

April 25, 2024

Zoning Board of Appeals
Town of Rockland
242 Union Street
Rockland, MA 02370

Re: Application for Special Permit – ZBA File No. 2024-06
Properties located at 171 VFW Drive and 216 Pleasant Street

**MEMORANDUM IN SUPPORT OF ROCKLAND STATION LLC and ROBERT M. DELMONICO,
TRUSTEE OF PLEASANT STREET REALTY TRUST'S APPLICATION FOR SPECIAL PERMIT**

Dear Zoning Board of Appeals:

This Memorandum is submitted to the Town of Rockland Zoning Board of Appeals (hereinafter the "Board"), on behalf of our client, Rockland Station LLC and Robert M. Delmonico, Trustee of Pleasant Street Realty Trust ("Applicant"), in support of their application for a special permit pursuant to § 415-14C (22) of the Town of Rockland Zoning By-Laws ("By-Laws") relating to properties located at 171 VFW Drive and 216 Pleasant Street.

BACKGROUND

Rockland Station LLC is the owner of both 171 VFW Drive and 216 Pleasant Street¹ by virtue of deeds recorded with the Plymouth County Registry of Deeds ("Registry") at Book 40184 , Page 249, and Book 58807, Page 178, respectively. Copies of said deeds are attached hereto as **Exhibit 1**.

171 VFW Drive and 216 Pleasant Street are located in the Business II Zoning District which allows manufacturing, assemblage, processing, and storage operations by special permit. See Zoning Bylaws, § 415-14C (22).

By decision dated November 26, 2014, the Zoning Board of Appeals granted Rockland Station LLC two variances for signage² at 171 VFW Drive. A copy of said decision recorded with the Registry of Deeds in Book 45123, Page 182 is attached hereto as **Exhibit 2**.

¹ The deed from Robert Delmonico Trustee to Rockland Station LLC conveying 216 Pleasant Street was recorded subsequent to the filing of the instant application for special permit.

² Please note the Applicant is not seeking any current relief as to signage.

Main Office:

2 HMS Essington Drive, Hingham Shipyard, Hingham, MA 02043

By decision dated January 13, 2016, the Zoning Board of Appeals granted Robert L. Delmonico a special permit for signage³ at 171 VFW Drive. A copy of said decision recorded with the Registry of Deeds in Book 46622, Page 247 is attached hereto as **Exhibit 3**.

By decision dated June 27, 2016, the Zoning Board of Appeals granted Robert Delmonico a special permit to expand the use for storage from 171 VFW Drive to 216 Pleasant Street with conditions. A copy of said decision recorded with the Registry of Deeds in Book 47223, Page 42 is attached hereto as **Exhibit 4**.

Applicant is currently operating its sports turf facility on 171 VFW Drive and uses 216 Pleasant Street as accessory use for outside storage pursuant to the above 2016 Special Permit.

Applicant is now proposing an accessory use and structure for its proposed turf recycling facility, which will be situated on both 171 VFW Drive and 216 Pleasant Street. As stated above, both of said properties are now in common ownership under Rockland Station LLC⁴.

The Zoning Board of Appeal held a public hearing on the Applicant's application for special permit on April 16, 2024. At the hearing the Board expressed concerns about the plan and application. The Board voted to continue the hearing to May 7, 2024 to allow the applicant time to address the Board's concerns and comments.

2016 SPECIAL PERMIT FOR 216 PLEASANT STREET

The following conditions are part of the 2016 Special Permit Decision on 216 Pleasant Street:

1. No manufacturing/processing of products.
2. No stacking of materials higher than the fences.
3. There shall be no storage of equipment at this location. Equipment shall be for loading and unloading of materials.
4. Dust control. Applicant shall control dust so that it does not spread to surrounding residential homes or surrounding businesses.
5. Hours of Operation: Mon through Sat 7:00AM-4:30PM
6. There shall be no vehicular or pedestrian access to or from Pleasant Street.

These conditions still affect 216 Pleasant Street which part of the current application before the Zoning Board of Appeals since the proposed building will be on both 216 Pleasant and 171 VFW Drive. If the Board does grant the Application then condition 1 would need to be removed as it is in direct contravention of the current special permit application for manufacturing use. Further, the applicant requests the condition 6 be modified and included in the current decision

³ Please note the Applicant is not seeking any current relief as to signage.

⁴ Rockland Station LLC will seek approval from the Planning Board to combine the lots and record a plan reflecting the same assuming this application is granted.

to allow vehicular or pedestrian access for emergency services only as this was requested by the Rockland Fire Department. The Applicant has no issue with conditions 2-5 remaining.

THE RIGHT OF WAY OVER 216 PLEASANT STREET

The Board requested the applicant advise the Board on who had the use of the right of way over 216 Pleasant Street. 171 VFW Drive and 216 Pleasant Street are abutting properties. There is a right of way over 216 Pleasant Street for the benefit of 171 VFW Drive. The right of way is part of the conveyance in a deed dated March 25, 1985 and recorded with the Registry of Deeds in Book 6021, Page 116. A copy of said deed is attached hereto as **Exhibit 5**. This deed describes a parcel of land, which among other parcels, now makes up 171 VFW Drive. 171 VFW Drive is identified on a Plan recorded at Plan Book 45, Page 410 as Lot 3. A copy of said plan is attached hereto as **Exhibit 6**. 216 Pleasant Street is identified on said plan as "Thomas J. Healy Jr. and Edmund Carron" and is located in the southeasterly corner of Lot 3. The right of way is depicted on this plan running along the southerly side of 216 Pleasant Street. The plan is clear that the right of way is for access to Pleasant Street. Prior to the combination of several parcels to create the current 171 VFW Drive, a portion of the property known as Parcel 3 did not have access to Pleasant Street except for the right of way. Now that Rockland Station LLC owns both 171 VFW Drive and 216 Pleasant Street (see deeds attached hereto as **Exhibit 1**), the titles are united and the right of way terminates. See Busalacchi v. McCabe, 71 Mass. App. Ct. 493, 497 (2008).

THE ZONING BOARD OF APPEALS SHOULD GRANT THE APPLICANT A SPECIAL PERMIT AS THE PROPOSED USE OF THE SITE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE BY-LAWS

The Zoning Board of Appeals should grant the Applicants a special permit to allow the proposed use pursuant to the By-laws § 415-14C (22) As detailed below, the proposed accessory use of the Property is in harmony with the general purpose and intent of Rockland's By-Laws. Please see the revised plans filed herewith.

Pursuant to the Bylaws, Section 415-89, "Special permits may be issued only for uses which are in harmony with the general purpose and intent of the bylaw, and shall be subject to the specific provisions established herein. Such permits may also impose conditions, safeguards, and limitations on time or use."

Applicant suggests to the Board that the current request for special permit is in "harmony with the general purpose and intent of the bylaw." First, this proposed accessory use was contemplated by the Town in the Business District II as it is allowed by special permit. Second, as explained in the initial application, the proposal satisfies the environmental performance standards pursuant to section 415-79 and the general performance standards pursuant to 415-79. A copy of the application addressing the standards is attached hereto as **Exhibit 7** for the Board's convenience.

CONCLUSION

The Applicant's proposed accessory use pursuant to § 415-14C (22) is a use allowed by special permit within the Business District II. As demonstrated herein, the use of the subject property pursuant to § 415-14C (22) does not derogate from the purpose and intent of the By-Laws and will have no negative effect on the neighborhood. For all of the reasons stated above and in the Application documents, the Applicant respectfully requests that the Board grant the special permit.

Thank you for your consideration of this matter. Should you have any questions or require any additional information concerning this matter, please do not hesitate to contact me at 781-640-8188 and/or rick@rucciolaw.com

/s/ Frederick C. Casavant IV

Enclosure

EXHIBIT 1



2011 00059580
 Bk: 40184 Pg: 249 Page: 1 of 2
 Recorded: 08/02/2011 12:10 PM
 ATTEST: John R. Buckley, Jr. Register
 Plymouth County Registry of Deeds

QUITCLAIM DEED

R.A.D. CORP. (a/k/a R.A.D. Corporation), a Massachusetts corporation with a principal office located at 171 VFW Drive, Rockland, Massachusetts 02370, for consideration paid, and in full consideration of One Dollar (\$1.00) grants to ROCKLAND STATION, LLC, a Massachusetts limited liability company with a principal office located at 171 VFW Drive, Rockland, Massachusetts 02370, with QUITCLAIM COVENANTS

A certain parcel of land in Rockland, Massachusetts known and numbered as 171 VFW Drive, shown as Lot 3 on a plan of land entitled "Plan of Land, Veterans of Foreign Wars Drive and Pleasant Street, Rockland, Massachusetts" dated February 21, 2002 and drawn by Perkins Engineering, Inc., Hingham, Massachusetts for A.L.M. Realty Trust recorded with the Plymouth County Registry of Deeds as Plan No. 191 of 2002 in Plan Book 45, Page 410. Reference is made to said plan for a more particular description.

Said conveyance is made subject to and with the benefit of all easements, restrictions and covenants of record, including, but not limited to an Easement and Right of Way for drainage over Lot 2 to the river as shown on the above-referenced plan. Granting to grantee, and its successors and assigns, the right to enter onto Lot 2 for the purpose of maintaining the drainage from said Lot 3.

Said conveyance is made subject to a Mortgage to Bay Colony Development Corp. dated March 29, 2002 in the original principal amount of \$530,000.00 recorded with the Plymouth County Registry of Deeds in Book 21818, Page 64 and a Conditional Assignment of Rents and Leases in favor of Bay Colony Development Corp. dated March 29, 2002 recorded with said Registry of Deeds in Book 21818, Page 69, said Mortgage and Conditional Assignment of Rents and Leases being assigned to the U.S. Small Business Administration pursuant to an Assignment of Mortgage, and Rents and Leases dated March 29, 2002 and recorded with said Registry of Deeds in Book 21818, Page 73. Said conveyance is also made subject to a certain Third Party Lender Agreement dated March 29, 2002 and recorded with said Registry of Deeds in Book 21818, Page 74.

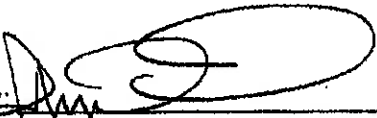
This conveyance does not constitute a sale of all or substantially all of the assets of R.A.D. CORP.

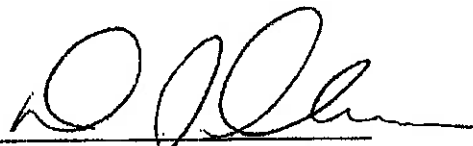
Property Address: 171 VFW Drive, Rockland MA

For grantor's title, see Quitclaim Deed recorded with the Plymouth County Registry of Deeds in Book 21818, Page 13.

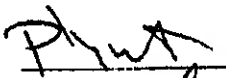
WITNESS our hand and sale this 2nd day of August, 2011.

R.A.D. CORP.

By: 
Name: Robert M. Delmonico
Title: President

By: 
Name: Derek J. Delmonico
Title: Treasurer

COMMONWEALTH OF MASSACHUSETTS

, ss

On this 2nd day of August, 2011, before me, the undersigned notary public, personally appeared Robert M. Delmonico, in his capacity as President of R.A.D. CORP proved to me through satisfactory evidence of identification, which was Licenses to be the persons whose name is signed on the preceding or attached document, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief.


Notary Public
My Commission



COMMONWEALTH OF MASSACHUSETTS

FWA, ss

On this 2nd day of August, 2011, before me, the undersigned notary public, personally appeared Derek J. Delmonico, in his capacity as Treasurer of R.A.D. CORP proved to me through satisfactory evidence of identification, which was License to be the persons whose name is signed on the preceding or attached document, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief.

[Signature]
Notary Public
My Commission Expires

Howard M. Kelman
10-4-13



MASSACHUSETTS EXCISE TAX
Plymouth District ROD #11 001
Date: 04/09/2024 02:39 PM
Ctrl#
Fee: \$.00 Cons: \$1.00

MASSACHUSETTS QUITCLAIM DEED

I, Robert M. Delmonico, Trustee of the Pleasant Street Realty Trust w/d/t dated October 22, 2012, of
171 VFW Drive, Rockland, MA 02370

for consideration paid, and in full consideration of One and 00/100 (\$.00) Dollar

grant to Rockland Station, LLC, a Massachusetts limited liability company with a principal office
located at 171 VFW Drive, Rockland, MA 02370

with *quitclaim covenants*

The land with buildings thereon, situated in Rockland, Plymouth County, Massachusetts, on the
westerly side of Pleasant Street, bounded and described as follows:

Easterly by Pleasant Street, 140 feet, more or less;

Southerly by land now or formerly of Hackett and others, 237.5 feet;

Westerly by land now or formerly of Stanley Cobbett, formerly the Town gravel pit, 137 feet more
or less; and

Northerly by land now or formerly of Roche, 227 feet, more or less.

Subject to easements and encumbrances of record.

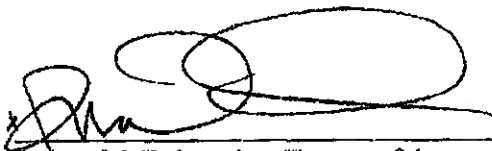
The Grantor(s) hereby releases any and all homestead rights in the Premises, if any, and state(s) that
there are no persons entitled to an estate of homestead in the within described premises.

Being the same premises conveyed to the herein named grantor(s) by deed recorded with Plymouth
County Registry of Deeds in Book 42352, Page 70.

[SIGNATURE ON FOLLOWING PAGE]

PROPERTY ADDRESS: 216 Pleasant Street, Rockland, MA 02370

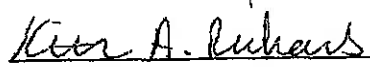
Executed as a sealed instrument this 8 day of April, 2024.


Robert M. Delmonico, Trustee of the
Pleasant Street Realty Trust

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss.

On this 8 day of April, 2024, before me, the undersigned notary public, personally appeared Robert M. Delmonico, proved to me through satisfactory evidence of identification, which was/were duly issued state driver's license(s) or [] _____ (applicable only if completed) to be the person(s) whose name(s) is/are signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose as Trustee of the Pleasant Street Realty Trust.


Notary Public: Kristen A. Richards
My Commission Expires: March 18, 2027

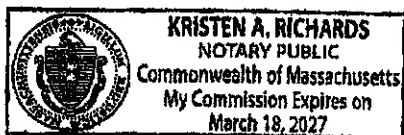


EXHIBIT 2

This Space is For Registry of Deeds Only:

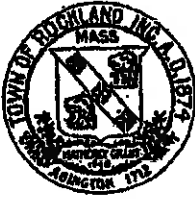


2015 00001040

Bk: 45123 Pg: 182 Page: 1 of 7

Recorded: 01/07/2015 11:22 AM

ATTEST: John R. Buckley, Jr. Register
Plymouth County Registry of Deeds



ROCKLAND ZONING BOARD OF APPEALS

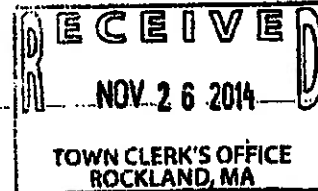
242 UNION STREET

ROCKLAND, MASSACHUSETTS 02370

E-mail: zoning@rockland-ma.gov

Phone: (781) 871-1874 extension 175
Facsimile: (781) 871-0386

Town Clerk's Date Stamp:



CASE NO.: 2014-10

A public hearing was held at 7:30 P.M. on October 21, 2014 and continued to November 18, 2014 in the H. Bernard Monahan Memorial Hearing Room, Town Hall, 242 Union Street, Rockland, MA on the petition submitted by Rockland Station LLC, 171 VFW Drive, Rockland, MA to allow the installation of two signs on the front of the building: (1) R.A.D. Sports 5' x 10' = 50 sq. feet and (2) South Shore Landscape Supply 6' x 10' = 60 sq. feet. The Applicant is seeking relief from Article IV, §415-39 General Regulations and §415-45.C.(1) a and b Wall Signs in a B-2 zone. The Applicant is requesting a variance for (1) Number of principal signs on a building; (2) Height of a wall sign; and (3) Size of a wall sign. Regulations state that there is a maximum area of 24 sq. ft., maximum height of 4 feet and one principal sign per building. The site is located at 171 VFW Drive and is further identified as Lot #34 on the Rockland Assessor's Map #24. A copy of this application is on file in the Town Clerk's office and is available for inspection during regular office hours.

ATTENDANCE:

October 21, 2014: Chairman Robert Manzella, Vice-Chairman Gregory Tansey, Stanley Cleaves, Rita Howes, Peter McDermott and Associate Member Rob Rosa. ABSENT: Associate Member Daria Rindone, Land Use Counsel Robert Galvin and Building Commissioner/Zoning Enforcement Officer Tom Ruble.

Map
JAMES P. DOHERTY OF
ROCKLAND STATION LLC
101 VFW DRIVE ROCKLAND MA
02370

A TRUE RECORD, ATTEST

Randalin S. Ralston
RANDALIN S. RALSTON, TOWN CLERK 130

Page Two of Six

Applicant: Rockland Station LLC

Property Address: 171 VFW Drive

Hearing Date: October 21, 2014 and November 18, 2014

November 18, 2014: Chairman Robert Manzella, Vice-Chairman Gregory Tansey, Rita Howes, Peter McDermott and Associate Members Rob Rosa, Daria Rindone and Susan Joyce. ABSENT: Stanley Cleaves, Land Use Counsel Robert Galvin and Building Commissioner/Zoning Enforcement Officer Tom Ruble.

MEMBERS VOTING:

October 21, 2014: Robert Manzella, Gregory Tansey, Rita Howes, Peter McDermott and Stanley Cleaves.

November 18, 2014: Robert Manzella, Gregory Tansey, Rita Howes, Peter McDermott and Rob Rosa.

DISCUSSION:

October 21, 2014: The Chairman read the advertisement and stated that the Applicant was not present and we had not heard from him. The Board made a motion to continue this hearing to November 18th and send a letter to the Applicant stating the continuance hearing date.

November 18, 2014: The Chairman stated that there was a typographical error in the advertisement whereas the Applicant is seeking relief from Article VI, not Article IV and asked for a motion from the Board to amend the advertisement.

MOTION: Ms. Howes made a motion to amend the advertisement to read Article VI instead of Article IV. Mr. Tansey seconded the motion. The vote of the Board was unanimous (5-0).

Mr. Jim Dougherty came before the Board to make his presentation. The Applicant testified that his business is at 171 VFW Drive and the two businesses are one of the same with R.A.D. Sports being the contracting side of the umbrella and South Shore Landscape Supply being the landscaping. The Applicant testified that he is seeking 50 sq. ft. for the R.A. D. sign and 60 sq. ft. for the South Shore Landscape Supply sign.

The Chairman asked the Applicant why the signs were so big and why couldn't he meet the Zoning By-law regulations. The Applicant testified that it was because of spacing and visibility. The Chairman asked the Applicant how far back his building was to the road. The Applicant testified that the building was somewhere between 65 feet and 70 feet.

Mr. Tansey asked the Applicant if there was going to be any lighting. The Applicant testified that he only wants to have lighting in the parking lot. Mr. Tansey asked the Applicant if the signs were going to be lit. The Applicant testified no. Mr. Tansey asked the Applicant about

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Page Three of Six

Applicant: Rockland Station LLC

Property Address: 171 VFW Drive

Hearing Date: October 21, 2014 and November 18, 2014

the color schemes by looking at the drawings. The Applicant testified that the green color would be for R.A.D. Sports and the blue sign would be for South Shore Landscape Supply and it is not a purple color. Mr. Tansey asked the Applicant what the height of the R.A.D. lettering would be. The Applicant testified that the lettering would be 2.5 feet in height and they would be individual acrylic letters. Mr. Tansey asked if the other aluminum sign that was 6' x 10' was for South Shore Landscape Supply. The Applicant testified, yes.

The Chairman asked the Applicant how big the sports letters were. The Applicant testified that they would be 18 inches in height.

Ms. Howes, Mr. McDermott, Ms. Rindone, Mr. Rosa and Ms. Joyce has no questions at this time.

The Chairman asked the Applicant if there was anything unique for us to be able to grant you a variance. The Applicant testified that it would be a large betterment to the area.

The Chairman stated that the standard was that you could clearly see a 10 inch high letter from 100 feet away.

At this time the Chairman asked the audience if there was anyone in favor or against this petition, there being none.

Mr. Rosa testified that he was getting a different figure for the square footage stating that if you add the square footage for each letter, it would be less. The Chairman stated that one letter is not a sign, the combination of letters is what makes up the sign, therefore you have to measure the whole thing.

The Applicant testified that he put in for 50 square feet.

Mr. Rosa testified that he is trying to get the Applicant's dimensions down a bit. The Applicant testified that for the size of the building he needs something for that space.

Ms. Rindone testified that it is visual and beautiful.

Ms. Howes stated that there will be two signs and wondered if they are the same size further down.

Mr. Tansey asked the Applicant what each sign consisted of. The Applicant testified that each letter is independent.

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Applicant: Rockland Station LLC

Property Address: 171 VFW Drive

Hearing Date: October 21, 2014 and November 18, 2014

Mr. Rosa discussed the dimensions and testified that if these are individual letters, why do we have to take the whole thing? The Applicant testified that the sign would be lost.

Ms. Rindone testified that her Dad owned a sign company for over 30 years and always considered visual.

The Chairman closed the open portion of this hearing.

DELIBERATION: Mr. Tansey testified that there are going to be two signs.

The Chairman stated the Board needs to vote on the following: (1) height; (2) maximum square footage and (3) number of signs.

Mr. Tansey testified that on the application, Mr. Ruble wrote that the signs need to be 24 square feet. The Applicant could modify the area for a smaller sign.

Ms. Howes testified that he will have to have it corrected.

The Chairman stated that they can do a lot of things.

Mr. Tansey testified that if it was 24 square feet = 6' x 4' you could have 18 inch letters and meet the 4 foot height requirement or go 2 feet on the R.A.D., go 12" on Sports to get the proportions and thinks he will get the visibility from the road, it would change the architectural a bit but would not require structural.

The Chairman stated that a 4' x 8' sign would be a minor deviation and will meet the height requirements.

Ms. Howes testified that she liked the Chairman's comment.

Mr. Tansey testified that the second sign is far enough away.

The Chairman stated that balance wise, it should be the same size.

Ms. Howes testified that if we give conditions, we could approve this by changing footage of R.A.D. if it is 4' x 8'.

Mr. McDermott testified that he liked the new dimensions.

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Page Five of Six

Applicant: Rockland Station LLC

Property Address: 171 VFW Drive

Hearing Date: October 21, 2014 and November 18, 2014

The Chairman stated that there are two businesses at this location/building and there would be two signs.

Ms. Howes asked if the signs would be lit. The Applicant testified that there would be lighting only on the building.

Mr. Tansey testified that he would like to make sure the Applicant follows the By-law for lights being turned off at 11:00 P.M. until dusk.

DECISION AND VOTE ON DECISION:

October 21, 2014: Mr. Tansey made a motion to continue the hearing to November 18, 2014 and notify the Applicant in letter format of the continuance date. Ms. Howes seconded the motion. The vote of the Board was 5-0.

November 18, 2014:

Height: Ms. Howes made a motion to deny the variance for the height and the signs shall be 4 feet in height. Mr. McDermott seconded the motion. The vote of the Board was unanimous (5-0)

Maximum Square Footage: Ms. Howes made a motion to grant the variance of 8 square feet to allow the square footage of 32 square feet. Mr. McDermott seconded the motion. The vote of the Board was unanimous (5-0).

Number of Signs: Ms. Howes made a motion to grant the variance of one having two (2) principal signs R.A.D. Sports and South Shore Landscape Supply on the building located at 171 VFW Drive. Mr. McDermott seconded the motion. The vote of the Board was unanimous (5-0).

REASON FOR DECISION: Upon a motion duly made and seconded, the Board found that the Applicant is seeking relief from the following: height, maximum square footage and number of signs. The Board found that the requested square footage was too large and would have been a major deviation from the Zoning By-Laws. The Board found that the Applicant could reduce the height of the signs and still be visible from the street. The Board found that there is also a pole sign located by the front property line. The Board found that there will be two retail businesses within the building. The Board found that the additional 8 square feet would be a minor deviation from the Zoning By-Law. The Board found that the signs would not be lit. The Board found that the distance and location of the signage on the building would allow for a safer flow of traffic on VFW Drive. The Board found that by granting the variances as set forth in this decision; would be in harmony with the other businesses and would be for

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Page Six of Six

Applicant: Rockland Station LLC

Property Address: 171 VFW Drive

Hearing Date: October 21, 2014 and November 18, 2014

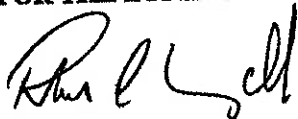
the safety of the general public, and would not be a detriment to the intent of the Zoning By-law. The Board found that the location of the structure on the lot, width of the lot and the setback from the street is a condition that specifically effects the lot and does not effect the zoning district as a whole. The variances would not derogate from the intent or purpose of the Zoning By-law or be detrimental to the public good and would be in harmony with the neighboring businesses. The Board found that by granting the variance, it would not be detrimental to the public good nor a substantial derogation from the purpose and intent of the Zoning By-Law.

THIS DECISION, ALONG WITH THE CERTIFICATION FROM THE TOWN CLERK THAT NO APPEAL HAS BEEN FILED, MUST BE RECORDED WITH THE PLYMOUTH COUNTY REGISTRY OF DEEDS PRIOR TO OBTAINING A SIGN PERMIT AND PROOF OF RECORDING MUST BE FILED WITH THE BUILDING COMMISSIONER.

NOTE:

- ❖ This decision may be appealed to the District Court, Housing Court, Land Court or Superior Court pursuant to Chapter 40A, Section 17. Said appeal must be filed within twenty (20) days after this decision is filed with the Town Clerk.
- ❖ Chapter 40A, Section 11, states that in part, that no variance or Special Permit shall take effect until the Town Clerk certifies that twenty (20) days have elapsed, and no appeal has been filed.
- ❖ This Board certifies that copies of this decision have been filed with the Planning Board as well as with the Town Clerk.

FOR THE ZONING BOARD OF APPEALS



**Robert A. Manzella
Chairman**

1302



(781) 871-1892 #1

TOWN OF ROCKLAND

Town Clerk

Randalin S. Ralston
Rockland Town Offices
242 Union Street
Rockland, Massachusetts 02370-1897
clerk@rockland-ma.gov

January 7, 2015

Re petition of:

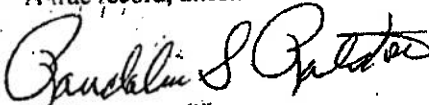
Rockland Station LLC
171 VFW Drive Lot #34, Map #24
Rockland, MA 02370

Book #40184
Page 249

To whom it may concern:

I certify that 20 days have elapsed since the Zoning Board of Appeals filed the attached decision in this office (November 26, 2014) and no appeal has been filed.

A true record, attest:


Randalin S. Ralston
Town Clerk

130 F

EXHIBIT 3

This Space is For Registry of Deeds Only:



2016 00015016

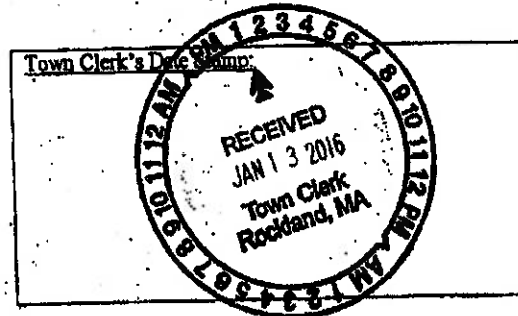
Bk: 46622 Pg: 247 Page: 1 of 6

Recorded: 02/25/2016 01:43 PM

ATTEST: John R. Buckley, Jr. Register
Plymouth County Registry of Deeds

ROCKLAND ZONING BOARD OF APPEALS
242 UNION STREET
ROCKLAND, MASSACHUSETTS 02370
E-mail: zoning@rockland-ma.gov

Phone: (781) 871-1874 extension 175
Facsimile: (781) 871-0386



CASE NO.: 2016-03
Property Address: 171 VFW Drive

Notice is hereby given that a Public Hearing will be held on at 8:00 P.M. on January 5, 2016 in the Lower Conference Room, Town Hall, 242 Union Street, Rockland, MA on the petition submitted by Mark Daley, 171 VFW Drive, Rockland, MA 02370 to allow the installation of a 32' x 96' LED Message Board on the existing Pole Sign. The Applicant is seeking a Special Permit as per §415-45.C.2.h. The Applicant is also seeking relief from §415-45.C.2.a.2 which states in part that the maximum width of a pole sign shall be six feet. The Applicant is requesting a two foot variance. The owner of the property is Robert DelMonico, 171 VFW Drive, Rockland, MA 02370. The site is in a B-2 zone; it is located at 171 VFW Drive and is further identified as Lot #34 on the Rockland Assessor's Map #24. A copy of this application is on file in the Town Clerk's office and is available for inspection during regular office hours.

ATTENDANCE: Board Members: Chairman Robert Manzella, Vice-Chairman Gregory Tansey, Stanley Cleaves and Robert Rosa. **ABSENT:** Rita Howes, Daria Rindone and Stephen Johnson.

Also present was Land Use Counsel Robert W. Galvin and Building Commissioner/Zoning Enforcement Officer Thomas Ruble.

Mail
RAD
171 VFW Drive
Rockland MA 02370

A True Record, Attest

Anna M Shortall 132
Town Clerk, Rockland, MA

Page Two of Five
Applicant: Mark Daley
Property Address: 171 VFW Drive
Hearing Date: January 5, 2016

The Chairman stated that with three members absent and four present, there would be only four voting members on this petition this evening.

MEMBERS VOTING: Robert Manzella, Gregory Tansey, Stanley Cleaves and Robert Rosa.

DISCUSSION: The Chairman of the Zoning Board read the advertised notice in the Patriot Ledger.

The Applicant came before the Board to make his presentation. The Applicant testified that the actual sign is 69 inches wide and 29 inches high.

Mr. Ruble asked the Applicant if the sign itself was 69 inches and the maximum height was 12 feet. Mr. Ruble asked the Applicant if this was considered a pole sign.

The Chairman replied, yes and stated that there is a copy of a sign permit signed by Mr. Ruble with the application.

The Applicant testified that there is 7 feet from the ground to the bottom of the message board and 12 feet overall in height.

Mr. Cleaves, Mr. Tansey and Mr. Rosa had no questions at this time for the Applicant.

The Chairman asked the Applicant if he knew the criteria for the Message Board and reviewed the measurements provided to the Board.

The Applicant testified the maximum outside measurement is 32 inches and 24 inches is lit up.

Attorney Galvin stated that the drawing says 69 inches. The Applicant testified that the actual measurements are 32 inches. Attorney Galvin asked the Applicant if this was one or two signs.

132A

Page Three of Five

Applicant: Mark Daley

Property Address: 171 VFW Drive

Hearing Date: January 5, 2016

Mr. Rosa asked the Applicant if this sign was in prior to construction. The Applicant testified that it is 18 feet from the curb and 16 feet from the property cobblestone and re-measured it when he filed for the permit with Mr. Ruble. The Applicant testified that the old sign was on the street.

The Chairman asked the Applicant if he has a 6 foot setback. The Applicant replied yes, Tom would not have approved it if I didn't.

The Chairman asked the audience if there was anyone in favor or against this petition. There were none.

The Chairman closed the open portion of this hearing and explained to the Applicant the appeal process, the filing of the decision with the Town Clerk; and if the variance and/or Special Permit is granted, the Applicant must receive from the Town Clerk a Certificate of no appeal after the 20 day appeal period and then proceed to the Registry of Deeds to record the approved decision together with a certificate of no appeal prior to obtaining a sign permit from the Building Department.

DELIBERATION: The Chairman stated that the application stated the width of the sign was 96 inches and the drawing showed the width at 69 inches. After much discussion amongst the Board members regarding the dimension on the plan, it was determined a variance was not needed.

DECISION AND VOTE ON DECISION:

Variance: Mr. Rosa made a motion to deny the width variance as it was not needed. Mr. Tansey seconded the motion. The vote of the Board was unanimous (4-0).

Special Permit: Mr. Rosa made a motion to grant the Special Permit with the following condition(s): Mr. Tansey seconded the motion. The vote of the Board was unanimous (4-0).

CONDITIONS:

1. The Owner shall supply an actual As-built survey plan showing the location of the sign to the Building Commissioner/Zoning Enforcement Officer for compliance of these conditions.
2. The Message Board shall be 29 inches by 69 inches.

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Page Four of Five
Applicant: Mark Daley
Property Address: 171 VFW Drive
Hearing Date: January 5, 2016

3. Digital Display/Electronic Message Board conditions:
 - (a) Maximum Height and area shall be subject to the applicable sign on which the electronic message is placed.
 - (b) The Digital Display/Electronic Message Board shall display Static Image only.
 - (c) The Static Image shall hold for a period no less than six hours.
 - (d) Transitioning from one Static Image to another shall occur instantaneously without the appearance of movement.
 - (e) Only one Transition shall be allowed per day.
 - (f) No illumination between 11:00 P.M. and 6:00 A.M. except for Police and Fire Stations or Hotels.
 - (g) Automatic Dimming Technology shall be installed as to automatically adjust the board's brightness based on the natural ambient light conditions. Brightness shall not exceed 0.3 foot candle meter at a distance of 100 feet from the display.
 - (h) Only one Digital Display/Electronic Message Board may be allowed per lot.
4. A copy of this decision shall be filed with the Registry of Deeds and proof of recording shall be given to the Building Department.

REASONS FOR DECISION: Upon motion duly made and seconded, the Board found that the Applicant is seeking a 29" x 96" LED Message Board on the existing Pole Sign. The Board found that the Applicant is seeking a Special Permit as per §415-45.C.2.h. The Board found that the Message Board will be 29 inches x 69 inches in width with 7 feet of ground clearance so it will not obstruct vision for vehicular traffic exiting the site. The Board found that the Applicant is aware of the criteria for the operation of the Message Board as conditioned in this decision. The Board found that the Message Board would be in harmony with the surrounding businesses. The Board found that by granting the Special Permit with conditions would not be a derogation to the intent of the Zoning By-Laws and would be in harmony with the surrounding businesses.

THIS DECISION, ALONG WITH THE CERTIFICATION FROM THE TOWN CLERK, THAT NO APPEAL HAS BEEN FILED, MUST BE RECORDED WITH THE PLYMOUTH COUNTY REGISTRY OF DEEDS PRIOR TO OBTAINING A SIGN PERMIT FROM THE BUILDING DEPARTMENT AND PROOF OF RECORDING MUST BE FILED WITH THE BUILDING COMMISSIONER.

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Page Five of Five

Applicant: Mark Daley

Property Address: 171 VFW Drive

Hearing Date: January 5, 2016

NOTE:

- ❖ This decision may be appealed to the District Court, Housing Court, Land Court or Superior Court pursuant to Chapter 40A, Section 17. Said appeal must be filed within twenty (20) days after this decision is filed with the Town Clerk.
- ❖ Chapter 40A, Section 11, states that in part, that no variance or Special Permit shall take effect until the Town Clerk certifies that twenty (20) days have elapsed, and no appeal has been filed.
- ❖ This Board certifies that copies of this decision have been filed with the Planning Board as well as with the Town Clerk.

FOR THE ZONING BOARD OF APPEALS



Robert A. Manzella
Chairman

1323



TOWN OF ROCKLAND

Town Clerk

(781) 871-1892 #120

Donna M. Shortall
Rockland Town Offices
242 Union Street
Rockland, Massachusetts 02370-1897
dshortall@rockland-ma.gov

February 3, 2016

Re petition of: Mark Daley
171 VFW Drive
Rockland, MA 02370

Property owner: Robert Delmonico
171 VFW Drive
Rockland, MA 02370

Property location: 171 VFW Drive
Rockland, MA 02370

Book # 40184
Page # 249

To whom it may concern:

This is to certify that the 21 day appeal period for the decision on this application has passed and there were no appeals. The decision was filed in the Rockland Town Clerk's office on January 13, 2016

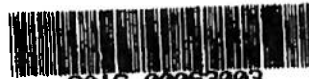
A true copy attest:

Donna M. Shortall

Donna M. Shortall
Town Clerk

1325

EXHIBIT 4



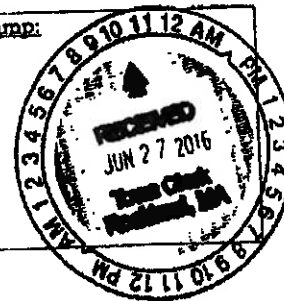
2016 00063003
Bk: 47223 Pg: 42 Page: 1 of 6
Recorded: 07/25/2016 10:42 AM
ATTEST: John R. Buckley, Jr. Register
Plymouth County Registry of Deeds

This Space is For Registry of Deeds Only:

ROCKLAND ZONING BOARD OF APPEALS
242 UNION STREET
ROCKLAND, MASSACHUSETTS 02370
E-mail: zoning@rockland-ma.gov

Phone: (781) 871-1874 extension 175
Facsimile: (781) 871-0386

Town Clerk's Date Stamp:



CASE NO.: 2016-24
Property Address: 216 Pleasant Street

A public hearing was held at 8:00 P.M. on June 21, 2016 in the Lower Conference Room, Town Hall, 242 Union Street, Rockland, MA on the petition submitted by Mark Daley, 171 VFW Drive, Rockland, MA 02370 to allow the expansion of use from 171 VFW Drive. The Applicant is seeking a Special Permit as per §415-14.C(22). The owner of the property is Robert Delmonico, 216 Pleasant Street, Rockland, MA. The site is in an B-2 zone, located at 216 Pleasant Street and is further identified as Lot #29 on the Rockland Assessor's Map #24. A copy of this application is on file in the Town Clerk's office and is available for inspection during regular office hours.

ATTENDANCE: Board Members: Chairman Robert Manzella, Vice-Chairman Gregory Tansey, Stanley Cleaves, Rita Howes and Robert Rosa.

ABSENT: Associate Member Stephen Johnson.

A True Record, Attest

Donna M. Stottall
Town Clerk, Rockland, MA 27

Mark Daley
171 VFW Drive
Rockland, MA 02370

Page Two of Five

Applicant: Mark Daley
Property Address: 216 Pleasant Street
Hearing Date: June 21, 2016

Also present was Building Commissioner/Zoning Enforcement Officer Tom Ruble. Land Use Counsel Robert W. Galvin was available by phone until he arrived at 8:30 P.M.

MEMBERS VOTING: Robert Manzella, Gregory Tansey, Stanley Cleaves, Rita Howes and Robert Rosa.

DISCUSSION: Chairman Manzella read the Patriot Ledger advertisement and stated that the meeting is being recorded.

Mr. Daley came before the Board to make his presentation. The Applicant testified that he is looking to utilize land for storage not for re-sale. The Applicant testified that there will be no bagging of product and will use equipment only for loading and unloading. The Applicant testified that he is just looking for a little more space.

Mr. Tansey asked the Applicant why he had an area colored off on this photo - is that the limits of where you will store material. The Applicant replied, yes. Mr. Tansey asked the Applicant how big the bags of stone were. The Applicant testified that the bags are 3,000 lbs. Mr. Tansey asked the Applicant if the stone was bagged on site. The Applicant testified that the stone is bagged on the site, but on the landscape side (VFW Drive) not on Pleasant Street.

Ms. Howes had no questions at this time for the Applicant.

Mr. Rosa asked the Applicant if there was an easement running down the side of the property. The Applicant testified that is a strip of grass. Mr. Rosa asked what that strip of grass was there for. The Applicant testified that it is possibly from the prior building that was torn down. Mr. Rosa asked the Applicant what is the rest of the property for. The Applicant testified that it is used generally for irrigation products only and has equipment there to load and unload. Mr. Rosa testified that the picture you presented to us has four (4) dozers parked right out front. The Applicant testified that the photo provided is from Google maps to show the property's view - only.

The Chairman asked the Applicant if there was any manufacturing and the processing of products. The Applicant testified there is no manufacturing or processing of materials on this lot.

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Page Three of Five

Applicant: Mark Daley
Property Address: 216 Pleasant Street
Hearing Date: June 21, 2016

The Chairman read into the record a letter he received from Polymer Corporation, 180 Pleasant Street dated June 21, 2016 stating the following concerns: dust and noise control with the potential impact that the expanded use may have on their heating, cooling and ventilation systems (HVAC); storage heights of the landscaping supplies that would be stored; with current activities at these parcels they already have issues with dust clogging cooling fins of their HVAC systems and a potential increase in outside air particulate could potentially adversely impact the air quality within their building and business operations.

The Applicant testified that they have not received any complaints on dust; noise has been addressed and taken care of and has a water truck on the site to keep the dust down as well.

The Chairman asked the Applicant how high do you stack the product. The Applicant testified that they do not stack more than two pallets high.

The Chairman asked the Applicant what the hours of operation were. The Applicant testified the hours of operation were Monday through Saturday 7:00 A.M. to 4:30 P.M.

The Chairman asked the Board if they had any more questions for the Applicant at this time.

The Chairman asked the audience if there was anyone in favor, there being none.

The Chairman asked the audience if there was anyone against this petition. Lee Andre Coste of 219 Pleasant Street is concerned if a fence will be there with a gate as a passage way. The Applicant testified that this is for storage only; there will be no gate access through Pleasant Street.

The Chairman closed the open portion of this hearing and explained to the Applicant the appeal process, the filing of the decision with the Town Clerk, and if the Special Permit and/or variance(s) are granted, the Applicant must receive from the Town Clerk a Certificate of no appeal after the 20 day appeal period and then proceed to the Registry of Deeds to record the approved decision together with a Certificate of no appeal and the proof of recording must be submitted to the Building Department before receiving an occupancy permit.

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Page Four of Five

Applicant: Mark Daley
Property Address: 216 Pleasant Street
Hearing Date: June 21, 2016

DELIBERATION: The Chairman stated to the Board that the Applicant is seeking a Special Permit to allow the expansion of use from 171 VFW Drive. The Applicant is seeking a Special Permit as per §415-14.C(22).

The Chairman stated that there needs to be some conditions such as: no manufacturing/processing of products; no stacking of materials higher than the fence and no storage of equipment at this site.

DECISION AND VOTE ON DECISION: Ms. Howes made a motion to grant the Special Permit with the following conditions. Mr. Tansey seconded the motion. The vote of the Board was unanimous (5-0).

CONDITIONS:

- 1). There shall be no manufacturing/processing of products on this lot 216 Pleasant Street - Lot #29).
- 2). There shall be no stacking of materials higher than the fence.
- 3). There shall be no storage of equipment at this location. Equipment shall be used for loading and unloading of materials.
- 4). Dust Control: The Applicant shall control dust so that it does not spread to surrounding residential homes or surrounding businesses.
- 5). Hours of Operation: Monday through Saturday - 7:00 A.M. to 4:30 P.M.
- 6). There shall be no vehicular or pedestrian access to or from Pleasant Street.
- 7). A copy of the Proof of Recording this Decision and Certificate of No Appeal with the Registry of Deeds must be presented to the Building Department prior to using the site.

REASONS FOR DECISION: Upon motion duly made and seconded, the Board found that the Applicant is seeking a Special Permit to allow the expansion of use from 171 VFW Drive. The Applicant is seeking a Special Permit as per §415-14.C(22).

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Page Five of Five

Applicant: Mark Daley
Property Address: 216 Pleasant Street
Hearing Date: June 21, 2016

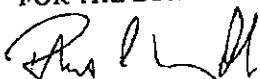
The Board found that the site is in a B-2 zone and the use is permissible by a Special Permit. The Board found that the storage of materials would not create a nuisance to the residential neighborhood. The Board found that the Applicant has mitigated the dust by using a water truck. The Board found that the hours of operation (7:00 A.M. to 4:30 P.M.) would not be a detriment to the neighborhood. The Board found that by granting the Special Permit with the conditions set forth would not be a derogation to the intent of the Zoning By-Laws and would be in harmony with the surrounding neighborhood.

THIS DECISION, ALONG WITH THE CERTIFICATION FROM THE TOWN CLERK, THAT NO APPEAL HAS BEEN FILED, MUST BE RECORDED WITH THE PLYMOUTH COUNTY REGISTRY OF DEEDS PRIOR TO OBTAINING A BUILDING PERMIT AND PROOF OF RECORDING MUST BE FILED WITH THE BUILDING COMMISSIONER.

NOTE:

- ❖ This decision may be appealed to the District Court, Housing Court, Land Court or Superior Court pursuant to Chapter 40A, Section 17. Said appeal must be filed within twenty (20) days after this decision is filed with the Town Clerk.
- ❖ Chapter 40A, Section 11, states that in part, that no variance or Special Permit shall take effect until the Town Clerk certifies that twenty (20) days have elapsed, and no appeal has been filed.
- ❖ This Board certifies that copies of this decision have been filed with the Planning Board as well as with the Town Clerk.

FOR THE ZONING BOARD OF APPEALS


Robert A. Manzella
Chairman



(781) 871-1892 #120

TOWN OF ROCKLAND

Town Clerk

Donna M. Shortall
Rockland Town Offices
242 Union Street
Rockland, Massachusetts 02370-1897
dshortall@rockland-ma.go

July 19, 2016

Petition of: Mark Daley
171 VFW Drive
Rockland, MA 02370

Owner of Property: Robert Delmonico
216 Pleasant Street
Rockland, MA 02370

Property Location: 216 Pleasant Street
Rockland, MA 02370

Book 42352; Page 70

To Whom It May Concern:

I certify that twenty (20) days have elapsed since the Zoning Board of Appeals filed the attached decision (June 27, 2016) in this office and that no appeal has been filed.

A true copy attest:

Donna M. Shortall
Donna M. Shortall
Town Clerk

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EXHIBIT 5

BOOK 6021 PAGE 116

We, THOMAS J. NEALEY, JR. and EDWARD M. CANNON, as tenants in common, both

of Rockland, Plymouth

County, Massachusetts

for Forty-five thousand (\$45,000.00) consideration paid
granted to William Reed, Trustee of Reed Brothers Realty Trust, under Declaration of
Trust dated January 31, 1963 and recorded with Plymouth Deeds, Book 3500, Page 721,
as amended of record, (of 171 V.F.W. Highway in said Rockland),

with quitclaim warranty
the land in Rockland, Plymouth County, Massachusetts situated west of Pleasant
Street, bounded and described as follows:

(Description and measurements, if any)

beginning at the southeasterly corner of the conveyed premises at a stake and stone in the
line of the old stone wall bed 237.75 feet westerly from said Pleasant Street, and running
South 45° West in said wall bed by the "Hatchet Lot" 300 feet, more or less, to a stake and
stones at the edge of the upland; thence turning and running
North 31° West by land now or formerly of Conella Francis Delano 143 feet to a stake and stones
at the edge of said upland; thence turning and running
Northeasterly in a straight line by other land now or formerly of said Delano and in the fence
line by land now or formerly of Henry T. Roche, 382 feet to a stake and stones near a fence
post; thence turning and running
Southerly by other land now or formerly of said Delano 144 feet to the point of beginning.

A right of way, one rod wide, from the said conveyed premises to the said Pleasant Street
along the southerly line of front lot now or formerly of said Delano is included in this con-
veyance; according to survey made by Giles W. Howland, C.E., upon April 6, 1934.

The conveyed premises contains 45,200 sq. ft. of land/is shown as lot 28 of Rockland
Assessor's Plan 24; and the said right of way runs from the southeast corner of the granted
premises over lot 29 (214 Pleasant Street) Assessor's Plan 24, said right of way being more
particularly defined as running along the southeasterly boundary of said lot 29 out to Pleasant
Street and being always one rod in width from said southeasterly boundary (lot 29 being Parcel
No. 2 of the "Hatchet Lot" including land now or formerly of said Delano for vehicles exceeding 80,000 lbs.
Meaning and intending to convey and hereby conveying Parcel No. 2 in deed of Courville
Associates, Inc. dated May 4, 1963 and recorded with Plymouth Deeds, Book 5345, Page 239.

The premises are conveyed subject to a mortgage to Courville Associates, Inc. dated May 4,
1963 and recorded with Plymouth Deeds, Book 5345, Page 340, but which mortgage the grantee
expressly does not agree to assume and pay but which will be paid by the grantor herein and
which mortgage will be released of record in or within one year from the date hereof in accor-
dance with the agreement of grantor and grantee herein, the grantee herein having paid full
consideration for this deed without any reduction for said mortgage.

Witness our hand and seal this 25th day of March, 1965

Thomas J. Nealey, Jr.
Signature of Thomas J. Nealey, Jr.

Edward M. Cannon
Signature of Edward M. Cannon

The Commonwealth of Massachusetts

Plymouth ss.

March 23, 1965

Then personally appeared the above-named THOMAS J. NEALEY, JR. and EDWARD M. CANNON

and acknowledged the foregoing instrument to be their free act and deed before me

Carl V. Arlanson,

My commission expires

CHAPTER 152B, SEC. 6 AS AMENDED BY CHAPTER 491 OF 1963

COMMONWEALTH OF MASSACHUSETTS
DEEDS & EXCISE

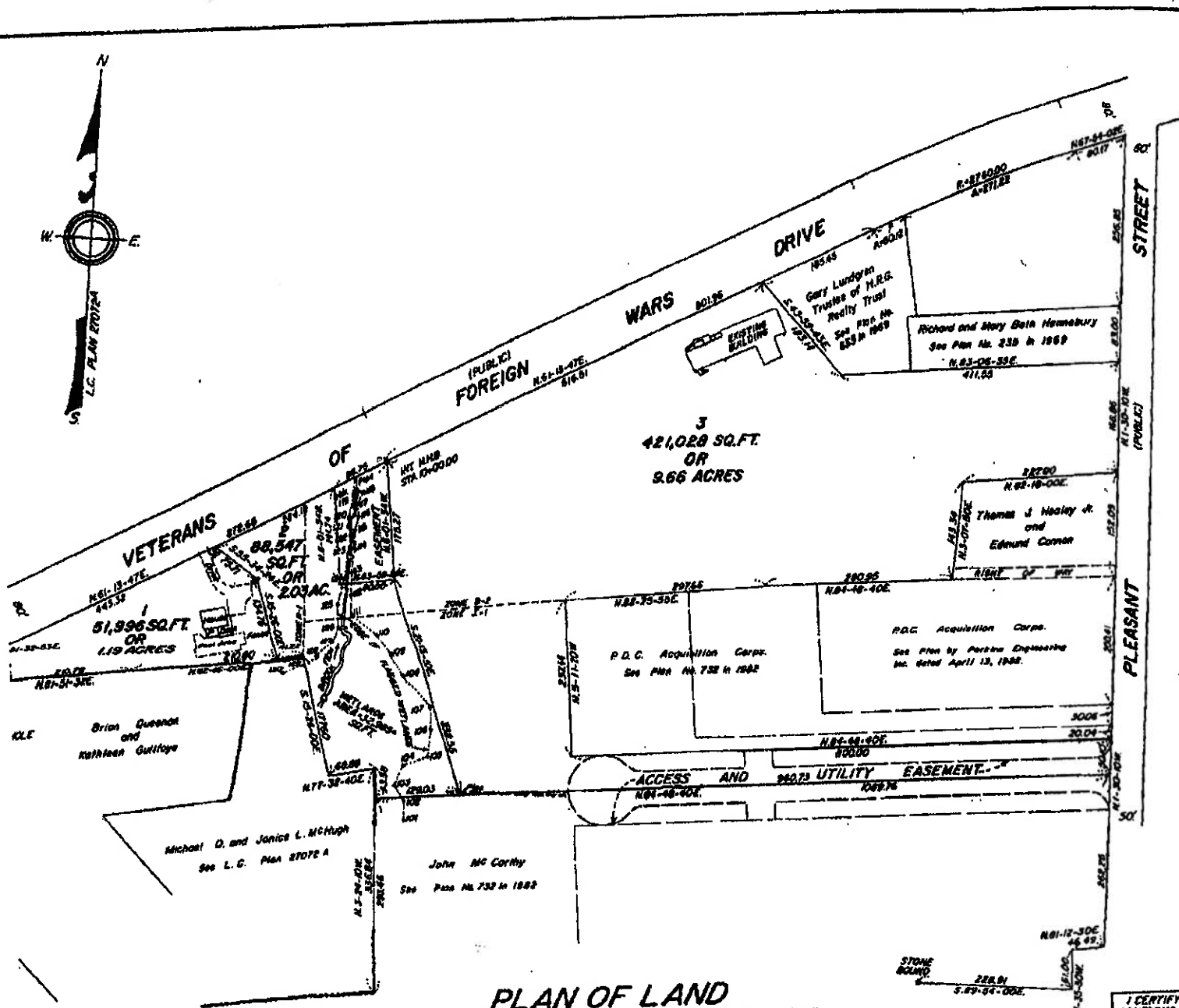
102.60

RECORDED MAR 25 1965 AT 12:12 PM AND RECORDED

CANCELLED



EXHIBIT 6



0 40 80 160 240
SCALE IN FEET

I CERTIFY THAT
CONFORMS WITH THE
AND REGULATIONS
REGISTERS OF DE



David T. [Signature]
SIGNATURE: P.L.S.
DATE: Feb 21

45-410 02-191

 2^A

EXHIBIT 7

1.) Explain in-depth what you are proposing to do:

R.A.D Sports is proposing to construct a 35,000 SF building to support and grow its current business of sports field construction. The building would serve two purposes. The first would be to store equipment and materials that are currently stored outside. The second purpose would be to process existing synthetic turf so the materials can be reused. The proposed building and processing equipment would allow us to separate the turf system back to its original components for reuse.

Synthetic turf is made up of three (3) main components: sand, rubber, and plastic fiber/backing. The proposed equipment performs two main activities. The first is to separate the sand and rubber from the synthetic turf fiber and backing. The second step is to process the sand and rubber into individual super sacks. This procedure allows the materials to be reused in the market for synthetic turf installations as originally installed. While this building will help support/grow our current business it will also fill a missing gap in our industry. We would be keeping these materials out of landfills and be able to offer a sustainable solution for our customers.

2.) If this is an application for a special permit, describe in detail the permit you are seeking and provide the board with specific information as to how the proposed use will meet the Performance Standards of the Zoning By-Laws of Rockland:

R.A.D. Sports is seeking a special permit for processing and storage operations related to the recycling of existing synthetic turf fields. The processing operation would take place inside the proposed 35,000 SF building. Although we don't anticipate any issues, this would keep any potential nuisances (odor, dust, noise, environmental concern etc.) of the operation inside. The only outside equipment would be the dust collector system which includes a series of filters. This would be installed on a concrete pad and be surrounded by an enclosure for aesthetics and to limit any sound pollution.

The proposed project will meet the performance standards outlined in section 415-79 and 415-80 of the zoning by-laws as described below:

- 1) All dimensional requirements have been met per the submitted site plan.
- 2) The 10-foot (side) and 20-foot (front) landscape buffers between the property lines and proposed improvements have been provided.
- 3) Onsite access is designed for proper circulation throughout the site to utilize the existing site access from 171 VFW Dr. Emergency access and building circulation is provided from pleasant street at the request of the Fire Department.
- 4) Sewage for the proposed building will be designed to meet the Town requirements. Debris and trash will be disposed of as frequently needed to ensure a clean site.

- 5) The proposed improvements will require a site plan review application/permit. As part of this process a stormwater report will be prepared, and a drainage system designed to meet the current stormwater standards.
- 6) The proposed improvements will require a site plan review application/permit. As part of this process a soil erosion control plan will be prepared to account for construction and final site activities.
- 7) As with current operations all deliveries and loading operations will take place onsite and not on adjacent streets.
- 8) Site security lighting will be installed on the proposed building and shielded from neighboring properties.
- 9) The proposed improvements will not adversely impact steep slopes, floodplains, scenic views, grade changes and wetlands.
- 10) A site plan review permit application will be submitted following the special permit zoning board process.
- 11) Work hours will be within the required Monday – Friday 7:00am to 6:00pm and Saturday 7:00am to 3:30pm timeframes. No work will occur on Sundays and holidays.