

**STURBRIDGE ZONING BOARD OF APPEALS**  
MINUTES OF  
Wednesday, March 12, 2008

**Present:**

Theophile Beaudry  
M. Blanchard  
Robert Cornoni  
P. Jeffries  
Kevin Kelley  
Ginger Peabody, Chairman

**Also Present :** Diane Trapasso, Administrative Assistant

**Absent:** Marge Cooney

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

**APPROVAL OF MINUTES**

**Motion:** to approve the corrected draft meeting minutes of March 5, 2008 by M. Blanchard  
**2<sup>nd</sup>:** K. Kelley  
**Discussion:** None  
**Vote:** 6 – 0

**CORRESPONDENCE**

Letter from Waterman Design – Re: Construction Progress Report – Crescent Gate

Letter from Massachusetts Federation of Planning & Appeals Boards – Spring Area Meeting will be held April 24th

**PUBLIC HEARING FOR ARLAND TOOL & MFG. INC. REQUESTING A SPECIAL PERMIT AND VARIANCE FOR BUILDING RENOVATIONS AT 421 MAIN STRTEET WITH ASSOCIATED SITE WORK.**

M. Blanchard read the legal notice.

G. Peabody read the Department memos from the following:  
H. Nichols, Building Commissioner/Zoning Enforcement Officer  
A. Rusiecki, Board of Health Agent

T. Ford, Chief of Police  
E. Jacque, Conservation Agent

P. Jeffries read the memo from J. Bubon, Town Planner. J. Bubon stated that the applicant meets all the criteria for approval of the Special Permit.

D. Roberts of Jalbert Engineering spoke on behalf of the applicant. The proposed building renovations consist of a two story 4,680 sq. ft. building with 3,840 sq. ft. to be constructed within the footprint of the existing building and 840 sq. ft. within the existing paved area along the northeasterly side of the existing manufacturing building.

The Board had questions about staying within the same footprint and a Variance being needed. Also, the Board would like the comments from the Police Chief to be addressed when construction starts.

D. Roberts stated that the footprint will not be increased and that the Building Commissioner suggested getting a Variance because the building has to come down.

D. Roberts stated that when they apply for Site Plan Approval from the Planning Board, all traffic issues will be addressed at that time.

**Motion:** Made by M. Blanchard to close the Public Hearing.  
**2<sup>nd</sup>:** P. Jeffries  
**Discussion:** None  
**Vote:** 6 – 0

**Motion:** Made by M. Blanchard to grant a Variance for Lot Frontage (150' Required, 0' Existing), for Street Setback for Existing Business (30' Required, 2.3' Existing) and for Side Yard Setback for Existing Business (20' Required, 10.9' Existing) for Arland Tool & MFG. Inc. for the property located at 421 Main Street.  
**2<sup>nd</sup>:** P. Jeffries  
**Discussion:** None  
**Vote:** 6 – 0

**Motion:** Made by M. Blanchard to grant a Special Permit according to the Town's Zoning Bylaws, Chapter 19, Intensity Regulations to Arland Tool & MGF. Inc. for the property located at 421 Main Street. With the condition that the Traffic issue during construction be addressed with the Planning Board, when the applicant applies for Site Plan Approval.  
**2<sup>nd</sup>:** K. Kelley  
**Discussion:** None  
**Vote:** 6 – 0

**STONELEIGH WOODS/BLUE & GOLD DEVELOPMENT REQUEST FOR AN EXTENSION OF SPECIAL PERMIT GRANTED ON DECEMBER 12, 2005.**

M. Donahue, Attorney for Stoneleigh Woods/ Blue & Gold Development, and R. Havasy gave an update. The Special Permit granted by the Board dated December 8, 2005, one of the conditions was appealed, the appeal was adjudicated by the State Superior Court with final judgment in March of 2007. The Decision, and the Sturbridge Zoning Bylaw, provide that the commencement of construction of the Stoneleigh Woods Development is to occur within two years from the date the Decision was finalized.

Economic conditions generally in the State and more particularly in the active adult community presenting a challenge to the commencement of work during 2007 and, at the very least, the beginning of 2008. Work has begun with the construction of Chase Road. They are excited to start phase one which will consist of 20 units and the clubhouse. They would like to break ground in the fall.

M. Donahue stated he would like to ask for a two year extension.

**Motion:** Made by M. Blanchard to extend the Special Permit granted to Stoneleigh Woods/Blue & Gold to March 23, 2010.  
**2<sup>nd</sup>:** P. Jeffries  
**Discussion:** None  
**Vote:** 6 – 0

**CONTINUATION OF THE PUBLIC HEARING FOR BICHOP AND LINDA NAWROT REQUESTING A SPECIAL PERMIT AND VARIANCE TO ALLOW THE DEMOLITION OF THE EXISTING NON-CONFORMING RESIDENCE AND RECONSTRUCTION OF A NEW HANDICAPPED ACCESSIBLE IN ITS PLACE AT 88 WESTWOOD DRIVE.**

F. Trifone of Trifone Design Associates spoke on behalf of the applicant. He stated that the handicap ramp is exempted from lot coverage, plus the revised plans show that the rear deck has been cut back.

G. Peabody stated that for a Variance, the hardship must relate to soil, shape or topography of land or building.

The Board felt that this plan did not meet the criteria for a Variance. The house is just too big or the lot too small. Lot coverage must be contained to 15%.

G. Peabody asked F. Trifone if his client would like to withdraw without prejudice and apply again with a whole new set of plans.

F. Trifone and the applicant agreed to withdraw.

**Motion:** Made by M. Blanchard to Withdraw Without Prejudice and waive the application fees to Bichop and Linda Nawrot requesting a Variance and Special Permit at 88 Westwood Drive.  
**2<sup>nd</sup>:** K. Kelley  
**Discussion:** None  
**Vote:** 6 – 0

**CLARENCE SOPER (TERESA PAQUIN) REQUESTING A DETERMINATION TO ALLOW IN THE ORIGINAL FOOTPRINT TO RAISE AND REPAIR THE ROOF LINE TO A SECOND STORY ENTRANCE. THE PROPERTY IS LOCATED AT 98 GLADDING LANE.**

G. Peabody read the department memo from G. Morse, DPW Director.

C. Soper spoke on his own behalf. He stated that the roof now is a flat one and needs repair. The new roof will be pitched. The entrance now has 25 stairs on the outside. With a new pitched roof, the entrance can be on the inside, coming into an entryway and livingroom.

**Motion:** Made by M. Blanchard to grant a Determination that does not intensify the existing or create additional non-conforming, and the owner may apply for a building permit for the described activities as shown on the attached survey forthwith to Clarence Soper for the property at 98 Gladding Lane. The building permit should be issued after the concerns of the following are addressed: DPW Director  
Conseration  
BOH

**2<sup>nd</sup>:** P. Jeffries

**Discussion:** None

**Vote:** 6 – 0

**JOSEPH A. VENEZIANO REQUESTING A DETERMINATION TO CLOSE IN THE PRESENT OPEN CAR PORT WITH EXISTING FOUNDATION. THE PROPERTY IS LOCATED AT 242 A. BIG ALUM ROAD.**

G. Peabody read the memos form the following departments:

J. Bubon, Town Planner

H. Nichols, Building Commissioner/Zoning Enforcement of Officer

E. Jacque, Conservation Agent

J. Veneziano spoke on his own behalf. He wants to increase the living space in the house. The proposed enclosure will not increase the footprint. He also stated that he would like to add anew car port but realizes that he would need to come before the Board in the future for a Special Permit.

**Motion:** Made by M. Blanchard to grant a Determination that does not intensify the existing or create additional non-conforming, and the owner may apply for a building permit for the described activities as shown on the attached survey forthwith to Joseph A. Veneziano for the property at 242 A Big Alum Road.

**2<sup>nd</sup>:** P. Jeffries

**Discussion:** None

**Vote:** 6 – 0

**NEXT MEETING**

April 9, 2008

**Motion:** Made by M. Blanchard to adjourn at 8:00 PM.  
**2<sup>nd</sup>:** P. Jeffries  
**Discussion:** None  
**Vote:** 6 - 0