



# **Town of Hudson**

## **Zoning Board of Appeals**

78 Main Street, Hudson, MA 01749  
Tel: (978)562-2989 Fax: (978)568-9641  
Email: [kjohnson@townofhudson.org](mailto:kjohnson@townofhudson.org)

### **Minutes of Meeting — November 18, 2021**

---

Pursuant to the Chapter 20 of the Acts of 2021 Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, this meeting of the Hudson Zoning Board of Appeals was conducted via **remote participation**.

Chair Nevits called the meeting to order at 7:05 PM. She noted that the Board is convening remotely under the extension of the suspension of certain provisions of the Open Meeting Law relative to COVID-19. Before moving into the public hearings, she reminded the Board and meeting attendees that all votes will be taken as roll call voice votes and provided an overview of the flow of the meeting, and how/when members of the public can participate.

Chair Nevits called the roll. Chair Nevits turned the floor over to Kevin Santos to call roll for the Affordable Housing Trust, however a quorum of the Affordable Housing Trust was not present.

**Board Members Participating:**

Darja Nevits, Chair  
Jill Schafer, Vice Chair  
Jason Mauro, Clerk  
Pamela Cooper, Member  
Matt Russell, Member  
Ronald Sorgman, Associate Member

**Board Members Absent:**

**Staff Members Participating:**

Kristina Johnson, AICP, Director  
Amanda Molina Dumas, Assistant Planner

### **Public Hearing – Petition 2021-10 – 62 Packard Street**

Present: Metro West Collaborative Development (MWCD)  
Nitsch Engineering  
Michael Scott, Land Design Collaborative/Peer Review Consultant for Town

Chair Nevits opened the public hearing for the above-reference petition and read the public hearing notice into the record. At this time the Board of Appeals will hear an application by Metro West Collaborative Development, 79-B Chapel Street, Newton, MA 02458 as to 62 Packard Street, Assessor's Map 18 Lot 71 requesting a Comprehensive Permit pursuant to Chapter 40B for 40 units all which will be restricted as affordable under the terms of the Comprehensive Permit Guidelines.

Jason Mauro, Clerk, read the right of appeal. Chair Nevits explained the meeting flow and invited the petitioner to present an overview of the request for a Comprehensive Permit.

Kristina Johnson, Planning Director, provided background on the project, which is a “friendly 40B” process, as the current zoning does not allow for multi-family housing in this zoning district. The process has been collaborative effort between the Affordable Housing Trust and the developer. In 2019, the site of the former police station at the 62 Packard Street parcel was identified as the optimal site to build affordable housing units. In early 2020, the Select Board appointed the Packard Street Re-Use Committee, made up of members from Town committees and residents from the neighborhood, to develop a plan for moving the project forward. Following an RFP process, the Trust selected the developer based on their experience with financing and managing similar types of projects. Additionally, Metro West Collaborative Development has been invited to apply for the next Department of Housing and Community Development (DHCD) funding round in January 2022; in order to apply, a comprehensive permit from the Town is needed.

From the developers team, the following members were present: Caitlin Madden and Claire Comeau of Metro West Collaborative Development; Laura Cella-Mowatt of Davis Square Architects; Bryan Zimolka and Chelsea Christenson of Nitsch Engineering. Caitlin Madden and Claire Comeau provided an overview of the project, which will include 40 affordable rental housing units, 5 of which will be fully accessible. The site layout includes one multi-family building, and 9 townhouses organized in groups of three. The housing will be affordable to a variety of households, up to 60% of the area median income (AMI). The project will meet the max stretch energy requirements and seek LEED certification. 51 parking spaces are proposed, including 5 accessible spaces. Bryan Zimolka provided an overview of the traffic assessment and parking for the project, noting that daily trips would be similar to the police station use, but with significantly less trips in the morning and evening. The proposed parking ratio comes to 1.28 parking stalls per unit provided. Chelsea Christenson discussed utilities and stormwater, noting that there will be a decrease in impervious area on the site.

Chair Nevits asked the Board for comments. Jason Mauro raised concerns about parking and potential traffic, and asked about decreasing the number of units proposed. Ms. Johnson explained that the number of proposed units is based on the funding structure the developer is seeking. Mr. Mauro also asked if Hudson has met it’s 10% threshold for affordable housing, which Ms. Johnson explained the Subsidized Housing Index (SHI) is 11% but could change after the new census is taken into account. Ron Sorgman asked about the siting of the multi-family building on the site, which was due to topography and an existing drain line. He also asked about the possibility of eliminating one of the two proposed driveways. Mike Scott of Land Design Collaborative replied that the two driveway design makes it easier for the fire department to access the site.

Chair Nevits inquired if any members of the public wished to offer any comments. Shawn Sadowski, Select Board member, direct abutter and member of the reuse committee expressed his support for the project. Anna McCabe, abutter and Chair of the reuse committee expressed her support and the general neighborhood excitement for the project. She also noted the significant need for affordable housing for seniors and those with disabilities. Kevin Santos, Chair of the Affordable Housing Trust, commented that of the two municipal affordable housing developments in Town, both were built prior to ADA and do not comply. John Parent, Vice Chair of the Affordable Housing Trust, discussed the amount of work that went into the planning of the project.

The Board asked for additional parking information from similar affordable housing projects. Chair Nevits seconded by Matt Russell moved to continue the public hearing for 62 Packard Street until December 9, 2021 at 7:00 PM.

### **Public Hearing – Petition 2021-011 – 23 Carter Street**

Present: Michael Norris, Attorney  
Jay Hodge, Owner

Chair Nevits opened the public hearing for the above-reference petition and read the public hearing notice into the record. At this time the Board of Appeals will hear the request of Jay D. Hodge & Jodi L. Hodge to obtain a special permit from Section 5.1.6.1 of the Town of Hudson Zoning By-laws to expand a non-conforming use to construct an addition onto a pre-existing two-family dwelling. The subject property is located at **23 Carter Street** in the SB Zoning District, Assessors' Map 18 Parcel 159. The Board may consider any action deemed necessary relative to the subject petition.

Jason Mauro, Clerk, read the right of appeal. Chair Nevits explained the meeting flow and invited the petitioner to present an overview of the request for a special permit.

Attorney Michael Norris, on behalf of the petitioner, provided an overview of the request, seeking a special permit to expand a non-conforming use to allow the petitioner to construct an addition onto a pre-existing two-family dwelling. The existing structure is non-conforming with respect to the front-yard (0 feet) and rear-yard setbacks (1.4 feet). The proposed one-story addition to the south of the existing structure would be approximately 16 feet by 30 feet, and would not further intensify the existing non-conformities or create any new non-conformities. The proposed addition would have a front-yard setback of 14 feet and a rear-yard setback of 2 feet. The proposed addition would allow the petitioner to improve the layout of the first floor to better suit his physical needs. The Board discussed which section of the Hudson Zoning By-laws is applicable in this case, Section 5.1.6.1 or 5.1.6.3.

Chair Nevits inquired if any members of the public wished to offer any comments. No members of the public requested to speak on the petition.

Chair Nevits seconded by Pamela Cooper moved to enter deliberative session. By voice roll call vote: Darja Nevits, Chair: **yea**; Jill Schafer, Vice Chair: **yea**; Jason Mauro, Clerk: **yea**; Matt Russell, Member: **yea**; Pamela Cooper, Member: **yea**; Ronald Sorgman, Associate Member: **yea**. 6-0-0. Unanimous.

During deliberative session, the Board unanimously agreed that the appropriate action relative to the subject petition is the issuance of a special permit under Section 5.1.6.3 of the Town of Hudson Protective Zoning By-laws and the made the following findings:

#### **Findings of Fact:**

1. The Petitioner has standing to bring the petition;
2. The subject property is located in the SB Residential Zoning District;
3. The existing dimensional non-conformities on the property are the front-yard and rear-yard setbacks;

4. Pursuant to Chapter 40A Section 6, the proposed expansion of the non-conforming two-family structure shall not be substantially more detrimental than the existing non-conforming structure to the neighborhood;
5. The proposed expansion of the existing two-family dwelling will not increase the non-conforming nature of the structure as the proposed addition will be located further away from the property line than the existing structure;
6. The proposed expansion will not have an adverse effect on present and future dwellings in the vicinity;
7. The proposed expansion will not create traffic hazards or volume greater than the capacity of the streets affected;
8. The proposed expansion will not be a substantial detriment to the area or the town in general;
9. The proposed expansion shall be constructed in substantial accordance with the final revised site plans dated August 25, 2021, and revised September 7, 2021.

Chair Nevits seconded by Matt Russell moved to approve Petition #2021-11 and grant a special permit under Section 5.1.6.3 of the Town of Hudson Protective Zoning By-laws to expand a non-conforming use to allow the petitioner to construct an addition onto a pre-existing two-family dwelling. By voice roll call vote: Darja Nevits, Chair: **yea**; Jill Schafer, Vice Chair: **yea**; Jason Mauro, Clerk: **yea**; Matt Russell, Member: **yea**; Pamela Cooper, Member: **yea**. 5-0-0. Unanimous.

Chair Nevits seconded by Pamela Cooper moved to leave deliberative session. By voice roll call vote: Darja Nevits, Chair: **yea**; Jill Schafer, Vice Chair: **yea**; Jason Mauro, Clerk: **yea**; Matt Russell, Member: **yea**; Pamela Cooper, Member: **yea**; Ronald Sorgman, Associate Member: **yea**. 6-0-0. Unanimous.

#### **Minutes – September 9, 2021**

Chair Nevits seconded by Matt Russell moved to approve the meeting minutes of September 9, 2021. By voice roll call vote: Darja Nevits, Chair: **yea**; Jill Schafer, Vice Chair: **yea**; Jason Mauro, Clerk: **yea**; Matt Russell, Member: **yea**; Pamela Cooper, Member: **yea**; Ronald Sorgman, Associate Member: **yea**. 6-0-0. Unanimous.

#### **Adjournment**

Chair Nevits seconded by Pamela Cooper moved to adjourn the meeting at 9:41 PM. By voice roll call vote: Darja Nevits, Chair: **yea**; Jill Schafer, Vice Chair: **yea**; Jason Mauro, Clerk: **yea**; Matt Russell, Member: **yea**; Pamela Cooper, Member: **yea**; Ronald Sorgman, Associate Member: **yea**. 6-0-0. Unanimous.