



TOWN OF HOLDEN

1196 MAIN STREET
HOLDEN, MASSACHUSETTS 01520

TELEPHONE (508) 210-5540
Facsimile (508) 829-0252

ZONING BOARD OF APPEALS PUBLIC HEARING, November 2, 2017

Brandon and Michael Fusaro

Case No. SP-1706

The Zoning Board of Appeals held a public hearing on Thursday, November 2, 2017 at 7:00 p.m. in Memorial Hall, Town Hall on the Petition of Brandon and Michael Fusaro for property located at 211 Doyle Rd. for a SPECIAL PERMIT to expand an allowed use of a florist shop with the addition of a landscaping business.

Members in attendance: R. Spakauskas, S. Annunziata, R. Fraser, F. Lonardo, and R. Butler
Members absent: J. Deignan

Others in attendance: David Lindberg – Building Commissioner, Carol Perkins – Recording Secretary, Michael Fusaro – 132 St. Nicholas Ave Worcester, Michael and Brandon Fusaro – 195 Beverly Rd, Irene and Thomas Brank – 11 Valley View Circle Rutland, Nancy and Richard Leoni – 4 Wendover Rd, Maria and Brian Corrigan – 204 Doyle Rd, David Nergararian – 1 Wendover Rd, Mark Bloom – 187 Doyle Rd, Chris and Meghan St. Amand – 197 Doyle Rd, Derek Reheuser – 205 Doyle Rd, Mark Davidson – 212 Doyle Rd

R. Spakauskas reviewed the procedures for the hearing and the secretary provided a reading of the application and the findings of fact. R. Spakauskas then invited the applicant to address the board.

Brandon Fusaro read aloud Exhibit A: Brief to the Board, which was included in the application packet, stating his request for the intended use of property at 211 Doyle Rd which is to continue operating as a florist with the addition of their landscaping business. He addressed the business hours as well as the improvement plan for the property.

R. Butler asked the applicant about the size of the lot. B. Fusaro stated the lot is about an acre. R. Butler then asked what size property they currently run their business from and the applicant stated approximately a half of an acre.

S. Annunziata inquired about the vehicles/equipment. B. Fusaro stated they have a total of 9 trucks; pick-ups and dump trucks. S. Annunziata then asked about snow removal. B. Fusaro stated snow removal is part of their business but the employees park the trucks at their home so there is no concern for any truck noise in the early morning of a snowstorm. F. Lonardo then stated his recommendation for setting a condition of no equipment of any kind to be started up before 7:30 a.m. if this special permit gets approved.

R. Spakauskas asked how many employees are currently in the business. B. Fusaro stated they have ten (10) employees and intend on two (2) more employees working in the florist.

R. Fraser asked if there will be mulch delivery. B. Fusaro answered yes, 30 yds. at a time. R. Fraser stated he believes this is a nice site for a florist or real estate office but not appropriate for a landscaping business and is not in favor of this request.

R. Butler asked about the plan for the current lot as it is currently all grass. B. Fusaro replied the plan is to asphalt the back yard to park vehicles, etc. D. Lindberg stated a site plan review by the Planning Board would be necessary as would a review from the Conservation Commission.

S. Annunziata stated to add a landscape company to a quiet florist shop would certainly change the character of the neighborhood.

R. Spakauskas then opened the hearing up for public comment.

D. Reheuser of 205 Doyle Rd stated this landscaping business would be in his backyard and believes this is a disaster of an idea. He also noted that once the business is working from this property, operating procedures could change and then would be difficult to govern.

R. & N. Leoni of 4 Wendover Rd stated they have made several improvements to their home which abuts the rear of this land and believes if this business were to operate there, the residential feel of the neighborhood would be ruined. It is currently a nicely wooded area with wildlife and are not in favor of this idea.

Irene Brank of 11 Valley View Circle in Rutland stated she is representing the seller which is her brother. She has been taking care of the property and can no longer afford to sustain it. She believes the Fusaro's would make a good set of new owners.

M. Corrigan of 204 Doyle Rd stated they have invested in improvements to their home and is not in favor of this Special Permit request. Her concern is about equipment running all day and night.

P. Ekman of 225 Doyle Rd lives opposite of the florist and is concerned about equipment noise.

C. & M. St. Amand of 197 Doyle Rd stated they had moved to Holden because it is a nice residential town. Homeowners care about their neighborhood and trucks moving in and out would not be welcomed and the natural wildlife will disappear due to the noise, etc. They are against this florist/landscaping company.

There were no more comments from the abutters and B. Fusaro presented a summation stating he believes there will not be any traffic issues on Doyle Rd and the trucks will be parked in the rear of the property which will not be seen from the road. B. Fusaro believes much of what was said is an over exaggeration and is sure there will be no disruption to the neighborhood.

The board members had no further questions or comments. R. Spakauskas thanked everyone and provided a review of the appeal period.

R. Fraser made a motion to vote and F. Lonardo seconded. The Board voted as follows:

The Board voted 4-1 to deny the Special Permit as follows: Member F. Lonardo voted in favor and members R. Spakauskas, S. Annunziata, R. Fraser, and R. Butler voted no/against based on the grounds that the proposed use would intensify a nonconforming use in a Residential District. While the use of the property as a florist business has been allowed as a preexisting, non-conforming use, the expansion into a larger landscaping operation would be detrimental to the residential district due to the increase in large truck traffic, noise from the operation of construction equipment, and the stockpiling of mulch and other earth products.

The public hearing was closed at 8:10 p.m.

New Business/Other Business

- **Mixer Road, Map 156, Parcel 1** – The current owners submitted a request to the Board Members to allow for an extension on this lot approved as buildable on June 29, 2016 as they would like to begin building in Spring 2018. The Board stated according to the Zoning Bylaws, the owners must resubmit an application and appear before the board as the previous approval has expired.

Ronald E. Spakauskas, Chairman