

Date Received:

Town Clerk:



**NOTICE OF DECISION**  
**Number 06-04**

**Date of Decision:** May 16, 2007

**Review of Decision of:** May 16, 2006

**Subject of Appeal:** The application of BNE Realty & Development for a Special Permit under Section 3.24(p) to place a construction trailer while working on subdivision, and all other necessary zoning relief on the property located on Holt Road, Map 66/Parcel 58 in the RB District.

**Findings:** A four member Board was acceptable to the Appellant: Members sitting: David Perry, Joseph Daigle, Terry Girouard, Cheryl Anderson.

**Decision:** The Zoning Board of Appeals grants a three month extension to the Variance with the following amended conditions:

1. The Appellant is to address the issues proposed by the Planning Board and Conservation Commission.
2. The Appellant is to present engineers plan for the stormwater drainage to the Zoning Board of Appeals, Planning Board and Conservation Commission.
3. Variance to be review in three months, August 8, 2007.
4. All pre-existing conditions to remain in effect:
  1. Trailer to be sided, skirted and landscaped within 30 days of approval.
  2. Hours of operation: 8 a.m. – 8 p.m. Mon-Fri; 9 a.m. – 5 p.m. weekends/holidays.
  3. Toilet facilities not to be in plain view of neighbors and to be properly maintained.
  4. Site to be maintained of trash and debris.
  5. Restore land to better than prior of placing trailer after trailer is removed.
  6. Trailer must be removed upon completion of this project.

**Basis for Decision:**

1. The granting of the Special Permit will not derogate from the intent of the Bylaw nor harm the neighborhood.

**Vote of the Board:**

Unanimous to Grant: David Perry, Chair  
Joseph Daigle  
Terry Girouard  
Cheryl Anderson

The ZBA requests the presence of a Planning Board member and a Conservation Commission member at the continuation of this review, August 8, 2007 at 7:30PM.

Notice: Any decision of the Board of Appeals may be appealed to the Superior Court of Worcester County within 20 days by the Applicant, Town Boards or Officers, or any person aggrieved by the decision. Appeal may also be made in Fitchburg District Court.

After the 20 days appeal period, if no appeals have been filed, this decision must be recorded with the Registry of Deeds.