

DECISION OF THE ANDOVER PLANNING BOARD  
AS A SPECIAL PERMIT GRANTING AUTHORITY

ON THE APPLICATION OF

**146 Dascomb Road  
(Restaurant Depot)**

For a Special Permit For a Grocery Use in the ID2 Zoning District under Section 9.4.10 of the Zoning Bylaw.

**Decision: SP13-10**

**YES (with a condition)**

A public meeting of the Planning Board was held on October 22, 2013 in the Third Floor Conference Room of the Town Office Building, Bartlet Street, Andover, Mass. Present and voting on the matter were Joan Duff, Vincent Chiozzi, Eric Macaux, James Doherty and Zachary Bergeron.

Pursuant to public notice in the Andover Townsman, a newspaper of general circulation in the Town of Andover, published on September 19 and September 26, 2013, and pursuant to notice sent by mail, postage prepaid, to all interested parties under the provisions of Massachusetts General Laws Chapter 40A, a public hearing was convened on October 8, 2013 on the application by Restaurant Depot for a Special Permit For a Grocery Use in the ID2 Zoning District. Following presentations and discussion the hearing was closed on October 22, 2013 with the aforementioned members of the Board present throughout.

Restaurant Depot to be located in a portion of 146 Dascomb Road and will occupy 86,600 sf of

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the existing building for a grocery use. The site improvements include a new parking lot for use by Restaurant Depot, landscaping and lighting, and traffic mitigation.

In consideration of all of the plans and testimony at the hearing, the Planning Board finds that the proposal will not be detrimental to the neighborhood and the town, and would not derogate from the general purpose and intent of the Zoning By-Law and meets the criteria of Section 9.4.10 of the zoning bylaw. The special permit is therefore granted to allow a grocery use in the ID2 Zoning District subject to the following condition:

1. Prior to occupancy the traffic mitigation measures of vegetation removal along Dascomb Road, the installation of a Stop sign on Smith Drive and the re-painting of lines on Smith Drive will be reviewed and approved by the Planning Division staff and Restaurant Depot will provide verification that they have joined the Junction Transportation Management Organization.

On October 22, 2013, at a regularly scheduled public meeting, the Planning Board voted (5-0) to issue the foregoing Special Permit.

Date: October 23, 2013

  
Joan Duff, Chairman  
THE ANDOVER PLANNING BOARD

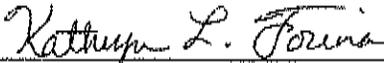
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COMMONWEALTH OF MASSACHUSETTS

Date:

On this 23<sup>rd</sup> day of October, 2013, by Joan Duff, the authorized agent of the Andover Planning Board, proved to me through satisfactory evidence, to be the person whose name is signed on the preceding or attached document, and who swore or affirmed to me that the documents are truthful and accurate to the best of her knowledge and belief and who acknowledged to me that she signed it voluntarily for its stated purpose and acknowledged the foregoing to be the free act and deed of the Andover Planning Board.

Before me,

  
Kathryn Forina, Notary Public

My Commission Expires:



I, Lawrence J. Murphy, Town Clerk of the Town of Andover, Massachusetts, do hereby certify that twenty (20) days have elapsed since this decision of the Andover Planning Board was filed in the Office of the Town Clerk on October 23, 2013 and no appeal has been filed with the Town Clerk.

Date: 11-13-2013

  
Lawrence Murphy, Town Clerk