

**STURBRIDGE ZONING BOARD OF APPEALS**  
**MINUTES OF**  
**WEDNESDAY, April 9, 2003**

**Present:** Theophile Beaudry  
Mary Blanchard  
Lawrence Boniface  
Jeff Bonja  
Robert Cornoni  
Pat Jeffries  
Ginger Peabody, Chairman

**Also in Attendance** Nancy Campbell, Clerk

G. Peabody opened the meeting at 7:00 PM and read the agenda. The Board members introduced themselves.

G. Peabody acknowledged that this would be L. Boniface's last Zoning Board meeting. He was thanked for his years of service to the Board and to the Town.

The minutes of March 19, 2003 were reviewed. M. Blanchard asked for a correction to page two, first paragraph regarding the discussion of the response letter to Atty. Netter from G. Peabody. After discussion, the Board agreed to strike the following words "...had already been done. ~~and that the letter had been discussed at its last meeting.~~"

**Motion:** to accept the minutes of March 19, 2003, as amended, by M. Blanchard  
**2<sup>nd</sup>:** J. Bonja  
**Discussion:** None  
**Vote:** All in favor

**REQUEST FOR DETERMINATION OF A NON-CONFORMING STATUS #04-09-03-1D - Clifford Grant, 55 Bennetts Road**

G. Peabody explained the process involved with a determination. She recognized Mark Mercadante, of Dante Builders, representing Clifford Grant for the Request for Determination at 55 Bennetts Road. M. Mercadante stated he had been before the Board at an earlier date with a different plan which the Board felt was not appropriate due to the setback violations. The plans were redesigned to a two-story structure using the existing footprint area. The redesigned plan proposed a decrease to the intrusion into the side yard setback by approximately three feet. The existing structure and foundation was to be demolished. M. Mercadante asked to relocate the structure by centering it on the property which would straighten the footprint and reduce the non-conformity. L. Boniface commented that the bylaws allowed the structure to be centralized. The Board did not have a problem with that request. J. Bonja supported the request, but he questioned the interpretation of the bylaw language for tearing down and rebuilding a structure. G. Peabody thought this had been addressed under the second except clause which Town Counsel had discussed with the Board at its November 2002 workshop.

**Motion:** to grant a determination that the property did not increase the non-conformities with respect to each of the dimensional controls listed in the Town's Zoning Bylaws, by J. Bonja  
**2<sup>nd</sup>:** M. Blanchard  
**Discussion:** None  
**Vote:** All in favor

G. Peabody thanked M. Mercadante and C. Grant for their cooperation with the Board and for the changes that had been made to the plans.

## **OLD BUSINESS**

There was none.

## **NEW BUSINESS**

Proposed Zoning Amendments Public Hearing - G. Peabody asked if the members could be present for the public hearing scheduled on April 15, 2003, at 7:00 PM in Veteran's Memorial Hall for discussion for or against the proposed zoning amendments. M. Blanchard asked if it was necessary for a posting with the Town Clerk, if a majority of the Board was to attend the public hearing. J. Bonja pointed out that the Board would not be conducting business as a Board. G. Peabody asked N. Campbell to look into this issue for clarification.

## **CORRESPONDENCE**

Judith Nitsch Engineering, Inc. - Review of Stallion Hill Village Comprehensive Permit - This letter had been distributed to the Board for their review. Discussion would be taken up at the public hearing continuation for Stallion Hill Village at the Board's May 21, 2003, meeting at 7:05 PM in Veteran's Memorial Hall.

Jim Malloy's Memorandum Re: Building Inspector - dated March 26, 2003 - Any comments from the Board members should be directed to J. Malloy.

**Motion:** to adjourn, by M. Blanchard  
**2<sup>nd</sup>:** P. Jeffries  
**Discussion:** None  
**Vote:** All in favor

**Adjournment at 7:20 PM**