

STURBRIDGE ZONING BOARD OF APPEALS

MINUTES OF

Wednesday, August 3, 2011

Present: Elizabeth Banks, Chair
Joel Casaubon
Marge Cooney
Thomas Creeden, Vice-Chair/Clerk
Chris Mattioli
Maryann Thorpe
Michael Young

Also Present: Diane Trapasso, Administrative Assistant
Jean M. Bubon, Town Planner

Ms. Banks opened the meeting at 6:30 PM.

The Board introduced themselves.

Ms. Banks read the agenda.

APPROVAL OF MINUTES

Motion: Made by Mr. Mattioli to approve the minutes of June 8, 2011.

2nd: Ms. Cooney

Discussion: None

Vote: 7 – 0

CORRESPONDENCE

Letter from Nancy J. Coderre, Attorney at Law, RE: Bellerose from LaBelle – 7 Crescent Way, Unit 215

PUBLIC HEARING FOR SPECIAL PERMIT – STURBRIDGE AUTO BODY IS REQUESTING A SPECIAL PERMIT TO ALLOW THE DEMOLITION OF STRUCTURES THAT WERE DESTROYED DURING THE JUNE 1st STORM AND THE CONSTRUCTION OF A NEW MAIN BUILDING AND EQUIPMENT AND RELATED SITE IMPROVEMENTS ON THE PREMISES. THE PROPERTY LOCATION IS 227 MAIN STREET.

Materials Presented:

Application for Special Permit and Variance* – prepared for Mark W. Manthorne – Trustee of DND Realty Trust – Sturbridge Auto Body @ 227 Main Street – received 7/6/2011

*Variance was not required – all setbacks were adhered to.

Proposed Site Plan for Mark W. Manthorne, Trustee of DND Realty Trust – Sturbridge Auto Body – Plan Date 7/6/2011 – DWG #11110 – prepared by Jalbert Engineering – 54 Main Street, Sturbridge MA – received 7/6/2011

Revised Building Elevations & Floor Plans – Sturbridge Auto Body – Plan Date 7/18/2011 – DWG # 11115 – prepared by Jalbert Engineering – 54 Main Street, Sturbridge MA – received 7/22/2011

Revised #3 Proposed Site Plan for Mark W. Manthorne, Trustee of DND Realty Trust, Sturbridge Auto, 227 Main Street – Plan Date 7/29/2011 – DWG # 11110 – prepared by Jalbert Engineering – 54 Main Street, Sturbridge MA – received August 1, 2011

Mr. Creeden read the legal notice.

Ms. Banks stated that the Board received the following Department memos:

- G. Morse, DPW Director
- A. Rusiecki, BOH Agent
- L. Senecal, Fire Chief
- E. Jacque, Conservation Agent
- T. Ford, Police Chief
- D. Lindberg, Building Inspector/Zoning Enforcement Officer
- J. Bubon, Town Planner
- T. Chamberland, Tree Warden

Mr. Jalbert of Jalbert Engineering spoke on behalf of the applicant. He stated that the applicant had received approval from the Conservation Commission, and they addressed all the concerns that Mr. Morse had. He stated that the applicant has also been approved by the Design Review Committee. The plan now complies with the 10' setback for the car display area as required by the Class II license. Roof gutters will now be tied into a proposed leach pit as shown on the plan. A wash area with Tight Tank has been added to the plan as requested by Mr. Morse. Landscaping has been revised as per the recommendations of the Tree Warden.

Mr. Jalbert also stated that the applicant is requesting a Special Permit to demolish and remove the existing structures that were destroyed during the June storm. Buildings will be reconstructed to service the needs of Sturbridge Auto Body business.

Mr. Jalbert stated that the reconstructed buildings will be outside of any setback requirements within the existing Suburban Residential District. The height of the main building will be 29'-4". The existing structures covered 4,755 sq. ft. and the proposed replacement is 5,899 sq. ft. which reflects a 1,144 sq. ft. increase accounting for a lot coverage of 7.8%. Pavement on the site is going to be removed and planting areas will be

installed as shown on the plans. The proposed improvements do not create additional non-conformities.

The Board had the following questions:

- Are any parking spaces designated for handicap accessibility – Mr. Jalbert stated that they were not required.
- Trucks entering and bringing in vehicles parking on the sidewalk – They will make sure they keep the sidewalk areas clear for pedestrian use.
- Landscaping on State owned property – Mr. Kaitbenski stated that the State is aware of it and had no concerns
- Vehicles on site that are impounded and not claimed – Ms. Bubon stated that based on conversations with Mr. Creamer, Chair of the BOS, that the Town has a mechanism in place that would provide a process to help business owners dispose of such vehicles and the Board is aware of the issues being faced by business owners regarding the impounded vehicles. The applicant has expressed the need to remove the impounded vehicles from the site in order to begin construction once the appropriate approvals have been granted, with the ultimate goal being compliance with the plan as submitted when the project is complete. We are hopeful that the Town Administrator and the BOS can help assist the applicant with the procedure of impounded vehicles.

The Board stated to the applicant that they were sorry for their loss of business because of the June storm but commended them on a great project and wished them the best.

Mr. Suhoski, Town Administrator, thanked the Board for expediting the whole application process. He also thanked the applicant for a great project which will be an improvement to the site.

Motion: Made by Mr. Mattioli to close the Public Hearing.

2nd: Ms. Thorpe

Discussion: None

Vote: 7 – 0

Motion: Made by Mr. Mattioli to grant the Special Permit to Mark W. Manthorne, Trustee of DND Realty Trust for the property located at 227 Main Street for the demolition of structures that were destroyed during the June storm and to reconstruct those buildings and related site improvements on a pre-existing non-conforming lot as shown on a plan dated 7/29/2011 and revised through 7/29/2011, revision #3 with the Finding as required by Section 20.05 that the proposed extension, construction or alteration of the pre-existing non-conforming structure and use is not more detrimental to the neighborhood than the existing non-conforming structure and the use and a Finding that the requirements of Section 24.09 paragraph (a) through (e) satisfied and based on the following conditions:

1. Approval is subject to final Site Plan Approval by the Planning Board. Any modification to the Plan as a result of that review

process shall be provided to the Zoning Board of Appeals for its file.

2. The rights authorized by this Special Permit shall be exercised with one year of the date of grant of the permit.
3. All other necessary approvals and permits shall be obtained prior to the start of construction.

2nd: Ms. Cooney

Discussion: None

Vote: 7 – 0

OLD/NEW BUSINESS

None

NEXT MEETING

September 14, 2011 at 6:30 PM at the Center Office Building

On a motion made by Mr. Creeden, seconded by Ms. Cooney and voted unanimously, the meeting adjourned at 7:05PM.