



TOWN OF NORTHBOROUGH Zoning Board of Appeals

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Approved 3.27.18

Zoning Board of Appeals Meeting Minutes February 27, 2018

Members in Attendance: Richard Rand, Chairman; Mark Rutan, Clerk; Fran Bakstran; Brad Blanchette; Jeffrey Leland; Paul Tagliaferri

Others in attendance: Kathy Joubert, Town Planner; Bob Frederico, Inspector of Building/Zoning Enforcement Officer; Daniel Lewis, AIA, Architect; Michael Sullivan, Connorstone Engineering; John Grenier, JM Grenier Associates; Sid Silveria, Architect, DMS design llc; Rebecca & Daniel Yarnie, Rashid Sheikh, Tom Kannally, Linda DeWolfe, E. J. Sowden, Bill Pantazis and Amy Johnson

Continued consideration of the petition of Daniel Yarnie, dba Yarnie Property Management, LLC, for a Variance/ Special Permit/ Special Permit with Site Plan Approval/ Special Permit, Groundwater Protection Overlay District, to allow the use of a hair salon and 3 residential apartment units in the building located on the property at 89 West Main Street, Map 62, Parcel 64, in the Downtown Business District & Groundwater Protection Overlay District Area 3

Applicants Rebecca and Daniel Yarnie, Yarnie Property Management, LLC, along with Mike Sullivan, Connorstone Engineering, Inc., and Daniel Lewis, AIA, Architect, were present.

Mr. Sullivan explained they are here to present the project, and also to get input from the Board. He stated the subject site at 89 West Main Street is .91 acres in size, and has a severe slope in the rear. It is located in the Downtown Business District and Groundwater Protection Overlay District Area 3.

Mr. Sullivan stated the Applicants are proposing to construct a 4,416 square-foot Vertical Mixed-Use building with retail use on the bottom floor; and six 1,200 square-foot attached townhouses on the second and third floors. The height of the proposed building from the street is approximately 40 feet. Traffic flow is proposed to be “no left turns in or out of the site” due to the difficult sight distance. A parking area in the front of the building will have 18 spaces for the retail use on the bottom floor; and a parking area in the rear of the building will have 16 spaces for the use of the occupants of the townhouses. A 3-foot high retaining wall is proposed for snow storage. The proposed 55-percent open space for the site exceeds the required 15 percent of open space.

The building will be connected to Town water service from West Main Street and Town sewer service from Monument Drive. The water service will also include a proposed hydrant near the entrance driveway.

Mr. Lewis explained the project has been before the Design Review Committee seven times. He stated they are now all set with the architectural plans, but they need the landscape plan. He noted the project will be back before the Design Review Committee on March 12th.

Mr. Sullivan stated the use of a Vertical Mixed-Use building is allowed in the Downtown Business District, but requires Site Plan Approval. Variances are requested for a proposed parking area in the front of the building and for the proposed 77-foot front setback; and a Special Permit is required for work within Groundwater Protection Overlay District Area 3.

Mr. Sullivan noted the project will go before the Groundwater Advisory Committee on March 12th.

A letter to Applicant Rebecca Yarnie and Mr. Sullivan, from various Town staff members, was reviewed.

Abutter Tom Kannally, 3 Liberty Drive, voiced concerns regarding the slope, grading, and lighting in the rear of the site.

Mr. Rutan motioned to continue the public hearing for 89 West Main Street to the March 27, 2018 meeting; Ms. Bakstran seconded and the motion carried by unanimous vote.

The public hearing was continued to the March 27th meeting.

To consider the petition of ZHS Trust for a Variance/Special Permit/Special Permit with Site Plan Approval, to allow the construction of a building with 3 above-ground stories and a 2-story height basement for the use of assisted living, independent living, or a mix of both, on the property located at 39 & 43 King Street, Map 82, Parcels 30 & 31, in the Business West District and Groundwater Protection Overlay District Area 3

Applicant Rashid Shaikh, ZHS Trust; John Grenier, Engineer, JM Grenier Associates, Inc., and Sid Silveira, Architect, DMS design llc, presented the Application.

Mr. Shaikh explained he is proposing to construct a state-of-the-art building with three above-ground stories and a basement for the use of assisted-living on the subject property. The property is in the Business West District, in which an assisted-living facility is allowed by Special Permit; and Site Plan Approval is required, as well. The property is also located in Groundwater Protection Overlay District Area 3.

Mr. Shaikh stated the proposed assisted-living facility will generate less traffic, and less impact to the area than his previous proposal for the site of multi-family dwellings in four buildings. He noted the project has been reviewed by the Fire Chief and Police Chief; and is currently before the Design Review Committee. He will be going before the Conservation Commission due to wetlands on the site.

Mr. Grenier explained the two parcels at 39 King Street and 43 King Street are each approximately an acre in size and are commonly owned by the Applicant. Together, the two parcels are over 90,000 square feet in area. The facility will have 66 units, each with one bedroom; a main dining room on the first floor with a deck, and one elevator. Required parking for the 66 units is 33 spaces; and a proposed underground garage will provide 22 spaces. There is a loop driveway for access to King Street; and access to the underground garage in the south.

The assisted-living facility as proposed meets or exceeds all the dimensional requirements of the Business West District.

Sight distance is 350 feet looking south from the intersection of King Street and Southwest Cutoff.

A discussion was held regarding the safety of the building, including the two areas of refuge proposed for the residents of the facility, that are to be located in the building.

Mr. Grenier explained the proposed drainage plan. He also discussed sight distance with Town staff. It was noted that the speed limit on Southwest Cutoff is 50 miles per hour and, heading south, there is a crown and curve in the road that are dangerous.

Mr. Silveira explained the landscaping plan, including the height of the building, the balconies on the back of the building, a proposed landscape buffer from King Street for the front of the building; plantings for the septic system areas in the front of the building; and proposed signage. Mr. Grenier noted the area in the back of the building is all wooded with substantial wetlands, and a proposed walkway in that area is only for emergency personnel access.

Abutter Linda DeWolfe, 29 King Street was present and had concerns regarding the large size of the building, the parking for employees, sight distance and fire safety.

Abutter Amy Johnson, 34 King Street, had traffic concerns regarding King Street and Southwest Cutoff.

Bill Pantazis, 10 Mulberry Lane, stated the proposed site is too dense and the street is dangerous at the intersection of King Street and Southwest Cutoff.

Abutter E. J. Sowden, 15 King Street, had concerns regarding traffic, density of the proposed site, and the southerly end of King Street.

Ms. Bakstran suggested the Applicant might want to consider using his property across the street from the site, 38 King Street, to improve the intersection. She stated the proposed site is too dense with 66 assisted-living units.

Ms. Bakstran motioned to continue the public hearing to the March 27, 2018 ZBA meeting. Mr. Leland seconded and the motion carried by unanimous vote.

Old/New Business

Approval of Minutes - Ms. Bakstran motioned to approve the minutes of November 28, 2017, Mr. Rutan seconded the motion and the motioned carried by unanimous vote.

Discussion Re: 2018 Town Meeting - Ms. Joubert reviewed with the Board the proposed zoning amendments to be presented at Town Meeting.

The meeting adjourned at 9:15pm

Respectfully Submitted,

Debbie Grampietro
ZBA Administrative Assistant