



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

Approved on October 11, 2012

ZONING BOARD OF APPEALS

MINUTES OF MEETING

SEPTEMBER 13, 2012

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
Brett Simas, Associate Member

Also present was Brenda Ouillette, Administrative Assistant.

Absent from this meeting was Diane Woupio, William Corkum, and Harold Hartmann.

A motion was made by Sharron Ampagoomian to approve of the minutes of August 9, 2012. The motion was seconded by Carol Snow and the vote was unanimous

PUBLIC HEARING: (12-SP-2012) HERVE N. LANGLAIS, APPLICANT

This hearing was held to consider the application of Herve N. Langlais Jr., 90 High Street, Whitinsville, MA for a Special Permit in order to allow the construction of a farmers porch on a pre-existing, non-conforming dwelling located at 90 High Street. The property, shown on Assessor's Map 7 as Parcel 225, is located in a Residential-3 zoning district and is owned by Herve N. Langlais Jr.

The public hearing was opened with the reading of the public hearing notice by Board Member Sharron Ampagoomian. Board members serving on this hearing were the four members present. Because this was a finding by the Board, all that was required was a majority vote.

The existing house is pre-existing, non-conforming and does not meet the current setback requirements. Mr. Langlais was present and stated that the addition of the 6 ft. x 29 ft. farmers porch will divert the rain away from the main house and the old stone foundation. Currently, he gets water in the basement after every rain storm. The proposed farmer's porch will be no closer to the street than the front portion of the existing house. The porch addition will fit right into the recessed portion of the front of the house and will thereby enhance the appearance of house. Mr. Langlais stated that he applied for the building permit for the deck portion of the porch and that

portion has already been built. The Special Permit is needed in order to allow a roof to be built over that deck.

A motion was made by Sharron Ampagoomian to close the public hearing and take the matter under advisement. The motion was seconded by Brett Simas and the vote was unanimous.

Board members agreed that the addition of the farmer's porch would not be more detrimental to the neighborhood than the existing nonconforming structure. The addition of the farmer's porch will be flush with the rest of the front of the house.

No one spoke in opposition.

A motion was made by Carol Snow to grant the Special Permit to allow the construction of the farmer's porch. The motion was seconded by Sharron Ampagoomian and the vote was unanimous.

Carol Snow will write the decision.

PUBLIC HEARING: (13-V-2012) JOHN BERKOWITZ, APPLICANT

This hearing was held to consider the petition of John Berkowitz, 7 Walker Street, Whitinsville, MA for a Variance in order to support 3 residential building lots. The property, shown on Assessor's Map 23A as Parcels 144 & 147, is located on Hope Street in a Residential-3 zoning district and is owned by John Berkowitz. The applicant is seeking a third buildable lot by reducing the size of the two adjoining lots, both of which already have houses built on them.

On September 10, 2012 the office of the Zoning Board of Appeals received 3 letters opposing the variance. Copies of the letters were distributed to the members this evening. Those letters were submitted by Helen DeLuca, 61 Edgemere Avenue, Anne Malia, 35 Edgemere Avenue, and Kevin Malia, 35 Edgemere Avenue.

The public hearing was opened with the reading of the public hearing notice by Sharron Ampagoomian. Mr. Hansson stated to the applicant that because there were only 4 members present this evening he had the option of continuing the public hearing until next month or proceeding this evening. If he chose to proceed this evening, then he would have to receive a unanimous vote.

Mr. Mark Anderson from Heritage Design was present representing Mr. Berkowitz. After discussing this with his client, Mr. Anderson asked that the public hearing be continued until next month.

Brett Simas made the motion to grant the continuance until next month, the motion was seconded by Carol Snow and the vote was unanimous.

PUBLIC HEARING: (14-SP-2012) GERALD M. VIOLETTE, APPLICANT

This hearing was held to consider the application of Gerald M. Violette, 946 Hill Street, Whitinsville, MA for a Special Permit to allow the conversion of a single family dwelling to a two-family dwelling. The property, shown on Assessor's Map 17 as Parcel 147, is located at 946 Hill Street, Whitinsville, MA in a Residential-2 zoning district. The property is owned by Gerald M. & Karry J. Violette.

ZONING BOARD OF APPEALS – MINUTES – SEPTEMBER 13, 2012

The public hearing was opened with the reading of the public hearing notice by Sharron Ampagoomian. Chairman Thomas Hansson stated to the applicant that because there were only 4 members present this evening he had the option of continuing the public hearing until next month or proceeding this evening. If he chose to proceed this evening, he would have to receive a unanimous vote.

Attorney Gerald Shugrue was present representing the applicant Gerald Violette who was also present. He stated that he had discussed this with his client, and his client has made the decision to proceed with the public hearing this evening.

Mr. Shugrue stated that it is Mr. Violette's intent to sell the existing house to his son who was also present and construct an addition for himself and his wife. There are several multi-family dwellings in the area and the parcel is a nineteen acre parcel far from other residences.

In a memo dated September 6, 2012, the Building Inspector responded to a request by a member of the Zoning Board of Appeals to provide the Board with a definition of a two-family structure. The Zoning By-law defines a two-family as a building containing two dwelling units. The building is the combination of any materials, whether portable or fixed, having a roof, to form a structure for the shelter of persons, animals or property. According to the building code, a building area is the footprint of the building; that is the area measured within the perimeter formed by the inside surface of the exterior walls. Areas of the building not provided with surrounding walls shall be included in the building area if such areas are included within the horizontal projection of the roof or floor above.

Mr. Violette presented plans to the Board. He stated there was no way to get closer to the existing house because of the existing in-ground pool and septic system. He is proposing the pergola to attach the two buildings. The garage that he is proposing to construct the addition on is at an angle and this is the only way to attach the buildings due to the design of the existing house. The proposed addition is 1360 sq. ft.

Mr. Simas asked if there was going to be a solid roof on the pergola and Mr. Violette stated that he did have plans with him showing the design with a solid roof which he showed the Board. Ms. Ampagoomian felt 30+ feet was too long to be attached with a pergola. Ms. Ampagoomian argued that allowing this may in fact be setting a precedent. Mr. Hansson replied that this property is unique in that it is a very large parcel that is not highly visible. The Board has some flexibility in making their decision without setting a precedent.

Mary Contino, 920 Hill St., spoke strongly in favor of allowing the proposed two- family. She stated that she is probably the closest neighbor and she strongly supports it.

No one spoke in opposition.

A motion was made by Board Member Brett Simas to close the public hearing and take the matter under advisement. The motion was seconded by Carol Snow and the vote was unanimous.

Mr. Simas stated that the By-law is not very clear. It doesn't specify distance only that it be connected with a roof, so that allows the Board some flexibility. The Building Inspector would still have to approve it.

ZONING BOARD OF APPEALS – MINUTES – SEPTEMBER 13, 2012

A motion was made by Brett Simas to grant the Special Permit to convert the existing single family dwelling to a two-family dwelling with the condition that the two structures be connected by a solid roof. The motion was seconded by Sharron Ampagoomian and the vote was unanimous.

Brett Simas will write the decision.

**CONTINUED PUBLIC HEARING :(10-APP-12 & 11-APP-2012) NORTHBRIDGE
HOUSING AUTHORITY, APPLICANT**

This public hearing was continued from August 9, 2012. Attorney Jason R. Talerman in a memo dated September 11, 2012, requested a continuance of the public hearing until the next meeting of the Zoning Board of Appeals to be held on October 11, 2012. This will allow them additional time to make continued progress toward a compromise with E.A. Fish. Matthew Mittelstadt, Managing Director of for E.A. Fish Development, confirmed via email that they were agreeable to the continuance to October 11th and they too will use the time to continue to work with the Northbridge Housing Authority towards a compromise.

A motion was made by Brett Simas to grant the continuance to October 11, 2012. The motion was seconded by Carol Snow and the vote was unanimous.

There being no further business the meeting was adjourned.

Attested by,

Brenda M. Ouillette
Administrative Asst.

**THESE MINUTES ARE SUBJECT TO THE APPROVAL OF THE ZONING BOARD OF
APPEALS (Approved on October 11, 2012)**