



**Zoning Board of Appeals**  
Meeting Minutes  
Wednesday February 12, 2014

**Zoning Board of Appeals Attendees:**

Present: David Delaney, David Connolly, John Tuzik & Christopher Bernard

Absent: Matthew Perkins & Brian Callow

Others: Margaret Hoffman, Assistant Town Planner & Peter Matchak, Admin Assistant

Vice-Chairman David Delaney opened the meeting at 7:40 p.m. in the second floor hearing room, and read the rule of the hearing into the record.

**Continuance of Public Hearing ZBA Case TZ-13-8: 369 Washington Street (Kennedy Building):**

The Board was presented with a draft decision concerning case TZ-13-8, Kennedy Building, LLC's application to develop 37 housing units on the Cardinal Cushing campus. Bill Grogan representing the Planning Office of Urban Affairs spoke to the Board stating he has spoken with Assistant Town Planner Margaret Hoffman and he approves the condition. While reviewing the draft decision the Board requested additional conditions regarding access to Cardinal Cushing's waste water treatment plant in the event of a failure, a time limit of 24 months for the Kennedy Building, LLC to enter into a ground lease with Cardinal Cushing, additional language to condition # 6 stating 4 units will be set aside for Hanover residents. The town of Hanover, Cardinal Cushing, and the Hanover Police Dept. will continue to work together concerning the ongoing traffic situation. David Connolly made a motion to approve case TZ-13-8 369 Washington Street, Kennedy Building with amended conditions. Christopher Bernard seconded the motion. All other voted in favor.

**Public Hearing ZBA Case Z-13-10: Northland / Village Commons**

Vice-Chairman, David Delaney reopened the public hearing case Z-13-10 at 8:15 p.m. David Delaney signed a Mullins Rule affidavit stating that he has reviewed all material submitted at the prior meeting held on January 8, 2014. Richard Deluca representing the Hanover Planning Board spoke to the Board concerning the applicants proposed project. Mr. Deluca stated that the Planning Board is in favor of the ZBA granting the requested variance, the proposed project is a minor change to the original Planning Board special permit while being respectful of the community fabric and the ongoing development on Route 53 providing Hanover an alternative housing type. Assistant Town Planner, Margaret Hoffman stated that town council has made judgment that the requested variance is not a change of use but the applicant needs to obtain the variance to alter the percentage of one, two, and

three bedroom units. Jack Dawley, Peter Crabtree, and Attorney Walter Mirrione represented Northland Residential Corporation. Jack Dawley indicated he has been working with the Planning Board for over a year and the proposed project started a 150 unit for rent. The project has changed to a 130 unit for sale project. The Board opened the discussion up to the public in the audience. James Rodrigues, of Tolman Road submitted commentary from the town meeting which the VPUD bylaw was voted on by town meeting. Mr. Rodrigues sited that no density requirements in the VPUD bylaw. Robert Tombari of 76 Paul Road spoke siting he was a proponent of the VPUD bylaw and see the requested variance is a change of use. David Connolly of the Board asked Mr. Rodrigues and Mr. Tombari their standing with the application and or parcel of land. Both men replied that they have no standing in the project, only interested as citizens. Attorney, Walter Mirrione representing Northland Development Corporation spoke to the Board siting the bylaw does not require a mix of uses, and promotes economically viable projects that would develop alternative housing types than single family residential homes. Siting the uniqueness of the site, and the VPUD bylaw require relieve to make project ecumenically viable. Attorney, Tim Michelson representing South Savings Bank spoke to the Board siting a number of developers have looked at the project and land but due to the unique shape of land, location and history all interested parties have moved on. David Connolly made a motion to close hearing. Christopher Bernard seconded the motion. All others voted in favor. In deliberation, the Board discussed the sites unique nature, and substantial financial hardships. The Board conversed about limiting the total number of one bedroom unit, the maximum number of three bedroom units, and the total number of units. John Tuzik made a motion to adjourn the meeting at 9:45 p.m. David Connolly seconded the motion. All others voted in favor.

Respectfully submitted by: Peter Matchak, Admin Assistant