



TOWN OF MEDFIELD

BOARD OF APPEALS ON ZONING

459 Main Street, Medfield, MA 02052

APPLICATION FOR HEARING (TO BE FILLED OUT BY APPLICANT)

RECEIVED
TOWN OF MEDFIELD, MASS.

2021 DEC -8 P 1:35

OFFICE OF THE
TOWN CLERK

Phone: 508-906-3027
Fax: 508-359-6182

Date 12/8/21

Name of Applicant
or Appellant
Mailing Address
City, State, Zip

Around The Plate LLC
17 Charlesdale Road, Medfield, MA 02052

Phone 781-626-0219 Email jnejm87@gmail.com

The record title of said
property stands in the name of: Jeffrey Hanso 933 Main Street Trust

Whose address is: 38 Park Street, Medfield, MA 02052

Applicant is
(owner, tenant, other): Tenant

Location of Property 38 Park Street, Medfield, MA 02052

Deed duly recorded in the Norfolk County Registry of Deeds:

Book 38617 Page 574 (or) Land Court Certificate # _____

Year lot created _____ Plan of Land recorded as Book _____ Page _____ Year _____

Medfield Assessors Map 37 Lot 198 Zoning District B1 Overlay? Secondary

Nature of application or appeal (Written summary of project; attach additional sheets if necessary):

Please see summary of project attached hereto as Exhibit A.

Applicable section(s) of Zoning Bylaw or General Law (State which, or if both, so state):

Use this box for additions/alterations to pre-existing non-conforming lots or structures:
A special permit under MGL Chpt. 40A §9 and/or Medfield Zoning Bylaw Section 300-9.1.C.2. &/or a
determination under M.G.L. Chpt. 40A §6 and/or Medfield Zoning Bylaw, Article 9, that proposed
work will not be more nonconforming and/or a variance from Chapter 300b of the Zoning Bylaw.

Table of Use 4.2

300-14.10 Special Permit and if applicable 300-8.2 G. Parking Special Permit

Reviewed by Building Commissioner: Signed _____ Date: _____

I hereby request a hearing before the Board of Appeals with reference to the above application. In the event that a Variance or Special Permit or other form of decision required by law to be recorded is granted, I will record the same with the Norfolk Registry of Deeds or Land Court.

I have read and accept the rules and fees of the "Rules of the Medfield Board of Appeals."

(Applicant) Signed [Signature] Printed Jessy Nejm

(Owner) Signed [Signature] Printed JEFF J. HANSON

v. 09/13/19

REQUIRED FINDINGS
to be filled out by applicant

UTILITIES:

Water: Town Well
Sewer: Town Septic System

Notes:

FAMILY APARTMENTS:

- The Applicant acknowledges the provisions of Medfield Zoning Bylaw Section 300-14.10.I.(3) & (4) that a family Apartment Special Permit is temporary and subject to conditions of approval, including but not limited to annual an affidavit under the pains and penalties of perjury that the person(s) listed continues to reside within the Family Apartment. Future use of the space is contemplated as:

Name of person(s) to occupy the family apartment: _____

ALL SPECIAL PERMITS:

The Board of Appeals may grant a special permit if it concludes that a special permit is warranted by the application and the evidence produced at the public hearing and if it makes the following specific findings of fact, pursuant to Medfield Zoning Bylaw Section 14.10:

- (1) Overall design is consistent and compatible with the neighborhood, including as to factors of building orientation, scale, and massing. *(Describe the proposed construction in the context of the existing surroundings. If an addition, will the siding, windows, shingles etc. match existing. Does the proposal fit into the streetscape and larger area?)*

There will be no exterior modifications to the property

- (2) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed such that the proposed use will not result in a public hazard due to substantially increased vehicular traffic or parking in the neighborhood. *(Describe additional vehicles and parking spaces required by the proposal as well as road access on public or private ways and any other information. Commercial or multi-family residential projects may require a traffic study prepared by a registered engineer.)*

The majority of the traffic flow will be after normal business hours. There are 46 available parking spots on site. Most of which will be available during anticipated pickup times. Generally only one or two spots would be required at any given time. There is no long term parking.

(3) Drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development. *(Describe utility connections potential impacts to public wells, aquifers, municipal water mains, nearby private wells.)*

~~The proposed use, meal preparation, will not create any hazard to public safety or health in the neighborhood. There will be no noise or change to any existing on site systems. There will be no change or impact on the drainage, utilites, and other infrastructure. No upgrade is required.~~

(4) The proposed use will not have any significant adverse effect upon properties in the neighborhood, including property values. *(Describe any aspects of the project that could be unsafe to those in and around the property i.e. manufacturing, research and design. Commercial or multi-family residential projects may require an analysis prepared by a real estate appraiser.)*

~~On site sewer is available. Applicant will work with the Board of Health for any required permits. Applicant has already met with the Board of Health on a preliminary basis to establish the floor plan filed herewith.~~

(5) Project will not adversely affect or cause substantial damage to any environmentally significant natural resource, habitat, or feature or, if it will, proposed mitigation, remediation, replication, or compensatory measures are adequate. *(Describe potential impacts to natural resources (tree clearing, proximity to wetlands, etc. If Conservation Commission approval is necessary, please attach approval to application.)*

~~There are no exterior changes to the building and therefore no environmental impact. No Conservation Commission approval is required.~~

(6) Number, height, bulk, location and siting of building(s) and structure(s) will not result in abutting properties being deprived of light or fresh air circulation or being exposed to flooding or subjected to excessive noise, odor, light, vibrations, or airborne particulates. *(Describe existing and proposed drainage systems and conditions. All stormwater should be collected/treated/infiltrated on-site. If Board of Health approval is necessary, please attach approval to application.)*

~~There is no change to the exterior and therefore no impact on abutting properties. There is no change to the onsite drainage system nor any impact with the proposed use.~~

(7) Water consumption and sewer use, taking into consideration current and projected future local water supply and demand and wastewater treatment capacity, will not be excessive. *(Describe existing and proposed water and wastewater systems and conditions.)*

~~There will be no change in water usage than there is currently onsite.~~

(8) The Proposed use will not create any hazard to public safety or health in the neighborhood. *(Describe proposed use and ancillary specifications relating to any noise or vibration producing conditions or mechanical systems, describe site lighting (all new lighting should be "dark-sky compliant"), and describe potential odors to be produced on site. Nuisance can be subjective but describe potential factors and mitigation measures.)*

~~The proposed use, meal preparation, will not create any hazard to public safety or health in the neighborhood. There will be no noise or change in any existing on site systems~~

(9) If public sewerage is not provided, plans for on-site sewage disposal systems are adequate and have been approved by the Board of Health. *(Describe existing and proposed wastewater systems and conditions.)*
Public Sewer is provided.

VARIANCES: *(See MGL c. 40A Section 10)* Attach additional sheets if necessary.

1. What circumstances exist relating to the shape, topography, or soil conditions of the subject property, which do not generally affect other land in the zoning district?

2. What substantial hardship is caused by the circumstances listed above, when the Medfield Zoning Bylaw is applied?

3. State why you believe the grant of relief would not nullify or derogate from the intent of the Zoning Bylaw.

PARKING FOR MULTI-FAMILY AND COMMERCIAL PROPOSALS:
REFER TO 300-8.1, Table of Off-Street Parking Standards

<u>USE CATEGORY</u> (ACCESSORY DWELLING, RETAIL, OFFICE, SERVICE, ETC.)	<u>REQUIRED # OF SPACES</u> (UNIT, FLOOR AREA, EMPLOYEES, SEATS, CLASSROOM, BAYS, ETC.)	<u># OF SPACES</u> <u>PROVIDED ON PLAN</u>	<u>TOTAL SPACES</u> <u>AVAILABLE FOR</u> <u>USE:</u>
4.2 Food home	22	46	46
consumption			

EXHIBIT A

Summary of Project

The proposed use is for meal preparation. There will be at least one employee, the owner, Jessy Nejm. Her proposal is to prepare freshly made meals for the working families in town to pick up at the end of the day that are fully prepared and ready to reheat and eat.

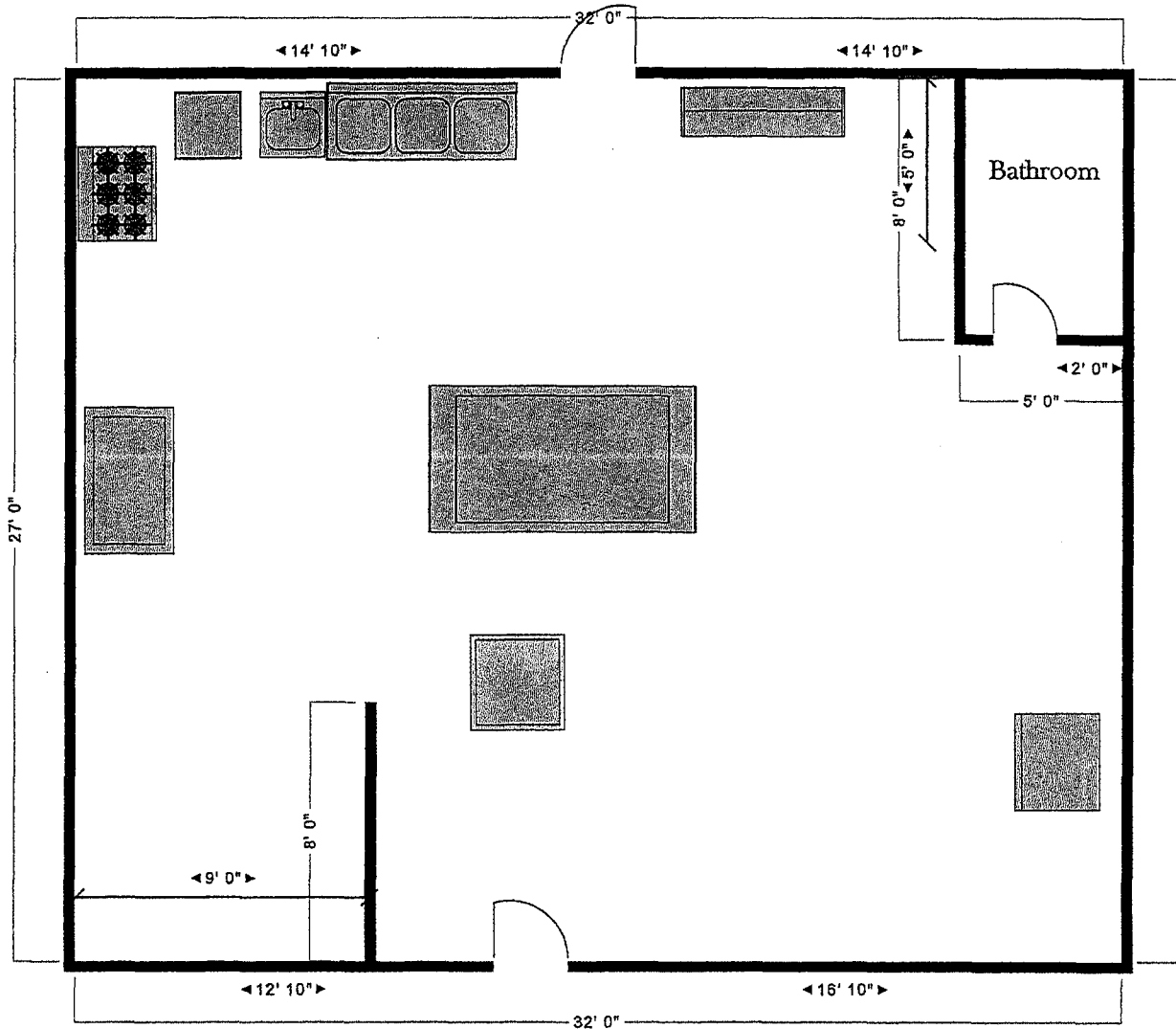
The hours of operation will be from 7AM to 9 PM 7 days a week. This will be adjusted down as the customers habits and use is established. For example, people may not need as many meals on weekends. There may be an additional employee as a preparation chef. At the time of food pick up we anticipate the need for 2-4 parking spaces at any time. There are 46 available on site and most of the pick ups will be after normal business hours.

There are no exterior renovations anticipated, Interior renovations are only to bring the premises up to Board of Health standards (Hand sinks, dish sinks etc.) with no structural work anticipated. There will be no noise generated that would disrupt the neighborhood. There would be no need for additional exterior lighting. We anticipate absolutely no traffic issues at the site.

We will have signage and it will comply with the Sign Bylaw.

We need Board of Health approval. We have already met with the Board of Health Agent to prepare the floor plan to the Board's requirements. We cannot proceed with them unless and until we receive ZBA approval for any required Special Permits. We do not require any other approvals other than a Building Permit.

Subject to ZBA approval we currently have the premises leased for a period of six (6) years with an option to renew.



Commonwealth of Massachusetts	Park Street Build out					SHEET NO.
	38 Park Street, Medfield, MA					
	Fryer & O'Brien 9 Whiting Road Dover, MA 02030					
	COMM. NO.	DATE	DRAWN	CHECKED	REVISED	
VJO	11-3-21	JPF	VJO			