

Town of Blandford
Zoning Board of Appeals

April 14, 2022

Present: Sonja Hutchins, Donald Brainerd, James Kronholm, Sumner Robbins (ALT) – ZBA

Meeting is Recorded

Call to Order: Donald Brainerd, former Chair

OPEN MEETING – 7:00 PM

Public hearing to review ZBA application submitted by Joseph Paul : applying for a special permit to operate a trucking business at his residential property, 1 Huntington Rd, Blandford MA.

In presence: Joseph and Sharon Paul, 1 Huntington Rd
Chris and Linda Smith, 56 Chester Rd
Michael Hutchins, 52 Chester Rd
Neil and Judy MacKinnon, 2 Huntington Rd
Steve Leinback, 24 Sperry Rd
Dale Weaver, 4 Huntington Rd
Carol and Cecilia Connelly, 51 North St
Mary Kronholm

Meeting is opened with Don Brainerd reading of neighbor complaint, specifically trucks running for more than the State of MA allowable time.

Don Brainerd and Sonja Hutchins made full disclosure that Don's son is an abutter as well as Sonja Hutchins

Joseph Paul stated he had the business 15 years and has a current business permit but was never required to apply for a special permit. Current business license was submitted by Mr. Paul.

Mr. Paul states he has 2 trucks and 1 driver, other than himself.

Don addressed idling trucks and reiterated the MGL state limit of 5 minutes idling.

Mr. Paul states other equipment is personal on his land, almost 3 acres.

Michael Hutchins made a comment that the GIS map is incorrect and shows Poteat's property being the Paul's property and needs to be corrected.

Sumner asked if parking could be farther away from the house – due to noise and fumes. Mr. Paul said truck that was making fumes is no longer running.

Meeting is opened to audience participation/questions or comments

Judith MacKinnon asked about the storage building and Mr. Paul says it's for personal storage and not his business.

Don states needs to stick to the trucking business and Mr. Paul stated every thing else is personal property.

Mr. Paul addresses the other equipment has been used for his renovations to property.

Judith MacKinnon stated that last Sunday trucks were running for over two hours.

Mr. Paul replied that he trucks were under repair.

Sonja Hutchins cited the Massachusetts General Law ch. 90, sec. 16A to address the idling of trucks across the state, no more than 5 minutes unless in extreme circumstances (inclement weather as ex.).

Don stated that what Mr. Paul is seeking is going back to residential by laws and a special permit.

Michael Hutchins in his opinion, stated we need to focus on by laws 4.3.1.4 and 5.3.3 Commercial trailer bodies and none of these uses shall create offensive odors, noise, or unsightly appearance noticeable off the premises.

Linda Smith voices concerns as to how Mr. Paul is going to solve and address the groups complaints.

Sonja Hutchins asked Mr. Paul to address and he states that he will not run the trucks longer than 5 minutes and his business only runs from mid-April to Thanksgiving. Does not run or move all winter.

Neil MacKinnon stated that it was under assumption the new barn was built to store all the equipment and trailers currently in the yard. Mr. Paul states everything is registered and can be parked in his yard.

Neil MacKinnon is concerned that the unsightly equipment devalues his property. Judy MacKinnon quotes back to the Resilient Master Plan – to beautify Blandford.

Sonja Hutchins reminded the group that Mr. Paul was initially told misinformation and is now going through the correct process and will need to abide by the terms set forth by the board, if approved.

Linda Smith is asking the board to take into consideration when making a decision of the neighbor's ability to look out their window and enjoy the scenery as they should.

Michael Hutchins stated Mr. Paul was awarded his business permit 15 years ago without the requirement of a special permit. Lots of work to the by laws are being done to protect the town and unfortunately, this request is after the fact and will need to be determined with the current laws in place.

Part of the process, the ZBA will put special conditions on the special permit, and stated to Mr. Paul that because his business is also on his residence, the personal property also comes into play. Dump bodies are not allowed.

Don mentioned to the audience that the ZBA will have a site visit and then a meeting after for determination.

Mr. Paul again stated the truck that was running on Sunday is now repaired and will be in the barn, and Mr. MacKinnon is asking that all the trailers are stored in the barn.

Sonja Hutchins asked Mr. Paul if the barn that was built for the purpose of putting the equipment in there and Mr. Paul responded that it was meant for winter storage.

Don reads the by-laws in reference to 5.3.3 Commercial trailer bodies, i.e. moving vans, auto carriers, commercial load bodies excepting farm equipment are specifically prohibited.

The ZBA discussed schedules to do site visit.

Site Visit: April 26, 2022 @ 4:00 pm

Decision Meeting: April 27, 2022 @ 7:00 pm

Dale Weaver asking for clarification on truck bodies and what will fund the town if businesses are not allowed.

Judy MacKinnon responded referencing the master plan that the town is looking to add “boutique” businesses, not commercial business.

Mary reminded t

Don moved to adjourn the meeting and the site visit and decision meeting:

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Voted unanimously 3 to 0.