

STURBRIDGE ZONING BOARD OF APPEALS
MINUTES OF
Wednesday, August 13, 2008

Present: Elizabeth Banks
Marge Cooney
Robert Cornoni
Adam Gaudette
Kevin Kelley
Ginger Peabody, Chairman

Also Present : Diane Trapasso, Administrative Assistant

Absent: Pat Jeffries

G. Peabody opened the meeting at 7:00 PM. G. Peabody read the agenda.

APPROVAL OF MINUTES

Motion: to approve the amended draft meeting minutes of July 9, 2008 by M. Cooney
2nd: A. Gaudette
Discussion: None
Vote: 6 - 0

CORRESPONDENCE

None

CONTINUATION OF THE PUBLIC HEARING OF MARGARET PREDELLA REQUESTING A SPECIAL PERMIT. THE APPLICANT IS REQUESTING A SPECIAL PERMIT TO DEMOLISH AND REMOVE AN EXISTING RESIDENCE, WALKWAYS AND ASSOCIATED RETAINING WALLS, PATIO AND DECK TO CONSTRUCT A SINGLE-FAMILY HOME WITH ASSOCIATED SITE WORK. THE PROPERTY IS LOCATED AT 160 LAKE ROAD.

Attorney Neal presented to the Board a revised template of square footage of the house. He also stated that the home is not out of character with the neighborhood.

G. Peabody stated that the house is too big for the neighborhood and presented to the Board a list of the houses around the lake which were from the abutters list with land, living space and gross area

G. Peabody stated from Bjorlund V. Zoning Board of Appeals of Norwell, Mass. (2008), “A proposal to tear down the existing house, which had 675 sq. ft. of living space, and construct a new and much larger house with 3600 sq. ft. of living space. The new house would have a larger footprint and increase height, The Board of Appeals found that the proposed reconstruction would increase the non-conformity nature of the structure based upon the increased length, height..... It further found that the proposed new house would be substantially more detrimental to the neighborhood, due to the doubling of the length of the building and the increase in height, would not be keeping with the rural character of the neighborhood.....”

The Board still has a problem with the size of the house, it needs to be smaller. Why can't the house be scaled down?

Attorney Neal stated that the Predella's have a big house now and would like their retirement home to be the same.

The Board felt that the revised plans show no change on the first floor, still a lot of recreation rooms.

The Board is still concerned about the house being a two-family and not being able to control what happens with changes at a later date. Even putting restrictions on a Special Permit would be hard to control.

The Board would still like to see if the applicant can make the house smaller by eliminating some of the recreation rooms.

The Board asked Attorney Neal if the applicant would consider another revision plan and try to downsize the house and continue the hearing to September.

Attorney Neal and the applicant approved.

Motion: Made by A. Gaudette to continue the Public Hearing of Margaret Predella requesting a Special Permit to September 10, 2008 @ 7:30 PM.

2nd: R. Cornoni

Discussion: None

Vote: 6 – 0

REQUEST FOR A DETERMINATION. CAMDEN & CHRISTOPHER MAZEIKA ARE REQUESTING A DETERMINATION TO RAISE THE ROOF TO PERMIT TWO BEDROOMS AN A BATHROOM UPSTAIRS. NO CHANGE TO FOOTPRINT OF HOUSE. DETACHED 2 CAR GARAGE WITH SECOND FLOOR STORAGE/WORKSHOP ROOM, PLACED OFF DRIVEWAY NEARLY 100 FT. FROM THE WATERFRONT, ROUGHLY IN CENTER OF PROPERTY. CLEARING OF UPPER WOODED AREA FOR INSTALLATION OF LEACH FIELD WHICH IS PART OF A NEW SEPTIC SYSTEM AWAY FROM WATER AND GARAGE SITE. THE PROPERTY IS LOCATED AT 100 ALLEN ROAD.

G. Peabody read the memos from the following departments:

J. Bubon, Town Planner

H. Nichols, Building Commissioner/Zoning Enforcement Officer

G. Morse, DPW Director

The Board could not grant the applicant a Determination because of legal issues with the property line.

Mr. Mazeika, property owner spoke on his own behalf. He wanted to know what can he do to resolve this problem and be able to add the addition to his house.

The Board informed Mr. Mazeika that they cannot give any legal advice but did suggest for him to hire a lawyer that deals strictly in real estate and try and resolve the boundary problem.

OLD/NEW BUSINESS

None

NEXT MEETING

September 10, 2008

Motion: Made by E. Banks to adjourn at 8:15 PM.

2nd: K. Kelley

Discussion: None

Vote: 6 - 0