



## TOWN OF NORTHBRIDGE

### ZONING BOARD OF APPEALS

Aldrich School Town Hall Annex

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TOWN CLERK

Approved on 8-10-17

## ZONING BOARD OF APPEALS

### MINUTES OF MEETING

July 13, 2017

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

William Corkum

Cindy Donati

Doug Curving

Also present was Deborah Rosebrooks, Administrative Assistant.

Note: Kevin Quinlan and Randy Kibbe were not in attendance.

***A motion was made by Bill Corkum to approve of the minutes of June 8, 2016. The motion was seconded by Doug Curving and the vote was 4-0 in favor.***

#### **PUBLIC HEARING: (13-V-17) JUSTIN DEPAOLO, APPLICANT:**

This hearing was held to consider the application of Jason Depaolo regarding 708 Marston Road, Whitinsville, MA 01588 for a Variance (13-V-17) for an existing shed located within the required set back, pursuant to Article X, Section 173-48 of the Town of Northbridge Zoning By-laws, Table of Area Regulations. The property, shown on Assessor's Map 15 as Parcel 156 is located in a residential -2 zoning district and is owned by Jason Depaolo.

Bill Corkum read the public hearing notice. Assigned to the hearing were Tom Hansson, Bill Corkum, Cindy Donati and Doug Curving.

Tom Hansson the Chair for the Zoning Board did state that there were only four members present and for the Variance to pass it would have to carry all four votes. Do you want to continue the hearing or table until the next meeting, Jason Depaola agreed to continue the hearing.

Jason explained to the board that he received a letter from the towns Building Inspector that said his neighbor Terrence LaBlanc of 253 Morgan Rd., Whitinsville filed a written complaint against him stating his shed was in a building code violation. He is asking the board to grant a variance for the pre-existing shed that he built at this location due to the fact that there was no other location on his lot that it would be level and ledge free. Jason did state he spoke to Mr. Leblanc before he built the shed and agreed to put in fencing and evergreen landscaping. Mr. LeBlanc was in agreement with Mr. Depaolo. Then Jason stated he was going to sell his home and the problems began.

The meeting was opened to public comment by Tom Hansson, chairman.

Terrence Leblanc of 253 Morgan Road, spoke to the board stating he did file a complaint, he feels that the shed is in "his" front yard and takes away from the value of his property and the neighborhood, he wants to preserve his investment. Mr. Leblanc did agree that Mr. Depaolo did discuss the shed before it was built as well as having an agreement between neighbors; however, he is not in agreement now.

Bill Larue, 227 Morgan Rd. spoke to the board states he does not want to cause any trouble but feels the shed is fine and NOT an eye soar to the neighborhood.

John Fostin, 770 Marston Road also feels that the shed is fine. Most of the lots in that neighborhood are big houses on small lots and the area is wetlands, ledge and slopes. He feels many of the homes in the neighborhood have sheds with this same problem, and yet they are fine.

Motion was made by Cindy to close the public meeting and take it under advisement, Seconded by Bill, Vote: 4-0 motion carries.

After a brief discussion the board feels that the hardship is the topography does not allow for a different location for the shed.

A motion was made by Cindy Donati to Grant the petition for a variance (12-V-17) with a condition that a vegetation fence 8' high by 20' in length extend from the existing stockade fence; Such vegetation to be arborvitae or evergreen bush-tree. The motion was seconded by Bill Corkum. The vote was 4-0 in favor.

#### **PUBLIC HEARING: (14-V-17) ROBERT E. KOOPMAN, APPLICANT:**

The hearing was held to consider the petition of Robert E. Koopman, 798 Quaker Street, Northbridge, MA 01534 for a Variance (14-V-2017) to allow an accessory building to be located on a separate lot from the principal structure. This structure is located at 934 Quaker Street, Northbridge, MA 01534; this is pursuant to Section 173 -2, Building Accessory, Article II of the Town of Northbridge Zoning By-laws, (173-2 Article II -definition section)

The property, shown on Assessor's Map 28 as Parcel 30, is located in a Residential -1 zoning district and is owned by Robert E. Koopman.

Bill Corkum read the public hearing notice. Assigned to the hearing were Tom Hansson, Bill Corkum, Cindy Donati and Doug Curving.

Tom Hansson explained that there are only four board member and an approval would have to have all four. Do you want to continue the hearing or table until the next meeting, Attorney Henry Lane spoke on behalf of the Koopman's and he wanted to continue.

Mr. Lane explained that Mr. Koopman have leased the barn located at 934 Quaker Street for over 25 years for storage of their horse tack; carriages etc. When the property went up for sale the Koopmans purchased it, however they would like to separate the property, sell the house separate

from the barn. There is enough land to split into three conforming lots. They do not need two houses.

Tom Hansson opened the meeting up to the public.

Bruce Macleod of 988 Quaker street asked what the variance was for and what will happen to the property in the future. Tom explained why the variance was needed to separate the barn from the house, the barn is an accessory building. As for the future, nobody knows.

Linda Locwin of 960 Quaker wanted to know what they were doing on the property, Mr.

Koopman stated they were cutting tree's and removing stumps.

Bill Made a motion to close the public hearing and take it under advisement, Cindy seconded, Vote 4-0.

After the board discussed the hearing, trying to find some guide lines in the ZBA By-laws, they have found: 173-48 Upon an appeal or a petition, with respect to particular land or structures, the Board may grant a variance from the terms of this Zoning chapter where the Board specifically finds that, owing to circumstances relating to the soil conditions, shape or topography or such land or structure and especially affecting such land or structure but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the chapter.

Bill Made a motion to grant the variance, Doug Seconded vote 4-0.

There being no further business, the meeting was adjourned.

Attested by,

Deborah Rosebrooks  
Administrative Assistant

**THESE MINUTES ARE SUBJECT TO THE APPROVAL OF THE BOARD OF  
APPEALS (Minutes approved on 8/10/17)**