



TOWN OF NORTHBRIDGE

ZONING BOARD OF APPEALS

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Approved on November 13, 2014

ZONING BOARD OF APPEALS

MINUTES OF MEETING

OCTOBER 9, 2014

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

Diane Woupio

Sharron Ampagoomian

Randy Kibbe

William Corkum

Also present was Brenda Ouillette, Administrative Assistant.

Absent from this meeting was Carol Snow.

A motion was made by Sharron Ampagoomian to approve the minutes of September 11, 2014. The motion was seconded by Randy Kibbe and the vote was 3-0 in favor. William Corkum and Diane Woupio abstained from voting as she was not present at the September 11th meeting.

PUBLIC HEARING: (12-V-2014) ARIS GROUP, APPLICANT

This hearing was held to consider the application of Aris Group LLC, 100 Church St., Whitinsville, MA for a Variance pursuant to Article XVII, Section 173-112 (F) of the Town of Northbridge Zoning By-laws, Senior Living By-law, in order to allow the sale of units restricted to affordable buyers to market rate buyers.

The property is located at **15 Hemlock St., 25 Spruce St., & 49 Spruce St.**, shown on Assessor's Map 19 as Parcels 501, 506, & 518. The property is located in a Residential-1 zoning district and is owned by Aris Group, LLC.

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

Acting on behalf of Attorney Thomas Wickstrom and the applicant was Attorney Robert Knapik. Attorney Wickstrom was unable to attend.

Mr. Knapik presented the Board with a document that was prepared by Attorney Wickstrom. This project was developed under the Senior Living By-law which states that 10% of the project had to be restricted to affordable buyers, which resulted in 3 restricted units being the subject of this variance petition. Prior to the purchase by Aris, discussions took place with the Planning Board and Town Council as to how Aris could move forward with these units. Aris could either obtain a variance from the By-law or renew the process with Mass Housing to market the units to find qualified affordable buyers. The applicant chose to apply for the variance from that provision of the By-law that will basically eliminate the affordable housing requirement. Currently the market rate units in this complex are not too far above the costs of these affordable units. These units are vacant because it is difficult to find qualified buyers. The income levels can be met but the assets prevent them from qualifying. Most seniors have a nest egg built up in order to retire and it becomes an impediment to them qualifying for these affordable units making it difficult to sell the units. If the Zoning Board grants the Variance the applicant will be required to pay a sum of money to the town yet to be determined. So even though there is a reduction in affordable housing, money will be paid to the town to offset that reduction and the age restriction will still apply.

In a letter dated September 25, 2014 submitted to the Zoning Board of Appeals by the Town Planner, the Town Planner has stated that the Planning Board is aware of the applicant's request to eliminate or waive the requirement of the three (3) affordable units and is not opposed to this request for a Variance from that section of the Senior Living By-law. This senior living development was permitted by the issuance of a Special Permit of the Planning Board in September 2004, and was later modified in June 2008, reducing the number of senior units from 102 to the 21 units currently constructed. If the variance is granted by the Zoning Board, the applicant will need to apply to the Planning Board for modification of the Senior Living Special Permit issued for Pine Knoll. The Planning Board will then determine what monetary amount will be required as well as specify for what purpose.

There were no abutters present.

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

Board members agreed that granting the variance would not be detrimental to the character of the neighborhood as the age restriction would still apply. A monetary sum would still be given to the town and empty houses are more detrimental to neighborhoods and tend to deteriorate. Selling the units versus renting the units is also better for the neighborhood as sometimes tenants

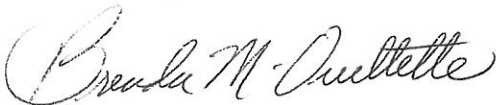
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do not care for the property in the same way that an owner would. Board members agreed that a literal enforcement of the By-law in this case would involve a significant hardship to the owner and that desirable relief could be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the By-law.

A motion was made by Sharron Ampagoomian to grant the Variance subject to modification of the Special Permit for Senior Living Development (Pine Knoll, Adult Living Community) issued by the Northbridge Planning Board (SPGA – Special Permit Granting Authority) dated June 11, 2008; where upon the Owner/Applicant shall petition same before the SPGA for consideration and determination of alternatives to the required affordable units as provided for in Section 173-112 (F) of the Northbridge Zoning By-law. The motion was seconded by Diane Woupio and the vote was 5-0.

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 November 13, 2014)