



TOWN OF NORTHBRIDGE

ZONING BOARD OF APPEALS

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Approved on May 10, 2012

ZONING BOARD OF APPEALS

MINUTES OF MEETING

APRIL 12, 2012

This meeting was called to order at 7:00 P.M. by Chairman Thomas Hansson. Other members present were:

Sharron Ampagoomian, Member
William Corkum, Member
Brett Simas, Associate Member
Daniel Batt, Associate Member

Carol Snow, Diane Woupio, and Harold Hartmann were absent from the meeting.

Also present was Brenda Ouillette, Administrative Assistant.

A motion was made by Daniel Batt to approve of the minutes of March 8, 2012. The motion was seconded by Sharron Ampagoomian and the vote was 5-0 in favor.

PUBLIC HEARING: (02-SP-12) DONALD & DEBORAH LEE, APPLICANTS

This hearing was held on the application of Donald & Deborah Lee, 547 Benson Road, Northbridge, MA for a Special Permit pursuant to Article V, Section 173-12, Table of Use Regulations, in order to finish a basement to convert an existing single family home to a two-family home located at 547 Benson Road, Northbridge, MA.

The property, shown on Assessor's Map 21 as Parcel 22, is located in a Residential-2 zoning district and is owned Donald & Deborah Lee.

The Building Inspector reviewed the Special Permit application and in a letter dated March 27, 2012 responded with the following comments:

1. The property is located within the Residential 2 zoning district and is a legal single family home as classified by the Assessors.

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2. A certificate of occupancy will be required before the property is classified as a legal two-family. Building, electrical, and plumbing permits will also be required for any work which has previously been completed without permits or any new work.

Board Member Sharron Ampagoomian read the public hearing notice. Participating in this hearing were Thomas Hansson, William Corkum, Sharron Ampagoomian, Brett Simas, and Daniel Batt.

Donald and Deborah Lee were present to discuss the application. Mr. Lee stated that the house is currently a single family raised ranch with a finished basement including a kitchen area. They are looking to convert the finished basement to a separate dwelling thereby making it a legal two family home.

Mr. Hansson asked Mr. Lee if the kitchen was already there when he bought the house and Mr. Lee replied that it was. Mr. Hansson also asked if there were two means of egress in the basement without going through the upstairs. Mr. Lee replied that there is one door that leads to the garage and the other means of egress is the hallway to the upstairs exterior door. Mr. Hansson asked if there was a way for the people living downstairs to get to the main living area upstairs. Mr. Lee replied that if you come in the front door there are stairs to the left leading to the basement and if you walk straight ahead there are doors leading to the main level of the home.

Mr. Hansson asked Mr. Lee why he is coming before the Board now if the basement is already finished. Mr. Lee replied that they are attempting to make the dwelling unit legal and do not want to put someone's life in danger by renting it out without the necessary permits to make it a legal dwelling unit.

Mr. Corkum stated to Mr. Lee that it was not just this special permit that would make it legal. He will still need to get a building permit, electrical permit, and plumbing permit as well as a final occupancy permit. Mr. Lee replied that he is aware that this special permit will only allow them to move forward to get the other permits necessary to make it a legal two-family home.

Mr. Corkum stated for the record that the basement is unfinished according to the assessor's records. Mr. Lee replied that he was aware of that but when he purchased the property the basement was already finished. He stated that he is aware that no permits were ever pulled to finish that basement.

Mr. Corkum asked about parking and Mr. Lee replied that it is just going to be a studio apartment and the existing driveway has more than enough room for additional vehicles.

There were no abutters present.

Mr. Simas made the motion to close the public hearing and take the matter under advisement. The motion was seconded by Sharron Ampagoomian, and the vote was 5-0 in favor.

Board members agreed that the house would still have the appearance of a single family home. The finished basement is already there and allowing the applicant to convert the single family home to a two-family home would ensure that all necessary permits will be obtained to make the property legal and the basement in compliance with building, electrical and plumbing codes.

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A motion was made by Brett Simas to grant the Special Permit with the following conditions:

1. Building, electrical, and plumbing permits will be required for any work which has previously been completed without permits or any new work.
2. That a certificate of occupancy be obtained from the Building Inspector before the property is classified as a legal two-family.

The motion was seconded by Sharron Ampagoomian and the vote was 5-0 in favor.

William Corkum will write the decision.

PUBLIC HEARING (3-SP-12) TOWN OF NORTHBRIDGE DPW, APPLICANT

This public hearing was held on the application of the Town of Northbridge Department of Public Works, 11 Fletcher St., Whitinsville, MA for a Special Permit pursuant to Article V, Section 173-18 D (2) Floodway and Floodplain Districts in order to allow work in a floodplain area and a Special Permit pursuant to Article IX, Section 173-30 (B) Extensions and Alterations, in order to allow the construction of a one-story 19,300 sq. ft. Department of Public Works (DPW) facility including supporting site utilities and exterior activity areas on a pre-existing nonconforming site.

The property is located at 11 Fletcher St., Whitinsville, MA, shown on Assessor's Map 5 as Parcels 78 & 79 consisting of 2.37 acres. The property is located in a Heritage zoning district and is owned by the Town of Northbridge.

Board member Sharron Ampagoomian read the public hearing notice. Participating in this hearing were Thomas Hansson, William Corkum, Sharron Ampagoomian, Brett Simas, Daniel Batt.

In attendance were James Shuris, DPW Director, Scott Lindgren, Managing Engineer from Pare Corporation, and Janet Slemenda from HKT Architects, Inc.

James Shuris, DPW Director began his presentation by stating that this is the most suitable site for a new DPW facility because it is in the center of town with roads going in 6 different directions from this site. He stated that the existing conditions are horrible and the only building right now that is not in the floodplain is the salt shed. The new building will house 23 pieces of equipment including 2 senior vans. He added that one of the nice features of this site is that only the façade of the administrative side of the building will be visible. Everything will be contained. The building will be designed in character with the heritage district with bridge rails continuing down the access road to the DPW facility.

Scott Lindgren, Managing Engineer for Pare Corporation, stated that the lot is pre-existing, non-conforming due to the lot width. The lot itself has very limited frontage along Fletcher Street. Access and egress is provided by a paved access drive from Fletcher Street, located directly south of the bridge that carries Douglas Street over the Mumford River. The property has always been nonconforming.

According to the FEMA Flood Insurance Rate map for Worcester County, effective date July 4, 2011, the northeastern portion of the site is located within the 100-year floodplain of the Mumford River with flood elevations ranging from 280 feet at the Douglas Street Bridge, to 273 feet at the

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downstream limit of the site. Portions of the developed site, including the existing DPW building and existing storage, are located within the mapped floodplain.

As part of the proposed project, construction is necessary within the 100-year floodplain for building/site demolition and proposed site grading, utilities and site improvements. The project has been designed to place the main DPW building and salt storage shed outside of the floodplain. In addition the project has been designed to allow for non-impaired access to the facility during a flood event. To allow for these site improvements within the floodplain, 1,864 cubic yards of fill will be required. To compensate for this floodplain filing, compensatory floodplain storage areas were designed along the Mumford River to ensure that no downstream flooding will occur due to the project. The proposed project has designed 1,956 cubic yards of compensatory storage. What this does is take the floodplain to the outskirts of the property and provides a safe access from Fletcher Street. Also, the design as planned includes green space which will reduce the volume of runoff into the Mumford River.

As required by the Zoning By-law 173-18 D (2) c, Mr. Lindgren provided the Board with certification that the proposed project encroachment will not create an increase in flood levels during the one-hundred year flooding event.

Ms. Ampagoomian mentioned a hope of someday the Mumford River Walk will extend to Douglas Road passing through the DPW property. Mr. Lindgren responded that the design calls for a 10-foot strip of land between the river bank and green space for future planning.

Chairman Thomas Hansson discussed the fact that all of the reports have been received from the various departments with the exception of the Board of Health. The Board of Health did not submit a report as they did not have a meeting prior to this meeting. However, seeing as there is town water and town sewer available at this proposed site, in his opinion he doesn't feel that the Board of Health will have any issues with the project. However, should the Board grant the Special Permit they could condition it subject to comments by the Board of Health.

There were no abutters present.

A motion was made by William Corkum to close the public hearing and take the matter under advisement. The motion was seconded by Brett Simas and the vote was 5-0 in favor.

Ms. Ampagoomian stated that the proposed project is a huge improvement over what is there.

Daniel Batt stated that he felt it was a great project.

Brett Simas stated that the project addresses the floodplain issues and adds green space and improves the neighborhood.

William Corkum stated that this will ensure the equipment is stored inside and it appears to be a great project. He hopes that the aesthetics of the heritage district will be maintained.

Thomas Hansson agreed that it appeared to be a good project.

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A motion was made by Sharron Ampagoomian to grant the Special Permit to allow the construction of a one-story DPW facility including supporting site utilities and exterior activity areas in a floodplain area on a pre-existing, nonconforming property subject to the Board of Health comments. Brett Simas seconded the motion, and the vote was 5-0 in favor.

Thomas Hansson will write the decision.

Attested by,

Brenda M. Ouillette
Administrative Assistant

THESE MINUTES ARE SUBJECT TO THE APPROVAL OF THE ZONING BOARD OF APPEALS (Approved on May 10, 2012)