

**The Commonwealth of Massachusetts**

**TOWN OF WILLIAMSBURG**

**Zoning Board of Appeals**

**DECISION**

**In the matter of:** The application of Michael Charpentier (the applicant) for a special permit as required by Section 12.0e as it relates to Section 3.2 of the Zoning Bylaw of the Town of Williamsburg, to operate a warehouse in an existing building at 17 Hyde Hill Road, Williamsburg, Assessors Map C, Parcel 158.2.

**Date of Application: January 21, 2019**

**Date of Public Hearing: February 10, 2020**

**Date of Decision: February 10, 2020**

**Vote by members of the Board:**

Paul Kennedy: In Favor

Gerald Mann: In Favor

Charles Dudek: In Favor

**Findings:**

**A. General Findings**

The applicant intends to utilize approximately 5,000 square feet of a 6,000 square feet building at 17 Hyde Hill Road as storage space for materials related to the applicant's business (Brewmasters Brewing Services). The items to be stored on the site include pallets, grain, ingredients related to brewing beverages, tools, and supplies. The building is located in the Rural District (RU) of the Town's zoning districts.

The applicant represented to the ZBA that the activities at the site would be generally limited to the hours of 7:00 a.m. to 5:30 p.m. Monday through Friday. The applicant stated that no changes would be made to the exterior of the building, surrounding space, wetlands, roadways, driveways, or outdoor lighting. The applicant stated that if he decides to erect any new signage he will comply with the Town's sign regulations. Traffic to and from the building will be limited to the intermittent arrival and departure of employees and vehicles delivering brewery-related supplies.

At the Public Hearing, one abutter and one resident were present and they did not object to the applicant's planned use of the building.

**B. Applicable Law and Decision Criteria:**

Section 5.5 of the Zoning Bylaw of the Town of Williamsburg provides that the Zoning Board of Appeals may grant a Special Permit if it finds that the proposed structure and use will be reasonably compatible with the character and scale of other uses permitted as of right in the same district.

**C. Specific findings:**

The ZBA is desirous of maintaining compliance with the Town's Zoning Bylaw. A warehouse is a permitted use in the Rural District upon the issuance of a special permit.

**Decision of the Board:**

In accordance with §5.5 Criteria of the Zoning Bylaw, the ZBA finds that:

The applicant has met the criteria for a Special Permit as set forth in Section 5.5 of the Zoning Bylaw;

The use will be reasonably compatible with the character and scale of other uses permitted as of right in the same Rural District;

The use will not constitute a nuisance due to an unacceptable level of air or water pollution or excessive noise;

In consideration of the forgoing, the ZBA voted unanimously to grant the application for a special permit, subject to the following conditions.

**Conditions to the Special Permit:**

This special permit may not be transferred to any other person or entity under any conditions;

The proposed use shall comply with any and all special permit criteria or special use regulations imposed by the Zoning Bylaw;

The use will be limited to the storage and staging of supplies and materials related to the applicant's business;

Any new exterior lighting shall be shielded and downward directed to avoid intrusion onto the neighboring property;

The applicant shall comply with all other applicable provisions of the Zoning Bylaw.

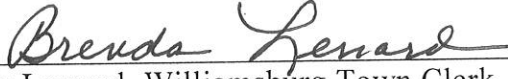
Respectfully submitted this day of February 20, 2020

Received and recorded this 20th day of February, 2020

Appeals from this finding, if any, shall be made pursuant to Chapter 40A, Section 17, of the Massachusetts General Laws,

A handwritten signature in cursive script, reading "Charles J. Dudek", written over a horizontal line.

Charles J. Dudek, Chair, on behalf of the Board  
Of Appeals

A handwritten signature in cursive script, reading "Brenda Lessard", written over a horizontal line.

Brenda Lessard, Williamsburg Town Clerk