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PLANNING DEPARTMENT

TOWN OF GRAFTON
GRAFTON MEMORIAL MUNICIPAL CENTER
30 PROVIDENCE ROAD
GRAFTON, MASSACHUSETTS 01519
(508) 839-5335 ext 1120 • FAX (508) 839-4602
planningdept@grafton-ma.gov
www.grafton-ma.gov

APPLICATION FOR MODIFICATION OF
A SPECIAL PERMIT & SITE PLAN APPROVAL

Application No. SP 2000-11 Modification # 1

APPLICANT & PROPERTY OWNER INFORMATION

NAME Petrogas Group New England Inc.
STREET c/o Bowditch & Dewey, LLP, 311 Main Street CITY/TOWN Worcester
STATE MA ZIP 01608 TELEPHONE (508) 926-3464
NAME OF PROPERTY OWNER (if different from Applicant) Leemil's Petroleum, Inc.
Deed recorded in the Worcester District Registry of Deeds Book 30031 Page 98

SITE INFORMATION:

STREET AND NUMBER 88 Worcester Street
ZONING DISTRICT CB; WSP0D ASSESSOR'S MAP 55 LOT #(S) 94
LOT SIZE 30,414 square feet FRONTAGE 275 feet
CURRENT USE Gasoline service station with service bays.

PROJECT/PLAN INFORMATION:

PLAN TITLE Proposed Site Improvement Plans
PREPARED BY (name address of PE Architect) MHF Design Consultants, Inc., 44 Stiles Road, Suite 1, Salem, NH 03079
DATES November 7, 2017

Briefly state requested modification:

Continue gasoline service station use and renovate interior and exterior of building to accommodate 24-hour convenience and package store use, along with replacement of canopy and associated site improvements.

Cite all appropriate sections of the Zoning By-Law which pertain to this Application, Use and Site:

3.2.3.1; 1.3.3

TO THE GRAFTON PLANNING BOARD:

The undersigned, being the APPLICANT named above, hereby applies for a SPECIAL PERMIT to be granted by the Planning Board and certifies that, to the best of APPLICANT'S knowledge and belief, the information contained herein is correct and complete.

Applicant's Signature [Signature], Authorized Signatory Date: 11/8/17

Property Owner's Signature (if not Applicant) [Signature] Date: 11/8/17

Joshua Dicker, Executive VP

FILE

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APPLICATION FOR SPECIAL PERMIT

SP 2017

Application No. ~~SP 2002-11.1~~

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STREET c/o Bowditch & Dewey, LLP, 311 Main Street CITY/TOWN Worcester
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PREPARED BY (name/address of PE/ Architect) MHF Design Consultants, Inc., 44 Stiles Road, Suite 1, Salem, NH 03079
DATES November 7, 2017

Use for which Special Permit is sought: (refer to § 3.2.3.1 of the Zoning Bylaw - Use Regulation Table):
Signage for gasoline service station and retail establishment up to 5,000 square feet.

Cite all appropriate sections of the Zoning By-Law which pertain to this Application, Use and Site:

4.4.4

TO THE GRAFTON PLANNING BOARD:

The undersigned, being the APPLICANT named above, hereby applies for a SPECIAL PERMIT to be granted by the Planning Board and certifies that, to the best of APPLICANT'S knowledge and belief, the information contained herein is correct and complete.

Applicant's Signature [Signature], Authorized Signatory Date: _____

Property Owner's Signature (if not Applicant) [Signature] Date: _____

By: Leemill's Petroleum, Inc.

Joshua Dickel, Executive VP

Leemilt's Petroleum, Inc.

FILE

October 17, 2017

Town of Grafton
Grafton Memorial Municipal Center
30 Providence Road
Grafton, Massachusetts 01519
Attn.: Planning Department

Re: 88 Worcester Street, North Grafton, MA (Our Site #30691)

To Whom It May Concern:

Leemilt's Petroleum, Inc. ("Leemilt's") is the fee owner of the above-referenced premises (the "Site"), which is leased to Lehigh Gas Wholesale Services, Inc. ("Lehigh") under a certain Unitary Net Lease and Net Sublease Agreement dated April 19, 2012, as amended by various amendments (collectively, the "Lease").

Leemilt's hereby authorizes Lehigh to act on behalf of Leemilt's with regard to applications and permits, including allowing Lehigh's subtenant, Petrogas Group New England Inc., to apply for permits for the renovation of the interior and exterior of the Site to accommodate a 24-hour convenience and package store use, site plan approval, replacement of canopy and associated signage and site improvements at the Site.

The limited authority granted herein applies only to the Site, is ministerial in nature and is intended solely to facilitate the administration of applications and permits as specified above.

Please feel free to contact the undersigned below if you have any questions or require additional information.

Very truly yours,

LEEMILT'S PETROLEUM, INC.



TOWN OF GRAFTON
 GRAFTON MEMORIAL MUNICIPAL CENTER
 30 PROVIDENCE ROAD
 GRAFTON, MASSACHUSETTS 01519
 Phone: (508) 839-5335 ext 1170 • FAX: (508) 839-4602
 www.grafton-ma.gov

RECEIVED
 NOV 08 2017
 SUBMITTED

TREASURER / COLLECTOR

FILE

Certificate of Good Standing

Applicants seeking permits with the Town of Grafton must submit this completed form at the time of application. When all obligations are paid to date, you must attach this "Certificate of Good Standing." with your application. Delinquent bills must be paid in full before the appropriate department accepts your application. Please make arrangements to pay these outstanding bills at the Collector's Office.

Please note: it can take up to three (3) business days to process each request.

Please check all that apply and indicate if permit(s) have been issued.

	Permit Issued?			Permit Issued?	
	Yes	No		Yes	No
<input type="checkbox"/> Building - Inspection(s)	_____	<u>X</u>	<input type="checkbox"/> Septic System	_____	<u>X</u>
<input type="checkbox"/> Building - Electric	_____	<u>X</u>	<input type="checkbox"/> Conservation	_____	<u>X</u>
<input type="checkbox"/> Building - Plumbing	_____	<u>X</u>	<input type="checkbox"/> Planning	_____	<u>X</u>
<input type="checkbox"/> Board of Health	_____	<u>X</u>	<input type="checkbox"/> Other	_____	_____

Other Permit: _____

<u>Petrogas Group New England Inc.</u>	<u>Leemilt's Petroleum, Inc.</u>
Petitioner Name	Property Owner / Company Name
<u>c/o Bowditch & Dewey, LLP</u>	<u>88 Worcester Street</u>
Petitioner Address	Property Address
<u>Worcester, MA 01608</u>	<u>Grafton, MA</u>
City, State, Zip	City, State, Zip
<u>508-926-3464</u>	
Phone	

Date:	Current	Delinquent	N/A
Real Estate	<u>X</u>		
Personal Property			<u>X</u>
Motor Vehicle Excise			<u>X</u>
Disposal			<u>X</u>
General Billing			<u>X</u>

Tina Abdi
 Treasurer / Collector Name (please print)

[Signature]
 Treasurer / Collector Signature

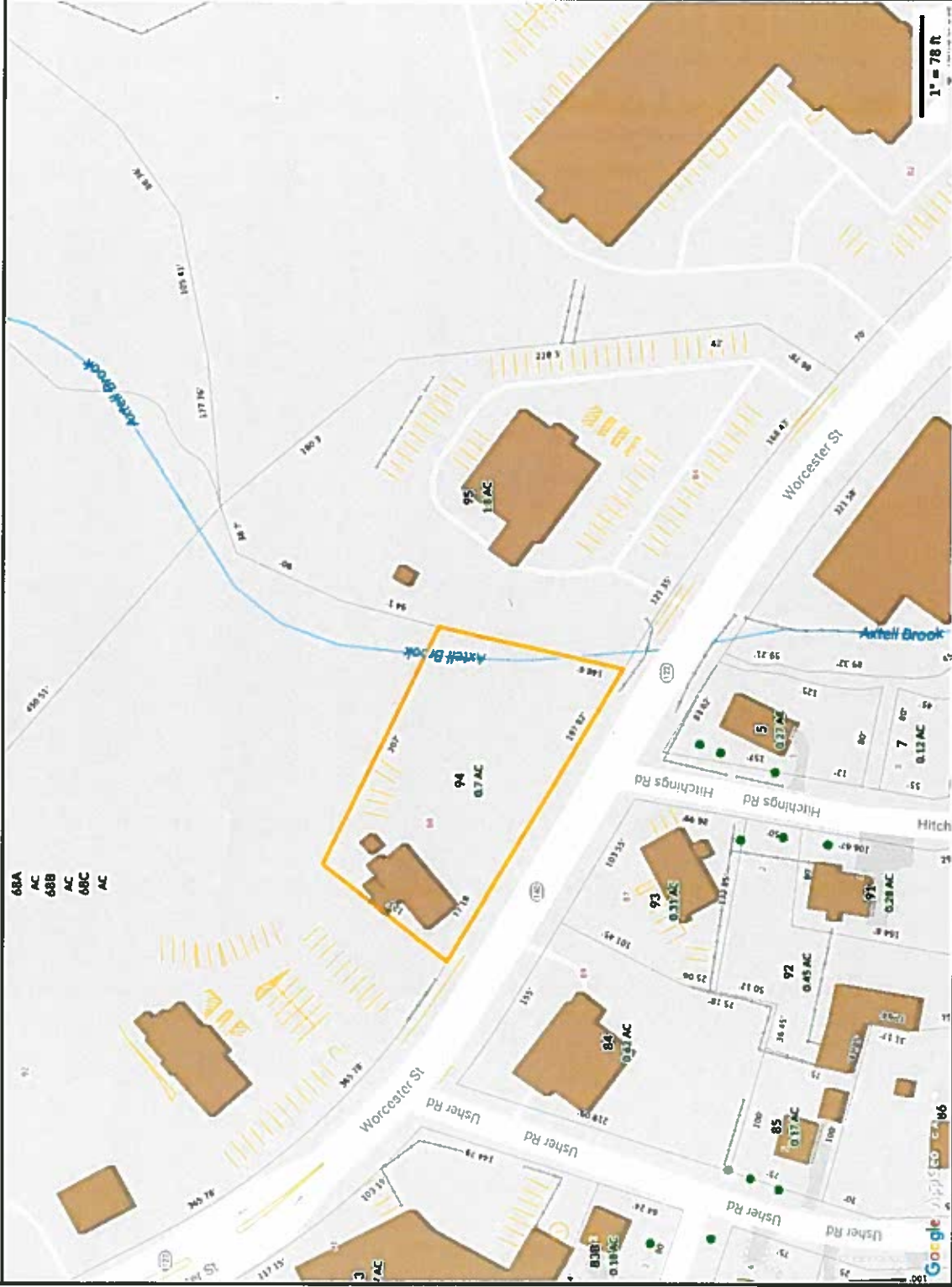
11-8-17
 Date



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Town of Grafton, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 6/1/2017
Properties updated 12/22/2016



8/18/2017

88 Worcester Street
Map 55, Lot 94

FILE

Mary M. Oliver
Mary M. Oliver, Principal Assessor
8-17-17

Parcel ID	Location	Owner 1	Owner 2	Address 1	City	St	Zip	Bk	Pg
110/055.0-0000-0005.0	1 HITCHINGS ROAD	CAROLINO JULIA L		1 HITCHINGS ROAD	N GRAFTON	MA	01536	36433	297
110/046.0-0000-0067.0	100 WORCESTER STREET	COUNTRY PLAZA (E&A) LLC	C/O EDENS & AVANT	PO BOX 528	COLUMBIA	SC	29202	41789	121
110/055.0-0000-0092.0	2 HITCHINGS ROAD	WILSON JOHN D		2 HITCHINGS ROAD	N GRAFTON	MA	01536	34957	150
110/055.0-0000-0083.B	2 USHER ROAD	DOYLE MICHAEL E	DOYLE LOUISE	2 USHER ROAD	N GRAFTON	MA	01536	22499	416
110/046.0-0000-0054.0	21 JANET CIRCLE	MOHR TYSON EARL	MOHR RACHEL ALLISON	21 JANET CIRCLE	N GRAFTON	MA	01536	52269	192
110/055.0-0000-0097.0	3 HITCHINGS ROAD	WILSON JOHN D		4 HITCHINGS ROAD	N GRAFTON	MA	01536	50094	30
110/055.0-0000-0091.0	4 HITCHINGS ROAD	WILSON JOHN D		4 HITCHINGS ROAD	N GRAFTON	MA	01536	34957	170
110/055.0-0000-0008.0	5 HITCHINGS ROAD	GAGNE RANDY J		5 HITCHINGS ROAD	N GRAFTON	MA	01536	48064	161
110/055.0-0000-0085.0	5 USHER ROAD	28 KITCHEN CABINET LLC		28 OOLIDGE STREET	AUBURN	MA	01501	57382	345
110/055.0-0000-0097.0	82 WORCESTER STREET	HOPE PROPERTIES LLC		665 CHURCH STREET	WHITINSVILLE	MA	01588	27344	200
110/055.0-0000-0004.0	85 WORCESTER STREET	FITZGERALD BRIAN D		68 GRAFTON ROAD	UPTON	MA	01568	23362	343
110/055.0-0000-0095.0	86 WORCESTER STREET	GRAFTON SUBURBAN CREDIT UNIOI	C/O GLOBAL PARTNERS LP	86 WORCESTER STREET	N GRAFTON	MA	01536	17023	192
110/055.0-0000-0093.0	87 WORCESTER STREET	DRAKE PETROLEUM COMPANY INC	GETTY PETROLEUM MARKETING INC	15 NORTHEAST INDUSTRIAL ROAD	BRANFORD	CT	06405	5726	228
110/055.0-0000-0094.0	88 WORCESTER STREET	LEEMILT'S PETROLEUM INC		TWO JERICHO PLAZA,WING C,SUITE 111	JERICHO	NY	11753		
110/046.0-0000-0084.0	89 WORCESTER STREET	89 WORCESTER STREET LLC		49 CHURCH STREET	WHITINSVILLE	MA	01588	48400	201
110/046.0-0000-0068.C	90 WORCESTER STREET	GROCCIA FRANK E JR	C/O PEPPERONI EXPRESS	P.O. BOX 223	N GRAFTON	MA	01536	5360	26
110/055.0-0000-0083.0	91 WORCESTER STREET	GRAFTON REALTY PARTNERSHIP	C/O REPUBLIC PLUMBING SUPPLY CO INC	890 PROVIDENCE HIGHWAY	NORWOOD	MA	02062	17507	203
110/046.0-0000-0068.0	92 WORCESTER STREET	GROCCIA FRANK JR		4 JANET CIRCLE	N GRAFTON	MA	01536	9899	369
110/046.0-0000-0068.A	94 WORCESTER STREET	KARASKA FRANCINE A	SAVERS CO-OPERATIVE BANK	21 HERITAGE LANE	GROTON	MA	01450	52587	358
110/046.0-0000-0068.B	96 WORCESTER STREET	GROCCIA FRANK E JR		PO BOX 250	SOUTHBRIDGE	MA	01550	9899	369

Statement in Support of Petrogas Group New England, Inc.
Application to Town of Grafton Planning Board for
Modifications of Special Permits and Grant of Site Plan Review Approval and Signage
Special Permits for Renovation of Existing Gasoline Service Station at
88 Worcester Street, Grafton, Massachusetts

Petrogas Group New England, Inc. (“Petrogas”) is seeking approval from the Grafton Planning Board (the “Board”) to modify the 2000 Special Permits (hereinafter defined), grant site plan review approval and grant new signage special permits in connection with the renovation of an existing gasoline service station located at 88 Worcester Street, Grafton, Massachusetts (the “Property”).

I. Background, Proposed Use and Project Scope.

The Property is an approximately 0.7042 acre parcel of land and currently owned by Leemilt’s Petroleum, Inc. The Property is located within the Community Business (“CB”) zoning district and the Water Supply Protection Overlay District (the “WSPOD”), and has been used as a gasoline service station with service bays for decades. In 2000, the Planning Board granted special permits pursuant to Section 3.2.3.1 (special permit for automobile and/or truck repair garage use) and for the expansion of the existing building (the “Building”) to accommodate a third service bay to be used for state inspections (the “2000 Special Permits”).

Petrogas is now seeking to continue to use the Property as a gasoline service station and renovate the exterior and interior portions of the Building (without altering the current footprint) to accommodate a 24-hour convenience and package store and construct and install associated site improvements, including replacement of the existing canopy (the “Existing Canopy”) with a new canopy (the “New Canopy”) with four dispenser islands (8 fueling locations), newly striped parking areas, drive aisles, landscaping, signage and stormwater facilities (collectively, the “Project”).

II. Requirement for Modifications of the 2000 Special Permits and Grant of Site Plan Review Approval and Signage Special Permits.

The proposed convenience and package store use is permitted by right in the CB zoning district and the WSPOD as a retail establishment having a floor area that is up to 5,000 square feet. However, the Building Commissioner has determined that the modifications to the Property’s site layout require modifications of the 2000 Special Permits.

The Building Commissioner has confirmed that the gasoline service station is pre-existing nonconforming with respect to use and structure, and that, except for the modifications of the 2000 Special Permits and grant of site plan review approval and signage special permits as requested herein, and grant of a special permit under Section 3.4.3.5 of the Zoning Bylaw from the Grafton Zoning Board of Appeals, no other zoning-related permits or approvals are required for the Project.

IV. Reasons for Approval of modifications of the 2000 Special Permits and Grant of Site Plan Review Approval and Signage Special Permits.

The requested modifications of the 2000 Special Permits and grant of site plan review approval and signage special permits should be approved by the Board for the reasons stated herein.

A. Special Permit Standards under Sections 1.5.5 and 4.4.4.

The Project complies with the standards set forth in Sections 1.5.5 and 4.4.4 of the Zoning Bylaw:

1. Harmony with purpose and intent of the Zoning Bylaw; no nuisance, hazard or congestion created; no substantial harm to the neighborhood or a derogation from the general purpose and the intent of the Zoning Bylaw; public interest.

The Project will be in harmony with the general purpose and intent of the Zoning Bylaw, and will not create a nuisance, hazard, congestion or concerns pertaining to health, safety or general welfare. There will not be substantial harm to the neighborhood or derogation from the intent of the Zoning Bylaw as a result of the Project. The Project will sustain and create new jobs, generate additional tax revenues for the Town, enhance the current use by allowing for a safer and more efficient traffic flow within and off the Property and modernize and dramatically improve the aesthetic appeal, design and quality of this highly visible site that currently contains structures, fixtures, equipment and driveway areas that are outdated and dilapidated. The Project will promote economic vitality to the neighborhood. The gas station use has been in operation for decades, which demonstrates the need and demand in the community for such use. The redevelopment will not be detrimental to adjoining premises, but rather complement the existing mix of businesses in the area, which include retail, personal service, office, fast order food, grocery store, restaurant and gasoline station uses. Except for the approvals referenced herein, no other zoning-related permits or approvals are required for the Project.

2. Ingress and egress.

The realignment of curb cuts, reconfiguration of parking areas and better-defined driving aisles will significantly improve the overall safety, operations and traffic flow on and off the Property, and will not result in a nuisance or hazard to vehicles or pedestrians within or off the Property. The Project will not create any line of sight hazards along streets. The location of the existing Building will not be modified under the Project, and both the Building and New Canopy will be in safe and convenient locations in relation to parking and driveway areas and fuel pumps. The Project, including the convenience store, will not result in a material increase in, or impact on, traffic over the current use or negative impacts on adjacent streets and ways. No drive-through operation is proposed

for the site. Sufficient widths and turning radii necessary to provide for safe and efficient travel for fuel delivery trucks and emergency vehicles will be provided. Tank refilling areas will be a safe distance from the Building, the New Canopy and fuel pumps.

3. Off-street parking and loading areas; economic, noise, glare and odor effects.

Reconfiguration of parking areas and better-defined driving aisles will significantly improve the overall safety, operations and traffic flow on and off the Property.

The Project will sustain and create new jobs, employing approximately 20 employees. The Project will enhance the value of the Property, and, in turn, will generate additional tax revenues for the Town. The Project improvements will have no greater impact on, adversely affect or be detrimental to adjoining premises or zones or the neighborhood. Rather, the Project will improve the aesthetic appeal, amenities and economic vitality of the neighborhood and surrounding areas. The kind, size, height and nature of the existing Building and canopy and replacement signage are consistent with other sites that have been renovated or redeveloped for gasoline station and convenience store use in the area. The Project is not expected to result in any increase in impacts with respect to light/glare and odor that would be noticeable by any abutting properties, and removal of the service station will result in a decrease in overall noise.

4. Refuse collection or disposal and services areas.

The proposed dumpster will be screened from neighboring properties and roadways with a 6-foot tall vinyl fence and will further be screened from the street by landscaping.

5. Screening and buffering with reference to type, dimensions and character.

The aggregate landscaped area will increase slightly. The proposed mix of shade trees, shrubs, ground covers and perennials will provide adequate screening and will be a vast aesthetic improvement over the existing landscaping. The type, size and caliper of proposed trees will enhance the Property. Existing trees, shrubs, ground covers and other natural features will be maintained to the extent practicable. Landscape materials will protect abutting properties, and the dense woodlands between the Property and the Homefield Credit Union property to the southeast will remain unchanged.

6. Signs and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.

Signage special permits are required for (a) a primary wall sign in excess of the allowed square footage (i.e., 76 square feet allowed and 85.3 square feet proposed); and (b) for a secondary wall sign in excess of the square footage allowed (i.e., 6 square feet allowed and 52.5 square feet proposed); (c) height of the pylon sign (i.e., 16 feet allowed

and 20 feet proposed); and (d) 2 canopy signs (i.e., exceeding number of freestanding and/or wall signs allowed).

The architecture and location of the existing Building with reference to the street and the nature of the establishment is such that the proposed signage should be permitted in the public interest, and the proposed signage is necessary due to topography and site conditions unique to its location. The Property is a small lot with surrounding wetlands set on a curve of the street and configured such that the side of the Building faces the street. For motorists driving from east to west along Worcester Street, the visibility of the proposed signage is partially blocked by existing trees and vegetation along the Homefield Credit Union property. For motorists driving from west to east along Worcester Street, the visibility of the proposed signage is impaired due to the curve in the street leading to the Property. The size, location and layout of the Property, Building, driveways and parking areas limit visibility of the proposed signs and the amount of available areas for signage.

Unlike other businesses, gasoline pricing displays are an integral and unique feature of gasoline stations. Such signage is regulated and required by Federal and state law, and it is customary for such signage to be displayed in areas that are easily visible by the public, and, unlike a business name or symbol which is static, gasoline pricing information changes on a routine basis and customers need to take a moment to read such displays in order to make purchasing decisions. Canopy signage is also a unique, yet a customary feature of gasoline stations. This is also a multi-use site on a small lot. Based on the foregoing, this is a unique and particular type of use that requires flexibility in order to identify the premises adequately.

Public safety, convenience and traffic-flow will be improved with better visibility of signage. The proposed signage will have no greater impact on, adversely affect or be detrimental to public safety and welfare, adjoining premises or zones or the neighborhood, and will not be a nuisance or a hazard to vehicles and pedestrians. The proposed signage will not cause visual confusion, glare or offensive lighting in the neighborhood or surrounding properties. The proposed signs are functionally and aesthetically compatible with the surrounding commercial properties in the neighborhood, and will not significantly alter the character of the zoning district. The proposed signs are appropriately located and reasonably adapted to the proposed use. The kind, size, height and nature of the proposed signs are consistent with other nearby gasoline stations (e.g., Shell, Cumberland and Mobil), convenience store and other commercial uses along Worcester Street and within the Town. Granting of the requested signage special permits will not derogate substantially from, and will be in harmony with, the intent and purposes of the Zoning Bylaw.

The outdoor lighting to be installed will be similar to the existing lighting at the site and will be adequate for security and safety purposes. The Property will utilize LED lighting, and will be arranged and have directional shields so as to prevent glare from the Property from shining onto abutting properties and the street. There will be no deleterious effect on neighboring properties, none of which include residential properties.

Reflectors and shielding will result in 0.4 foot-candles at abutting property lines and 12.3 foot-candles along the street.

7. Required yards and other open space.

Except for minimum front yard setback, the existing Building complies with dimensional requirements. The Building and Existing Canopy are lawful pre-existing nonconforming structures with respect to minimum front yard setback. Because the footprint of the Building will not be increased as a result of the Project, the Building Commissioner confirmed that no zoning relief is required with respect to the front yard setback of the Building. The total area of the Existing Canopy is 967 square feet, all of which is within the 40-foot front yard setback. The New Canopy will accommodate coverage of all of the fuel pumps, and will have a total area of approximately 2,000 square feet, of which approximately 1,200 square feet will be within the 40-foot front yard setback. The New Canopy will be located no closer to the front lot line along Worcester Street than the Existing Canopy. A special permit pursuant to Section 3.4.3.5 of the Zoning Bylaw will be required for the New Canopy.

The Property is pre-existing nonconforming with respect to minimum open space. Open space at the Property will increase to 46% as a result of the Project, and, therefore, will not require zoning relief with respect to open space.

8. General compatibility with adjacent properties and other property in the district.

The Project is functionally and aesthetically compatible with the surrounding commercial properties in the neighborhood, which include a mix of personal service, retail, grocery store, fast food and gasoline station uses. There are no residences in close proximity to the Property. Granting this relief will promote the highest and best use of the Property, which has been used as a gasoline station for decades, and, therefore, the Project use will continue to fit into the present character of the neighborhood.

9. There will not be any significant adverse or cumulative impact on any public/municipal or private water supply.

The proposed convenience store use will not generate a substantial increase in water demand and will not have any impact on the municipal water system. There are currently no stormwater controls onsite. Site improvements including increased stormwater management/treatment methods and reduced impervious coverage will improve water quality from runoff generated onsite. Stormwater management improvements include a new closed drainage system consisting of curbing and grade breaks at the site driveways to capture all stormwater on site, along with deep sump-hooded catch basins, a "First Defense" hydrodynamic separator water quality unit and a rain garden. The deep sump-hooded catch basins and First Defense unit provide pretreatment of stormwater prior to discharging into the rain garden which uses filter media and plantings to treat stormwater flows prior to providing groundwater recharge

FILE

UPLAND ARCHITECTS
 UPLANDARCHITECTS.COM
 29 C MAIN STREET
 SUITE 13
 HORTON, MASSACHUSETTS
 02718
 WWW.UPLANDARCHITECTS.COM
 774.484.3380

PROPOSED ELEVATIONS
 (REV 9-28-17)



NO.	REVISION	DATE



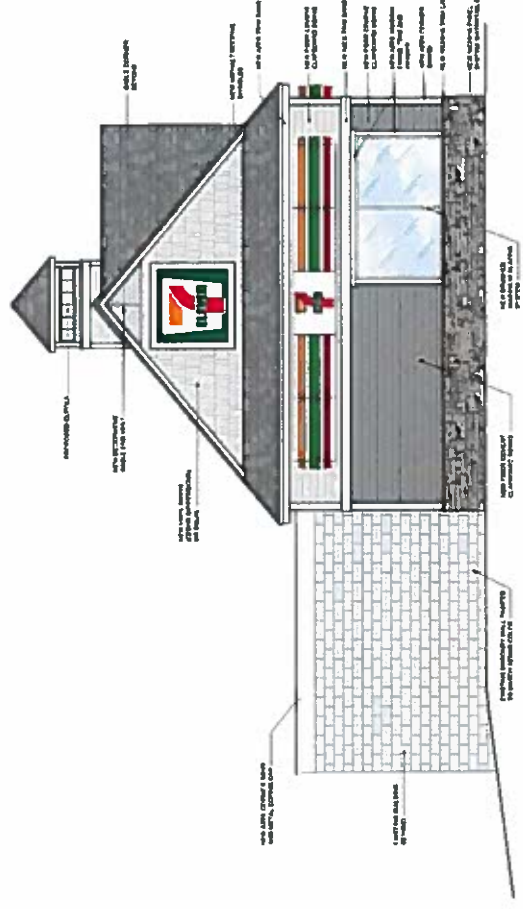
applegreen
 N.Grafton, MA

PROPOSED ELEVATIONS
 (REV 9-28-17)

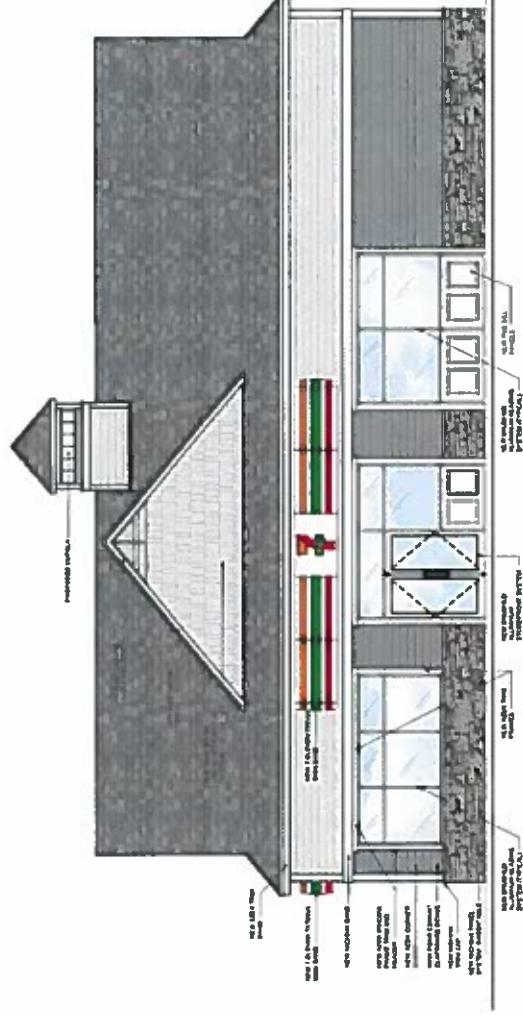
PROJECT NO.	
DATE	
DESIGNED BY	
CHECKED BY	
SCALE	

A101

GENERAL NOTE:
 EXTERIOR SIGNAGE SHOWN IS
 FOR REFERENCE ONLY - TENANT
 SIGN VENDOR TO VERIFY ALL
 LOCAL CODES, ORDINANCES AND
 REQUIREMENTS



PROPOSED SIDE ELEVATION 1/8" = 1'-0" 1



PROPOSED FRONT ELEVATION 1/8" = 1'-0" 2



Service