



TOWN OF NORTHBRIDGE

ZONING BOARD OF APPEALS

Aldrich School Town Hall Annex

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Approved on May 9, 2013

ZONING BOARD OF APPEALS

MINUTES OF MEETING

MARCH 14, 2013

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

Sharron Ampagoomian, Member

Carol Snow, Member

Diane Woupio, Member

Brett Simas, Associate Member

Harold Hartmann, Associate Member

Also present was Brenda Ouillette, Administrative Assistant.

William Corkum was not in attendance.

A motion was made by Sharron Ampagoomian to approve of the minutes of January 10, 2013. The motion was seconded by Diane Woupio and the vote was 5-0 in favor. Harold Hartmann abstained from voting as he was not present at the January 10th meeting.

PUBLIC HEARING: (02-SP-13) ST. CAMILLUS INSTITUTE, APPLICANT

This hearing was held to consider the application of St. Camillus Institute, Inc. 447 Hill Street, Whitinsville, MA for a Special Permit pursuant to Article IX, Section 173-30 (B) of the Town of Northbridge By-laws, Extensions & Alterations, in order to allow the expansion of the expansion of parking areas of three (3) different locations for a total increase of 18 parking spaces.

The property is located at 447 Hill St., shown on Assessor's Map 7 as Parcel 254, consisting of 8.32 acres. The property is located in a Residential-1 zoning district and is owned by St. Camillus Institute, Inc.

Sharron Ampagoomian read the public hearing notice. Assigned to this hearing by the Chairman Thomas Hansson were Sharron Ampagoomian, Carol Snow, Diane Woupio, Brett Simas, and himself.

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Carol Snow disclosed for the record that her daughter is employed by St. Camillus Institute as a nurse. Ms. Snow stated that she would be filing the written disclosure with the Town Clerk. There were no objections expressed by anyone present to her serving in her capacity as a Board Member.

Mark Anderson, Heritage Design Group, was present on behalf of St. Camillus Institute. Also present was Kevin Kozak from Cutler Associates, Contractor and Architect on this project. Mr. Anderson stated St. Camillus is proposing to increase the net number of parking spaces by 18 spaces in three different locations. The parking will be primarily for staff and there will be two additional handicap parking spaces added. This would be an extension of the existing non-conforming use.

Mr. Anderson stated that they will be going before the Planning Board for Site Plan Review for landscaping, lighting, and drainage issues. Some of the existing light poles will be relocated. As far as the drainage issues, their plan is to correct what is there by capturing the water and draining it away from Eben Chamberlain Rd.

Board Member Brett Simas stated that he had driven down Eben Chamberlain Road and noticed that the existing parking lot lights shine into that subdivision. Mr. Anderson replied that he was unaware that there was an issue. Mr. Simas added that now would be the time to make the adjustments on the existing lighting as it was stated that some of those lights were being relocated. Mr. Anderson replied that those issues will be addressed with the Planning Board and corrected.

Barbara Gaudette, 14 Eben Chamberlain Rd., expressed concerns over one existing light that is currently bothersome to her. It is way too bright and not covered enough. Mr. Anderson stated that they would correct that, possibly through some type of shield. They will make sure that the lighting is not obtrusive to the neighborhood.

Ken Couture, 426 Hill St., expressed his concerns over the existing lighting at the facility. There is one spotlight that also shines into his home. Mr. Anderson stated that they would take care of that issue as well. Mr. Couture also stated that the ambulances park for long periods of time with their lights on. It was stated to him by the Chairman Thomas Hansson that this was not the Board's purview and he should contact the facility directly.

John Perro, 127 Eben Chamberlain Rd., also expressed his concerns. He stated that there is an extensive amount of water shedding off of the existing rear parking lot which then drains onto his property. Currently with the snow piled up in that area, it is running continuously down Eben Chamberlain Rd. There is no provision in place to capture that water that drains from the parking lot. He understands that he has to co-exist with the facility, but there has to be a way to capture that water. His other concern was the lighting. He would like to see some type of fencing installed so that the lights from the cars do not shine into his house. Mr. Anderson stated that he would look at the options and consult his client.

Mr. Perro also stated that he had an issue with the noise from the cars etc. Chairman Thomas Hansson replied that it was out of the Board's ability to control but suggested writing a letter to St. Camillus.

Mr. Anderson requested a continuance until the Board's next meeting to be held on April 11, 2013. He would like time to review the drainage issues with the Town Engineer as well as the lighting and

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fencing issues. Mr. Hansson informed Mr. Anderson and the Board that he would not be in attendance on April 11, 2013. Mr. Anderson did not have a problem with that.

A motion was made by Sharron Ampagoomian to grant the continuance. The motion was seconded by Diane Woupio, the motion was 5-0 in favor.

PUBLIC HEARING: (1-APP-2013) JOHN BERKOWICZ, APPLICANT

This hearing was held to consider the petition of John Berkowicz, 7 Walker St., Whitinsville, MA appealing a prior decision of the Zoning Board denying him a variance (13-V-2012) to create a non-conforming lot by reducing the size of two existing non-conforming lots.

The property, shown on Assessor's Map 23A as Parcels 144 & 147, is located on Hope Street, Whitinsville, MA in a Residential-3 zoning district and is owned by John Berkowicz.

Sharron Ampagoomian read the public hearing notice. Assigned to this hearing by the Chairman were Carol Snow, Diane Woupio, Sharron Ampagoomian, Brett Simas and himself.

Board Members were in receipt of memorandums from both the Planning Board and Inspector of Buildings with regards to this filing.

Mr. Hansson informed the applicant that the application was filed wrong. The application was filed as an appeal and the appeal period has long since passed. A decision cannot be appealed back to the Board that denied it. Mr. Anderson stated that he was looking for reconsideration by the Board on the decision that was made in November, 2012 (13-V-2012). He was informed that in order for it to be reconsidered as a repetitive application, he will first have to obtain Planning Board consent in order to re-apply to the Zoning Board of Appeals. There has to be specific and material changes in the conditions upon which the previous unfavorable action was based. A petition that has been unfavorably acted upon shall not be acted favorably upon within two years without the consent of all but one member of the Planning Board. It was explained to him that his option would be to withdraw this application without prejudice and submit a new petition for a variance to the Planning Board for their consent to re-file to the Zoning Board of Appeals. Once consent to re-file has been obtained, then he can file a new petition for a variance with the Town Clerk. The Board of Appeals can then act on the petition.

Mr. Anderson stated that he did not agree but respected the Board's request. He requested that he be allowed to withdraw the application without prejudice. A motion was made by Carol Snow to allow the applicant to withdraw the application without prejudice, the motion was seconded by Diane Woupio, and the vote was 5-0 in favor.

Attested by,

Brenda M. Ouillette
Administrative Asst.

THESE MINUTES ARE SUBJECT TO THE APPROVAL OF THE ZONING BOARD OF APPEALS (Approved on May 9, 2013)