



## TOWN OF NORTHBRIDGE

### ZONING BOARD OF APPEALS

Aldrich School Town Hall Annex  
14 Hill Street  
Whitinsville, MA 01588  
(508) 234-0819  
Fax# (508) 234-0821

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NORTHBRIDGE TOWN CLERK  
DOREEN A. CEDRONE

*Approved on August 14, 2014*

## ZONING BOARD OF APPEALS

### MINUTES OF MEETING

**JULY 10, 2014**

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

William Corkum  
Diane Woupio  
Carol Snow  
Sharron Ampagoomian  
Randy Kibbe

Also present was Brenda Ouillette, Administrative Assistant.

*A motion was made by Diane Woupio to approve of the minutes of June 12, 2014. The motion was seconded by Sharron Ampagoomian and the vote was 5-0 in favor. Carol Snow abstained from voting as she was not present at the June 12<sup>th</sup> meeting.*

#### **Re-Organization of the Board (Chapter 4-204)**

*A motion was made by Sharron Ampagoomian to nominate Thomas Hansson as Chairman. The motion was seconded by Diane Woupio, and the vote was unanimous.*

*A motion was made by Thomas Hansson to nominate William Corkum as Vice Chairman. The motion was seconded by Sharron Ampagoomian, and the vote was unanimous.*

*A motion was made by Thomas Hansson to nominate Sharron Ampagoomian as Clerk. The motion was seconded by William Corkum, and the vote was unanimous.*

**PUBLIC HEARING: (06-V-2014) RAFFI TANELIAN, APPLICANT**

This hearing was held to consider the petition of Raffi Tanelian, 2325 NE 8<sup>th</sup> Court, Pompano Beach, Florida for a Variance pursuant to Article IX, Section 173-35 of the Town of Northbridge Zoning By-laws, Abandoned Non-Conforming Uses, in order to allow the applicant to reopen a pre-existing, non-conforming store as a convenience store. The property is located at 84 Border St. Whitinsville, MA shown on Assessor's Map 6A as Parcel 129 consisting of 2,840 sq. ft. The property is located in a Residential-5 zoning district and is owned by Raffi Tanelian.

Sharron Ampagoomian read the public hearing notice. Assigned to this hearing were Thomas Hansson, William Corkum, Sharron Ampagoomian, Carol Snow, and Diane Woupio.

Attorney Robert Knapik was present on behalf of Mr. Tanelian who was also present. Mr. Knapik stated that the applicant is seeking a variance to allow the continuation of a non-conforming use. The building was built in 1952 as a convenience store prior to zoning and abandoned in 2006. Records indicate that it has always been a convenience store. The property was taken over by the Town for nonpayment of property taxes and auctioned off in March of this year. According to the field card obtained in the Assessor's office the property was listed as B-1 and advertised as being zoned business which was an error. The property is located in a Residential 5 zoning area and has been since 1967 when zoning came into effect. The applicant purchased the property under the assumption that he could operate a convenience store there.

Mr. Knapik stated that the existing building is in a serious state of disrepair due to abandonment and vandalism and allowing the applicant an opportunity to re-open the building as a convenience store will enhance the neighborhood and allow people in that area the convenience of a small variety store. He stated that the Town has invested significantly in enhancing that section of Town with new sidewalks etc. and the area has greatly improved. The applicant has already made cosmetic improvements to the building and taken measures to secure the building. The applicant is at a hardship due to the small size of the lot and building and there is no other use that would be appropriate for that building due to the size (920 sq. ft.) use even though the property is located in a Residential-5 zoning district.

When asked about the hours of operation, Mr. Knapik responded that the hours of operation would be Weekdays 6 A.M – 9 P.M., Saturdays, 7 A.M – 9 P.M. and Sundays 8 A.M – 6 P.M.

Mr. Hansson asked if he will be selling Beer and Wine. Mr. Tanelian responded that he would like to be able to sell beer and wine eventually as his competitor on North Main St. sells beer and wine.

Adam Burney, 123 Border St. expressed concerns only and stated that he is very much in favor of the applicant being allowed to operate a convenience store in that area. He stated that the property has been cleaned up since Mr. Tanelian purchased it and it looks great. He has lived in that area for 7 years and the property has never looked this good. He was concerned that there is a For Sale or Lease sign on the property but Mr. Tanelian has told him that he did that so if there

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were any issues he could be contacted. Mr. Tanielian reiterated that statement this evening to the Board.

His major concern was deliveries to the store by some of the larger distributors especially if he intends to sell beer and wine. On the side of the street that the building is on there is no parking allowed. He is looking for some assurance that the street will not be blocked should large trucks deliver there and result in safety issues as there are many small children in that area.

Mr. Tanielian responded that his storage is in the back of the building and he has an area on the side of the building with a door where trucks can deliver. He currently shares the driveway with the neighbors and allows them to park there, however if it becomes an issue during delivery, he will ask them to move their vehicles. Mr. Tanielian also stated that the first space will be a handicap parking spot. The building is handicap accessible and he will be making the rear emergency exit handicap accessible as well by constructing a ramp. He stated that the majority of his customers will walk there as there is a lot of foot traffic in that area of Town. Mr. Burney appeared to be satisfied with that response.

No other abutters were present.

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

Board Members were in agreement that the area was conducive to this type of establishment and the zoning, the size of the lot, and the size of the building limit him as to what he can do with the property. The Board agreed that not granting relief would result in a substantial hardship to the applicant. The Board also agreed that relief could be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent of the By-law as this would be continuation of a prior use.

A motion was made by Carol Snow to grant the Variance subject to Board of Health approval and the applicant obtaining the necessary licenses from the Board of Selectmen. The motion was seconded by Diane Woupio and the vote was unanimous.

There being no further business, the meeting was adjourned.

Attested by,



Brenda M. Ouillette  
Administrative Assistant

**THESE MINUTES ARE SUBJECT TO THE APPROVAL OF THE ZONING BOARD  
OF APPEALS (Approved on August 14, 2014)**