

**Town of Wilbraham  
Zoning Board of Appeals  
240 Springfield Street  
Wilbraham, Massachusetts 01095**

Edward Kivari Jr., Chairman  
Mark Albano  
Charles Pelouze  
Betsy Johnsen, Associate  
Jamil Eyvazzadeh, Associate



John Pearsall, Planning Director  
Heidi Burnham, Admin. Assistant

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**WILBRAHAM ZONING BOARD OF APPEALS MEETING MINUTES  
THURSDAY, APRIL 22, 2021**

In Attendance: Edward Kivari Jr. – Chairman  
Mark Albano  
Charles Pelouze  
Jamil Eyvazzadeh, Associate

Staff: John Pearsall, Planning Director  
John Walsh, Building Inspector  
Heidi Burnham, Administrative Assistant

Chairman Edward Kivari called the meeting to order at 5:40 PM pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Wilbraham Zoning Board of Appeals was conducted exclusively via remote participation.

This meeting was recorded in its entirety in digital video format.

**1. Public Hearing**

**Special Permit Finding and/or Variance Request**

**Dennis & Lee Roberts d/b/a William Roberts Electric Co., Inc. - 7 Railroad Avenue**

Chairman Kivari opened the public hearing at 5:45 PM and read the legal notice into the record. Dennis and Lee Roberts of William Roberts Electric Co., Inc. appeared before the Board to seek permission to construct a 30 x 50 steel building to the rear of the existing business located at 7 Railroad Avenue. Mr. Roberts noted that the addition will be used strictly for storage by Williams Roberts Electric Co., Inc. and Northeast Control Panel Fabrication, Inc., businesses owned by the applicants and located at 7 Railroad Avenue. Mr. Roberts stated that the color of the new building will closely match the color of the existing structure and confirmed that there is adequate room on the property to accommodate the new addition and continue to provide ample parking behind the existing structure. Chairman Kivari read a letter in favor of the proposed structure from abutter Kurt Zimmerman, owner of Wilbraham Tire and Auto Service Inc. No one appeared in opposition to the proposal of the special permit request.

**MOTION (ALBANO, PELOUZE): I move that the Board close the public hearing. Approved by roll call vote (3-0).**

**MOTION (ALBANO, PELOUZE): I move that the Board grant the application of Dennis and Lee Roberts on behalf of William Roberts Electric Co., Inc. seeking a special permit pursuant to section 3.3.2 of the Wilbraham Zoning By-Law to allow the alteration of a pre-existing nonconforming structure located on a pre-existing nonconforming lot on property owned by Shannon Court, LLC located at 7 Railroad Avenue based on a finding that the proposed alteration will make the use of the property more nonconforming but said alteration is relatively modest and will not be substantially more detrimental to the neighborhood. Approved by roll call vote (3-0).**

2. **Administrative Approval Request - Special Permit (2018)**

**Fieldcrest Brewing Company, LLC Modifications – 2343 Boston Road**

Shannon Field from Fieldcrest Brewing Company appeared before the Board to request administrative approval to modify the special permit issued to Fieldcrest Brewing Company by the Zoning Board of Appeals on June 7, 2018 authorizing the operation of a microbrewery on property located at 2343 Boston Road. Condition #3 of the special permit issued by the ZBA allows Fieldcrest to operate a microbrewery and taproom from noon until 10:00 pm. Shannon Field and Adam Field are seeking to expand the business by opening at 7:00 AM to offer breakfast and brunch food service during the morning and then operate as a taproom starting at noon. They plan to introduce and sell Fieldcrest brand coffee, espresso drinks, smoothies and frozen lattes. The breakfast food will be prepared onsite out of Fieldcrest's "Stone's Throw" food truck with table service and seating provided inside the building. Shannon pointed out that this property has been used for many years as a restaurant so the proposed food service use is consistent with the current and past use under zoning. Planning Director Pearsall reported that subject to zoning approval, the Board of Health has no issues with the proposal to add this service and that Fieldcrest already has the necessary food permits and would simply be adding a morning menu. It was noted that Condition #9 of the special permit states that any future use unrelated the microbrewery use will require further approval from the ZBA and that the morning food service use will be a separate use from the microbrewery use that could be handled by administrative approval. The Board also noted that because the hours of the microbrewery are not changing there is no need to apply for a public hearing to amend condition #3 of the special permit. Board member Albano recommended that the Board grant by administrative approval a modification to Condition #3 of the 2018 special permit decision to allow the petitioner to operate a coffee shop operation with breakfast food service between hours of 7 AM and 12 PM (Noon) for a trial period of 60 days commencing on April 22, 2021 with the understanding that if there are no legitimate complaints brought to the attention of the Zoning Board of Appeals or the Zoning Enforcement Officer during the 60 day trial period then the provisionally approved modification will become permanent. The Board determined that the request to expand the business by opening at 7:00 AM to offer breakfast and brunch food service to be a de minimis change and therefore granted the request by administrative approval.

**MOTION (ALBANO, PELOUZE): I move that the Board administratively approve a modification to Condition # 3 of the special permit decision of the Board of Appeals dated June 7, 2018 by allowing the petitioner to operate a coffee type shop operation with food service for the hours of 7 AM to 12 PM (Noon) for a trial period of 60 days commencing on April 22, 2021 and that if there are no notifications to the Zoning Board of Appeals or the Zoning Enforcement Officer of legitimate complaints then the amendment will become permanent. Approved by roll call vote (3-0).**

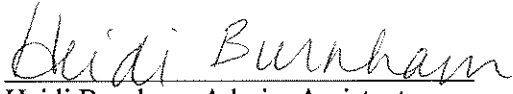
3. **Approval of Minutes – January 21, 2021**

Chairman Kivari called for a motion to approve the minutes of the January 21, 2021 Zoning Board of Appeals meeting and asked if there were any comments or revisions.

**MOTION (ALBANO, PELOUZE):** I move that the Board approve the minutes of the January 21, 2021 Zoning Board of Appeals meeting as submitted. **Approved by roll call vote (3-0).**

Having no further business, the meeting was adjourned at approximately 6:34 PM.

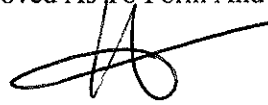
Submitted:



Heidi Burnham, Admin. Assistant

Date: 5/7/21

Approved As To Form And Content:



Edward Kivari Jr., Chairman

Date: 7.22.21