal, Alfred Gravelle, Hans Wentrup and Paul Doherty.

Special Permit issued to Safelite Auto Glass, 2400 Farmers Drive, Columbus, OH 43235, affecting the rights of the owner with respect to land and buildings at **39 Massachusetts Avenue Lunenburg, MA 01462** and recorded in Worcester Northern District Registry of Deeds Book 6810, Page 267 dated October 10, 2008. Assessors Map 76, Lot 39.

And the said Board of Appeals further certifies that the decision attached hereto is a true and correct copy of its decision granting said Special Permit, and that copies of said decision, and all plans referred to in the decision, have been filed with the Planning Board and the Town Clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 (last paragraph) provides that no variance or special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the Town Clerk that twenty days have elapsed after the decision has been filed, that it has been dismissed or denied, is recorded in the Registry of Deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The owner or applicant shall pay the fee for such recording or registering.

DISCUSSION

Chairman Raymond Beal opened the public hearing. Alfred Gravelle made a motion to waive the reading of the petition and the motion was seconded by Paul Doherty, all members were in favor. Lisa Normandin, Administrative Assistant read a letter of support that was forwarded to the Board from abutter Eamon D. Moran, Senior VP at Aubuchon Realty located at 65 Massachusetts Avenue.

Steven Koos, District manager of Safelite Auto Glass was representing the company at the meeting. He explained that the shop would employ five to six employees and one full time manager. He explained their business is insurance driven and there is not a significant amount of traffic in the shop itself, he did not expect to have more than six or seven customers per day. He explained that this will be a professional and orderly practice. There will be no outside installations or overnight storage of vehicles. The employees arrive in the morning retrieve the stock for the day and go out on the road doing installations offsite and do not return to the shop until the next day. He described it as a simple business model.

Alfred Gravelle asked if it Safelite Auto Glass was a franchise, Mr. Koos explained that it is corporate owned. He indicated that a manager is on site at all times. The shop would contain one service bay and a waiting room with twelve to fifteen chairs with and office area. Mr. Gravelle asked how the disposal of glass was handled. Mr. Koos said that all glass is one hundred percent recycled; he explained that it is a cost to the company; however they take pride in the fact that it is recycled. The main distribution center in Billerica houses thirty to forty thousand pieces of glass in their sixty thousand square foot warehouse.

Paul Doherty asked if there would be additional signs placed at the property and Mr. Koos said that the plan was to have a pylon sign and a sign on the building and he would be sure that all signs fell within the guidelines of the Zoning bylaw.

The Board members felt satisfied that the business would meet the criteria outlined in the Lunenburg Protective Zoning By-laws.

MOTION

After due deliberation Alfred Gravelle made a motion to grant the Special Permit subject to the conditions outlined below and as outlined on the submitted plan. Paul Doherty seconded the motion.

CONDITIONS

1. No parts, materials or tools shall be displayed or stored out of doors.
2. No junk (as that term is hereinafter defined) shall be stored or maintained out of doors. As used herein, the term "junk" shall mean any castoff or discarded articles or material which are ready for destruction or which have been collected or stored for salvage or conversion to some use.
3. The business hours for the business will be Monday through Saturday 8:00 A.M. to 5:00 P.M., closed Sunday.
4. The petitioner shall conduct the business at all times in a manner so as not to be offensive to the residential abutters.
5. The granting of this special authorization shall inure to the benefit of the applicant, and shall cease in the event the business is sold or sublet to another party.
6. The permit will be subject to a periodic review by this Board or the Zoning Enforcement Officer. If the restrictions noted as part of this granting of this permit are not adhered to, or if operated in any way offensive or detrimental to the neighborhood, this Board would ask the enforcement officer to begin the procedure to rescind this permit.
7. The petitioners shall abide by all requirements of the Department of public works in the Town of Lunenburg and the State of Massachusetts with respect to ingress and egress at the property.
8. The petitioners must comply with the Town of Lunenburg By-law regarding signage.

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9. Any lighting shall not be offensive to the abutting properties.

10. The outdoor parking shall be in accordance with the plan submitted with the petition.

And the said Board of Appeals further certifies that the decision attached hereto is a true and correct copy of its decision granting said Special Permit, and that copies of said decision, and all plans referred to in the decision, have been filed with the Planning Board and the Town Clerk.

FINDINGS

In granting a Special Permit, the Board of Appeals found that the proposed use:

- a. Will not be injurious or dangerous to the public health, or unduly hazardous because of traffic congestion, danger of fire or explosion, or other reasons.
- b. Will not have a material adverse effect on the value of land and buildings in the neighborhood or on the amenities of the neighborhood.
- c. Will be operated with reasonable regard for order and sightliness.
- d. Will not produce noise, vibration, smoke, dust, odor, heat or glare observable at the lot lines in amounts clearly detrimental to the normal use of adjacent property.

The Special Permit is subject to a periodic review by the permit granting authority (Zoning Board) or the Enforcement Officer, to insure compliance with the enumerated conditions. Non-compliance to these conditions may result in revocation of this permit.

The granting of the Special Permit shall inure to the benefit of the applicant Safelite Auto Glass and shall cease in the event the business is sold or sublet to another party.

After closing the discussion, the Board acting in its capacity as the Special Permit Granting Authority, granted the Special Permit with the above members present and voting as follows with respect to the issuance of the Special Permit.

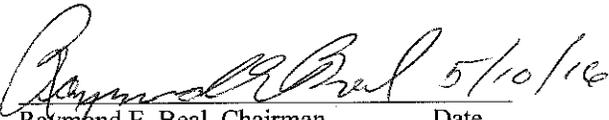
VOTE

Raymond Beal voted in favor of granting the Special Permit.
Alfred Gravelle voted in favor of granting the Special Permit.
Hans Wentrup voted in favor of granting the Special Permit
Paul Doherty voted in favor of granting the Special Permit.

In making this determination, the Board specifically found that the granting of this Special Permit would not contravene the purpose of the Protective Bylaws or the provisions of Chapter 40A of the Massachusetts General Laws.

Voted and executed,

Lunenburg Zoning Board of Appeals
Special Permit Granting Authority

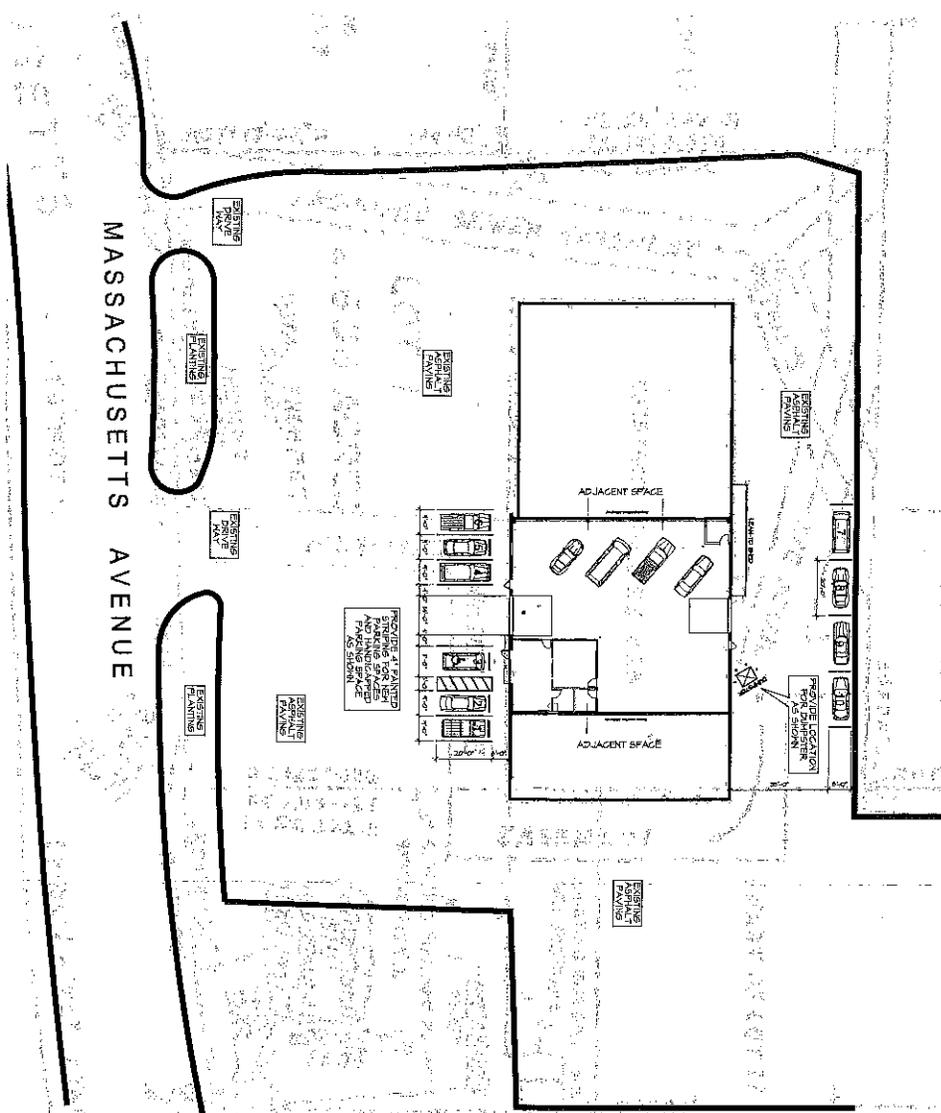

Raymond E. Beal, Chairman Date

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Raymond E. Beal, Chairman
Zoning Board of Appeals



Site Plan
SCALE 1" = 20'

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<p>SP-1</p>			