

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 Change in Parking Space Requirements under Section 5.1.12 of the Zoning Bylaw.

Decision: SP13-11

YES

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 Change in Parking Space Requirements to allow for the shared parking within 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.

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Restaurant Depot to be located in a portion of 146 Dascomb Road and will construct 213 parking spaces with 17 reserve spaces, the zoning bylaw requires 289 spaces for a grocery use. The site has additional parking spaces that can be shared with the remaining uses in the building.

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. The special permit is therefore granted to reduce the parking lot created to 213 spaces and 17 reserve spaces.

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
Joan Duff, Chairman
THE ANDOVER PLANNING BOARD

Essex, ss

COMMONWEALTH OF MASSACHUSETTS

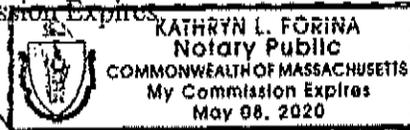
Date:

On this 23rd 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 L. Forina
Kathryn Forina, Notary Public

My Commission Expires



CERTIFICATION

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 10-23-2013 and no appeal has been filed with the Town Clerk.

Date: 12-17-2013

Lawrence Murphy
Lawrence Murphy, Town Clerk