

TRANSCRIPT OF PUBLIC RECORD
ZONING BOARD OF APPEALS MEETING
APRIL 6TH, 2009

This Special Meeting of the **Zoning Board of Appeals** was held in the Second Floor Conference Room, City Hall, and was called to order at 6:34 PM.

MEMBERS IN ATTENDANCE:

Mr. Matthew D'Agostino, Chairman
Ms. Laura Walta, Vice Chairman
Mr. Richard Lacroix, Clerk
Mr. Vincenzo Pesce, Member

MEMBERS ABSENT:

Mr. Jesse Ramirez, Member
Mr. Peter Giordano, Alternate Member

OTHERS IN ATTENDANCE:

Attorney Donald F. Borenstein
Mr. Ronald MacLaren, Alcro Development, LLC
Ms. Gwen Martone, Zoning Board Secretary

ATTENDANCE:

Board Clerk, Richard Lacroix called the roll with four (4) members present at this meeting.

ROLL CALL:

Board Clerk, Richard Lacroix called the roll of Applicants.

NEW BUSINESS:

Alcro Development, LLC

Request for determination of substantial change on proposed amendment to Comprehensive Permit granted to Stone Castle Estates; Dated September 10th, 2002 and recorded with the Essex North District Registry of Deeds at Book 7487, Page 232, as affected by Technical Amendment dated October 20th, 2002 and recorded at Book 7487, Page 231, and Notice of Project Change dated January 11th, 2008.

Attorney Donald F. Borenstein, 12 Chestnut Street, Andover, MA 01810 appeared before the Board on behalf of the co-applicant, Alcro Development, LLC. According to Atty. Borenstein they are requesting to modify the existing Comprehensive Permit by adding seven (7) new unit styles. He further indicated that with this modification that the site layout, all the infra structure, and the general concept with the site and the age restriction would all remain the same. The original units style would still be available for sale, but due to changing market conditions and changing market tastes over

the last several years, the project has been deemed built out. They are now requesting to add the seven unit styles, which are all in a single story configuration offering one floor living with bedrooms on the first floor. He stated that they would retain the 1,306 sq. ft. unit size in the Durham but the other unit sizes would range from about 1,700 sq. ft. to a little over 1,900 sq. ft. in the new unit styles. He stated that they believe that the new styles cater more to the buyers who are interested in a 55+ project. He noted that the original project was designed with different unit types and that they have come up with one-story floor plans that fit into the footprints of each of the original designs. The building envelopes will remain the same as will the unit mix. He stated that they would continue with the same quality in the units, that they would basically be providing more in a smaller package.

Chairman D'Agostino questioned the number of units that they are proposing to change. Atty. Borenstein deferred to the developer, Mr. Ron MacLaren, who stated that right now there are exactly 30 sales out of the 89 proposed units, with one unit possible going under a purchase & sales agreement within the next week or two. He further indicated that Phase 1 and Phase 2 have been completed and sold, with only one sale in Phase 3. The requested changes would be for Phases 3, 4 and 5. Vice Chairman Walta questioned how many affordable units had been built to date to which Mr. MacLaren responded seven out of a total of twenty-three. Ms. Walta questioned if all of the remaining affordable units were going to be of the new designs. Mr. MacLaren indicated that the affordable units were always the smallest units and that the new designs pertained to the market rate units. He explained that the affordable units only had one bedroom on the first floor but the possibility of additional space on the second floor. However, any improvements made by the individuals on these units would never see a return on a sale because under the guidelines the units must remain affordable for 99 years. Mr. MacLaren further explained that the Durham was originally offered with an unfinished upstairs so that the affordable units were not distinguishable on the outside from the market rate units. However, now they would be able to offer both styles should this request be granted. Board Member, Richard Lacroix questioned if any Durham models had been sold with the finished second floor. Mr. MacLaren responded that only one Durham model has been sold with a partial finished second floor. Ms. Walta questioned if the pricing of the Durham III would be different from the current models. Mr. MacLaren indicated that the price would remain the same as it is set by CHAPA. Atty. Borenstein added that it's a one price fits all, that the price is set according to the number of bedrooms.

Chairman D'Agostino stated that he is interested in hearing from the residents who are currently living in this community. Mr. MacLaren indicated that they have sent out notices to the residents and that they are going to have an on project meeting with them on April 22nd, 2009, to unveil the new model styles. Vice Chairman Walta indicated that she had heard concerns about the level of quality and accoutrements of the affordable vs. the market rate homes and believe that the topic may surface at the Public Hearing. Atty. Borenstein stated that under the 40B guidelines, the developer could offer upgrades to the market rate units and that is more than likely why there are differences. Mr. MacLaren added that while the upgrades are available for the affordable units, they are never chosen because ultimately they do not yield a return on a sale like a market rate unit would.

MOTION: *Vice Chairman Laura Walta moved to approve the designation as being a substantial change. Chairman Matt D'Agostino seconded this motion.*

ROLL CALL: *Mr. Richard Lacroix – yes for substantial change
Mr. Jesse Ramirez – yes for substantial change
Mr. Vincenzo Pesce – yes for substantial change
Mr. Matthew D'Agostino – yes for substantial change*

VOTE: 4-0-0 UNANIMOUSLY APPROVED

ADJOURNMENT:

Having no further discussion, Chairman D'Agostino closed this Executive Session at 6:50.PM

Respectfully submitted,

Gwen Martone, Zoning Board Secretary
Methuen, MA 01844