

**STURBRIDGE ZONING BOARD OF APPEALS**  
MINUTES OF  
Wednesday, March 20, 2013

**Present:** Elizabeth Banks  
Joel Casaubon  
Thomas Creeden, Chair  
Donald Fairbrother

**Also Present:** Jean Bubon, Town Planner

**Absent:** Margaret Cooney  
Maryann Thorpe  
Michael Young, Vice Chair/Clerk

Mr. Creeden opened the meeting at 6:30 PM.

The Board introduced themselves.

Mr. Creeden read the agenda.

**APPROVAL OF MINUTES**

**Motion:** Made by Mr. Casaubon to approve the minutes of February 20, 2013.  
**2<sup>nd</sup>:** Mr. Fairbrother  
**Discussion:** None  
**Vote:** 4 – 0

Ms. Bubon gave an overview of the Gale case. Also discussed, greater conformity with tear downs and rebuilds.

**PUBLIC HEARING – GERALD A. & CYNTHIA J. GIROUX ARE REQUESTING A SPECIAL PERMIT TO ALLOW THE DEMOLITION OF THE EXISTING RESIDENTIAL STRUCTURE AND CONSTRUCTION OF A NEW SINGLE FAMILY RESIDENCE WITH AN ATTACHED GARAGE. THE PROPERTY IS LOCATED AT 89 SHORE ROAD.**

**Materials Presented:**

Application for a Special Permit – Gerald A. & Cynthia J. Giroux – 89 Shore Road – received 1/31/2013

Proposed ZBA Site Plan for the property at 89 Shore Road – prepared by Trifone Design Associates, Inc. – 55 Crane Street, Southbridge MA – project # 287-050 – DWG GIROUXSITE – date 9/18/2012 – received 1/31/2013

The Giroux House – 89 Shore Road – prepared by Trifone Design Associates, Inc. – 55 Crane Street, Southbridge MA - date 6/27/2012 – received 1/31/2013

Letter of support from Robert & Theresa Girouard – 87 Shore Road

Mr. Creeden acknowledged receipt of the following department memos:

- Ms. Bubon, Town Planner
- Ms. Usiecki, BOH Agent
- Mr. Morse, DPW Director
- Mr. Colburn, Conservation Agent

Mr. Casaubon read the legal notice.

Ms. Bubon read the email from Attorney Neal requesting a continuation of the Public Hearing for the Special Permit for Giroux – 89 Shore Road – since only five members were going to be present.

**Motion:** Made by Mr. Casaubon to continue the Public Hearing to April 10, 2013 at 7:00 PM.

**2<sup>nd</sup>:** Ms. Banks

**Discussion:** None

**Vote:** 4 – 0

**DETERMINATION – JOSEPH & BARBARA CONSTANTINO REQUEST A DETERMINATION TO DEMOLISH THE EXISTING BREEZEWAY AND GARAGE AND RECONSTRUCT ADDITIONAL LIVING SPACE WITHIN THE SAME FOOTPRINT. THE PROPERTY IS LOCATED AT 35 ARNOLD ROAD.**

**Materials presented:**

Application for Determination – Joseph & Barbara Constantino – received 2/25/2013

Existing Site Plan for: Joseph A. & Barbara Constantino – 35 Arnold Road – plan date 2/21/2013 DWG # 13016 – revision 1 – prepared by Jalbert Engineering

Proposed Addition – Joseph A. & Barbara Constantino – 35 Arnold Road

Letter of support for the project from Mr. Watts – received 3/19/2013

Letter of agreement for construction from Ms. Southall – received 3/20/2013

Mr. Creeden acknowledged receipt of the following department memos:

- Mr. Ford, Chief of Police
- Mr. Colburn, Conservation Agent
- Ms. Bubon, Town Planner

Mr. Jalbert of Jalbert Engineering spoke on behalf of the applicant. Mr. Jalbert stated that the applicant is proposing to demolish the garage and reconstruct additional living space in the same footprint. All of the disturbance to the site will be located beyond 250 feet from the brook located at the rear of the property. All of the expanded living space will be contained within the previous developed building footprint on an improved foundation.

The Board had the following questions and concerns:

- Is there an E1 pump – Mr. Jalbert stated there is not
- Is there an intent to make the the dwelling a two family – Mr. Jalbert stated no
- Stonewall – Mr. Jalbert stated that it is common to both parties

**Motion:** Made by Mr. Casaubon to grant the Determination requested by Joseph & Barbara Constantino for the property located at 35 Arnold Road to allow the demolition of the existing breezeway and garage and reconstruct the same with additional living space above within the same footprint with additional living space above as shown on the plan submitted dated 2/21/13, DWG #13016 – Revision 1.

**2<sup>nd</sup>:** Mr. Fairbrother

**Discussion:** None

**Vote:** 4 - 0

## **CORRESPONDENCE**

None

## **OLD/NEW BUSINESS**

Mr. Fairbrother provided an update on the CPTC that he attended on March 16, 2013. Board members would like copies of the presentations once available.

## **NEXT MEETING**

April 10, 2013

On a motion made by Mr. Casaubon, seconded by Mr. Fairbrother and voted unanimously, the meeting adjourned at 7:08 PM.