

STURBRIDGE ZONING BOARD OF APPEALS

MINUTES OF

Wednesday, January 14, 2009

Present: Elizabeth Banks
Robert Cornoni
Francesco Froio
Adam Gaudette
Pat Jeffries
Kevin Kelley
Ginger Peabody, Chairman

Also Present : Diane Trapasso, Administrative Assistant

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

The Board introduced themselves.

APPROVAL OF MINUTES

Motion: to approve the corrected draft meeting minutes of December 10, 2008 by P. Jeffries
2nd: K. Kelley
Discussion: None
Vote: 7 – 0

Motion: to approve the corrected executive minutes of December 10, 2008 by P. Jeffries.
2nd: F. Froio
Discussion: None
Vote: 7 – 0

CORRESPONDENCE

Letter from the Commonwealth of Massachusetts – Re: Fiske Hill Commons, 30 Main Street

Letter from CHAPA – Re: Crescent Gate

Letter from Kopelman & Paige – Re: Glenn Pelski, et al. v. Sherry Diane & Ginger Peabody, et al. (Town of Sturbridge Zoning Board of Appeals)
Worcester Superior Court, C.A. No. 07-2184-B

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 THE RECONSTRUCYION OF A NEW HANDICAPPED ACCESSIBLE IN
ITS PLACE AT 88 WESTWOOD DRIVE.**

Attorney Neal spoke on behalf of the applicant. He introduced the Nawrot's brother, Michael to the Board. He also wanted to thank Mr. Gaudette for bringing out the fact that part of the ramp is handicap access which would for go the Variance. So wouldn't be counted as coverage, therefore no Variance would be needed.

The Board still questioned why is it necessary to have a side deck, just use the front door to get from one end of the house to the other.

Attorney Neal stated that the side ramp is necessary for safety reasons.

The majority of the Board was pleased with the revised plans and that the DPW Director's concerns were addressed.

Attorney Neal submitted a letter to the Board withdrawing the Nawrots' petition for a Variance.

Motion: Made by P. Jeffries to close the Public Hearing.
2nd: K. Kelley
Discussion: None
Vote: 7 – 0

Motion: Made by A. Gaudette to accept the letter of withdrawal of the Variance.
2nd: P. Jeffries
Discussion: 6 -0 -1 (G. Peabody)

Motion: Made by A. Gaudette to grant the Special Permit for Non-Conforming structures and uses (Sec.20.05) that change or alteration is not substantially more detrimental to the neighborhood than the existing non-conforming use; and to the Special Permit criteria Sec. 24.09 (a through e) to Bichop & Linda Nawrot for property located at 88 Westwood Drive with the following conditions:

1. Referring to the most recent revised plans dated 1/6/09
2. DPW Director's memo dated 1/7/2009, item # 2 – The sanitary grinder pump relocation must be completed by a licensed Drain Layer in the Town of Sturbridge and inspected by the Town's personnel. A new inlet gasket on the pumping chamber is recommended. A new sewer as-built card should also be updated once completed.

2nd: P. Jeffries
Discussion: None
Vote: 7 – 0

G. Peabody stated that the ZBA contribution of their funds for the Housing Plan has been spent.

G. Peabody stated that lately a lot of repeat lakefront property has come before the Board, and there has been a lot of problems. She stated that perhaps the zoning needs to be changed.

The consensus of the Board was to ask the Town Planner to look over the zoning for lake front property to see if it should remain the same or be changed. After her review, perhaps a work session with the Town Planner, Planning Board and ZBA would be appropriate.

REQUEST FOR A SPECIAL PERMIT. PAMELA DAOUST OF 85-H-FOOTE ROAD, CHARLTON IS REQUESTING A SPECIAL PERMIT TO PERMIT THE OPERATION OF A ONE PERSON BEAUTY SALON AND TO LIVE ON THE OTHER SIDE OF THE TWO FAMILY HOME. THE PROPERTY IS LOCATED AT 588 MAIN STREET.

A. Gaudette read the legal notice.

G. Peabody read the department memos from the following:

J. Bubon, Town Planner
E. Jacques, Conservation Agent
G. Morse, DPW Director

P. Daoust spoke on her own behalf. She stated that her brother, Patrick purchased the property and is renovating it. She plans to live on one side and operate a one person beauty salon on the other side.

P. Daoust stated that she is working on a shared parking agreement with the owner Data Vault. The owner does have a concern with the agreement in case he sells his property.

J. Tryba of 6 High Street stated that he and his neighbors are concerned that some site work has already been done and are afraid of erosion. They are in favor of the beauty salon but the erosion of the slope is their main concern.

The Board felt the applicant needs to have revised plans showing the site work and solve the parking issue, and talk to their neighbors and maybe together can solve the erosion problem.

The Board felt that if they address the concerns of the DPW Director, they will be on the right track with their revised plans.

Motion: Made by A. Gaudette to continue the Public Hearing to February 11, 2009
@ 7:20 PM.
2nd: P. Jeffries
Discussion: None
Vote: 7 - 0

OLD/NEW BUSINESS

None

NEXT MEETING

January 28, 2009

On a motion made by P. Jeffries, seconded by K. Kelley and voted unanimously, the meeting adjourned at 8:10 PM.