

Buckland, MA Zoning Board of Appeals Meeting Minutes

June 14, 2023

Buckland Town Hall, 17 State St., Buckland

Agenda

ZBA 2023-01, Town of Buckland, Application for Special Permit under Section 9 of the Buckland Zoning Bylaws, to install concrete pad for Sand and Salt structure for Highway Department, at 2 Sears St., Map 6-1 Lot 01, in the Village Residential zone.

Attendees

John Gould, co-chair
Jeff Rose, co-chair
Jim Rae, member
Robin Bestler, member
Justin Lively, alternate member
Randall Heminger, alternate member
Heather Butler, Buckland Town Administrator, applicant
Anthony Gutierrez, Buckland Highway Department
Jon Wyman, engaged by the applicant
Marilyn Kelsey, 39 William St., public
Pam Roberts, 37 North St., public

Co-chair John Gould opened the meeting at 6:33 pm

- Reviewed the ZBA's role in regards to the special permit process;
- Introduced ZBA members and alternate members;
- Stated the notifications made for the public hearing;
- Outlined the decision-making process; and
- Detailed the meeting process

Heather Butler, Buckland Town Administrator, introduced herself and Anthony Gutierrez of the Highway Department, and Jon Wyman (here representing the interests of the town as the project moves forward separate and distinct from his membership on the Planning Board). Ms Butler noted recent communication from Jim Hawkins (in his role as building inspector) indicating a special permit was not required for the project, and asked the ZBA for clarification on the process moving forward. Co-chair Gould noted the ZBA is not required to follow the determination of the building inspector. In co-chair Gould's view, the sand and salt shed does not constitute a typical residential accessory use; the question of runoff is of interest to the ZBA as a potential impact of the project; and this public hearing process is an opportunity to demonstrate to the public the town's due diligence.

Ms. Butler presented details about town's process and project details:

- The town has not yet committed to the design work, addressing the permitting process first

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- Conditions at the town's property at 50 Conway St., the current site of salt and sand storage, have deteriorated, and the building's structural integrity was further compromised by a delivery truck this past winter
- The proposed fabric building will be located on a 56' x 56' concrete pad
- The proposed project will meet required setbacks
- An existing building on the site could not be repurposed for this project
- There do not appear to be any jurisdictional wetlands on the project site; however, access to the abutting property has been declined by the owner, preventing the town from further investigation
- Specific points of the Special Permit Impact Statement (Section IX, 9-1, f)
 - 1 - 3: n/a
 - 4: by relocating the sand and salt shed, 50 Conway St. may be made available for development, potentially affordable housing
 - 5: no impact, but improved service to public
 - 6: n/a
 - 7: no impact, but the town can address concerns that exist at 50 Conway St.
 - 8 & 9: see # 4 above
 - 10: reference plan from engineer Terry Reynolds
 - 11: n/a
 - 12: no new lighting is anticipated
 - 13: n/a
 - 14: reference March 28, 2023 Wetlands Assessment Letter from GZA
 - 15 - 17: n/a
 - 18: identified cost savings to the town's operations; potential redevelopment of 50 Conway St.; and climate-friendly design of the proposed sand and salt shed
- In response to the ZBA's questions about runoff and the need to protect groundwater in the area, Ms. Butler and Mr. Gutierrez reviewed the materials to be stored on site and their potential environmental impact. Jon Wyman noted the pad will be constructed in such a way as to keep the salt at the back of the structure to minimize loss, and the engineer designing the site work will be including an impermeable layer in certain areas to provide containment for the facility (under the pad and t.b.d. margin).
- Mr. Wyman noted that Mass DOT has guidelines for road salt storage which can be followed by the engineer, Terry Reynolds, who has designed similar structures and will be familiar with the requirements.
- The ZBA asked if any other sites had been explored as possibilities, particularly as this is a residential zone. Ms. Butler said no, as the town has been purposeful in not owning more property than necessary. In an ideal scenario, there would be some satellite locations, but right now, operations are planned to be consolidated at one site. Mr. Wyman noted another location on the site was investigated, but the cost of demolishing an existing building proved to be prohibitive.
- The ZBA asked if there will be a designated loading spot for the new structure; Mr. Gutierrez affirmed there would be.

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Co-chair Gould asked if the public had any questions.

- Marilyn Kelsey, 39 William St., raised a question about the possibility of the presence of wetlands on the site; a concern about runoff; and expressed support for the project which has been “delayed too long.”

Co-chair Gould noted the Conservation Commission has signed off on the project, and also referred to the GZA report which satisfied the question of the presence of wetlands.

Co-chair Gould expressed the gratitude of the ZBA for the preparation and presentation by the applicant, closed the public hearing, and opened the public meeting.

Co-chair Jeff Rose moved that the application for a special permit, ZBA 2023-01, be granted, with the following condition: MassDOT DWSG 97-1, guidelines for road salt storage, shall be followed by the project engineer to minimize impacts of the project. Member Jim Rae seconded the motion; John Gould, Jeff Rose, Jim Rae, Robin Bestler, Justin Lively, and Randall Heminger voted in favor of the motion.

Ms. Butler noted that if budgetary constraints require a change in the anticipated design, members of the engineering and design team will return to the ZBA.

Co-chair Gould reviewed the timeline of the process for granting the permit.

Other items:

The minutes of the November 15, 2022 meeting were reviewed. Co-chair Rose moved to approve the minutes; member Lively seconded the motion; all members voted in favor.

Member Lively moved to adjourn the meeting; member Heminger seconded the motion; all members voted in favor. Meeting adjourned at 7:46 pm

Respectfully submitted, Alison Cornish, Boards Clerk

Documents Referenced:

Grading and Erosion Control Plan, Buckland Salt Shed, T. Reynolds Engineering, 5/5/23

March 28, 2023 Wetlands Assessment Letter from GZA

Special Permit Impact Statement