

**Town of Norfolk Zoning Board of Appeals
Comprehensive Permit Application
Memorandum**

Applicant: Norfolk Station, LLC
Mr. Alan Quaglieri, Manager

Property Address: 194 Main Street, Norfolk, MA
Assessors Map 14, Block 49, Lot 14

Project Name: Residences at Norfolk Station

Date: December 13, 2018

I. INTRODUCTION

This memorandum is in support of an application submitted by Norfolk Station, LLC (“Applicant”) pursuant to M.G.L. Chapter 40B, Section 20-23 for a Comprehensive Permit for property located at 194 Main Street, Norfolk, MA and shown on the Town of Norfolk Board of Assessors Map 14, Block 49, Lot 14.

The proposed project is called the “Residences at Norfolk Station” consisting of 72, age restricted (55+) rental units in a single 3 story building, with two (2) elevators, and covered parking under the building. The rental units will be an even mix of one and two bedroom units (36 and 36). Eighteen (18) units (or twenty-five (25%) percent) will be affordable to households earning up to eighty percent (80%) of the Area Median Income, in accordance with applicable state regulations and guidelines. The remaining units will be market rate rental units.

Under M.G.L. Chapter 40B (“Statute”), when there is a substantial need for low and moderate income housing in a community, the Statute essentially creates a state mandate to local cities and towns to allow the construction of low and moderate income housing that requires relief from otherwise applicable local requirements and regulations, including but not limited to zoning bylaws, subdivision rules and regulations and local regulations that exceed state requirements under the Wetlands Protection Act and Title V. A Zoning Board of Appeals can insist on full compliance with local requirements and regulations only if they are, in the words of the Statute, “consistent with local needs.” Local requirements and regulations will be considered “consistent with local needs” if they are reasonable, taking into account the “regional need for low and moderate income housing considered with the number of low income persons in the city or town affected and the need to protect the health or safety of the occupants of the proposed housing or of the city or town, to promote better site and building design in relation to the surroundings, or to preserve open space” and if they outweigh the regional need for affordable housing.

As the Board is aware, the goal of Statute is to make at least 10% of every Massachusetts's community's housing stock affordable for moderate income households. The Department of Housing and Community Development (“DHCD”) tracks a community’s compliance with this goal by maintaining a Subsidized Housing Inventory (“SHI”). The SHI lists the number of housing units in each municipality that qualify for the list and count towards the municipality’s goal of meeting 10% of its housing stock as being affordable. As of September 14, 2017, the Town of Norfolk is at 4.1% of its required 10% affordable housing requirement.

II. JURISDICTIONAL REQUIREMENTS

The Applicant meets the jurisdictional requirements of the regulations and has standing before the Zoning Board of Appeals, based on the following:

A. Limited Dividend Organization

The Applicant, Norfolk Station, LLC, is a Limited Liability Company which agrees and intends to enter into a Regulatory Agreement with the Massachusetts Housing Finance Agency (“MassHousing”) under the New England Fund Program and to abide by the requisite limitation on profits. See 760 CMR 56.04(1)(a).

B. Project Eligibility

The Applicant has received a Project Eligibility Letter dated September 13, 2018 under the New England Fund program that confirms the project's eligibility and suitability of the site. A copy of the Project Eligibility Letter is submitted herewith (see Tab 3). Therefore, the Applicant fulfills the requirement of 760 CMR 56.04(1)(b), which states: "The project shall be fundable under a subsidizing agency under a low and moderate income subsidy program". See 760 CMR 54.04(1)(b), which states that compliance with the project eligibility requirements shall be established by issuance of a written determination of Project Eligibility by the Subsidizing Agency.

C. Control of the Land

The project proponent, Norfolk Station, LLC has an executed Purchase & Sale Agreement (“P&S”) for the project locus with Bella Rocco, LLC. See copy of the P&S dated May 23, 2018 submitted herewith (see Tab 4). Thus, the Applicant has control of the land, as required by the regulations. See 760 CMR 56.04(1)(c).

III. SITE DESCRIPTION

The proposed site is a 2.5 acre site located in the B1 zoning district. The site is improved by a strip mall style of building, a single family residence and a commercial garage to the rear of the property. The project is bounded to the north by an old railway spur that is owned by the Town of Norfolk. To the west, the project abuts an office building complex. The project is bound to the south by Main Street and to the east by the MBTA commuter rail.

There are no wetland areas on the project site. The project is not located within a Natural Heritage Priority or Estimated Habitat.

IV. PROPOSED PROJECT

The Applicant is proposing to construct a three story building with 36 one bedroom units and 36 two bedroom units. There will be two elevators in the building. There are 60 parking spaces located under the building. There are 50 exterior parking spaces. There will be direct access from the existing sidewalk on Main Street to the building. The building will be serviced by an onsite subsurface waste water disposal system that complies with Title V. There will also be some onsite amenities such as a fenced in dog area, a bocce court and a pickleball court. There will be an onsite maintenance building.

V. DEVELOPER EXPERIENCE

Norfolk Station, LLC is a new entity formed specifically for this development. The manager of the LLC, Alan Quaglieri, has over 35 years of experience in real estate management and construction. Mr. Alan Quaglieri, has developed several other projects in the Town of Norfolk.

VI. CONSTRUCTION SCHEDULE

The proposed commencement of construction is within twelve (12) weeks of receiving a Comprehensive Permit. Completion is anticipated within twenty four (24) months of commencement of construction.

VII. COMMUNITY AND MUNICIPAL IMPACT

Prior to submission of the Project to the Norfolk Board of Appeals, the Applicant consulted the Town of Norfolk Housing Production Plan ("Plan"). According to Plan, the Town needs an additional 186 SHI-eligible units to achieve the state's 10% goal. In developing the Project, the Applicant recognized that a rental project would be more beneficial to the Town of Norfolk because all of the units in a rental project are eligible to be counted on the SHI. Thus, if the Project is approved, it would reduce this number of units needed to meet the 10% requirements to 114.

In fact, the Plan recognizes that the "town's lack of rental and multi-family housing options, including apartments, not only makes it more difficult to enter the community, but also hinders those trying to stay in the community..." and that Norfolk has a severe shortage of rental units. Not only does the project meet a rental need but it meets the five listed goals in the Plan. The proposed project is a redevelopment of an existing site that it is in a location that enhances housing choice and economic development goals. The proposed project is in scale with down town development and does not use undeveloped land. The proposed project is walkable to the Town Center which means the residents will be able to take advantage of current downtown amenities (and may lead to the creation of additional dining and shopping destination for residents). The apartment housing options will provide downsizing options for those residents wishing to remain in the community but who no longer want a single-family home. The proposed project creates diversified housing. Lastly, the proposed project meets the needs of the community by providing a housing option that is walkable to the commuter rail station.

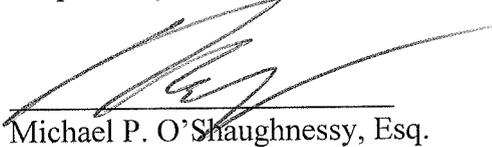
The proposed project will be age restricted to people 55+ and as a result the project will not impact the school system. There are no site distance issues as they relate to the proposed driveway access. The traffic flow on Main Street will not be negatively impacted from the number of vehicle trips to and from the project. There is sufficient water capacity to service the project. The proposed project will be serviced by an onsite septic system. The proposed project complies with storm water management standards. The proposed project will be serviced by a sprinkler system for fire protection. There will be no wetland impacts from the project.

Based upon the foregoing, The Applicant believes that the proposed project will be a positive addition to the Town of Norfolk.

VIII. CONCLUSION

Based on all of the foregoing, the Applicant believes that the proposed project will be an asset to the Town of Norfolk. It will provide much needed affordable housing for families. The Applicant respectfully submits that a Comprehensive Permit should be issued by the Norfolk Zoning Board of Appeals.

Respectfully Submitted,



Michael P. O'Shaughnessy, Esq.