

STURBRIDGE ZONING BOARD OF APPEALS
MINUTES OF
Wednesday, June 19, 2013

Present: Elizabeth Banks
Margaret Cooney
Thomas Creeden, Chair
Donald Fairbrother
Maryann Thorpe

Also Present: Diane M. Trapasso, Administrative Assistant

Absent: Joel Casaubon
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. Fairbrother to approve the minutes of May 15, 2013.
2nd: Ms. Cooney
Discussion: None
Vote: 5 – 0

OLD/NEW BUSINESS

Mr. Fairbrother stated that he would help the Planning Department reform the ZBA applications.

CONTINUATION OF THE 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:

Email from Attorney Neal – dated 6/19/2013 – requesting a continuation of the Public Hearing for Gerald A. & Cynthia Giroux for the property located at 89 Shore Road. – received 6/19/2013 to August 21, 2013.

Motion: Made by Ms. Thorpe to continue the Public Hearing for a Special Permit for Gerald A. & Cynthia J. Giroux for the property located at 89 Shore Road to August 21, 2013 @ 6:35 PM as per request submitted by Attorney Neal on their behalf.

2nd: Mr. Fairbrother

Discussion: None

Vote: 5 – 0

Mr. Creeden commented on the good job the Planning Department did on the request by the ZBA Board for guidelines on motions.

CORRESPONDENCE

Sturbridge Recreation – 2013 Summer Concert Series

Celebrate Sturbridge's 275 Anniversary – June 22, 2013

DETERMINATION – THOMAS & KELLY PECK ARE REQUESTING A DETERMINATION FOR A PROPOSED 15'6"X12' ADDITION OVER THE EXISTING FIRST FLOOR AND A PROPOSED 7'X26' DECK OVER THE EXISTING PATIO. THE PROPERTY IS LOCATED AT 60 SOUTH SHORE DRIVE.

Materials presented:

Determination Application for Mr. & Mrs. Thomas Peck – received May 20, 2013

Site Plan – Kelly Peck – prepared by Bertin Engineering – project #11-717 – DWG #S-1 – revision 4 – dated 11/11/2011

Mr. Creeden acknowledged the following department memos:

- Ms. Bubon, Town Planner
- Mr. Morse, DPW Director.
- Mr. Colburn, Conservation Agent
- Mr. Marinelli, Fire Inspector
- Mr. Ford, Police Chief

Both Mr. & Mrs. Peck, the property owners spoke on their behalf. Mrs. Peck stated that they are proposing a second floor addition to be constructed onto the existing home to add additional closet space for the master bedroom and construct an upper deck over the existing patio area.

The Board had the following concerns and questions:

- Compliant with Title V – Mr. Peck stated that when they purchased the property two years ago, it was inspected
- Proposed porch indicated on the plans – Ms. Peck stated that there will be no porch
- Encroachment on the neighbor’s property during construction – Ms. Peck stated that they have permission from the neighbor who is renting to complete this work. “In fact the contractor for our project is currently renovating the interior of the neighbor’s house and is caretaker for the property”. Ms. Peck stated that she has requested a written documentation granting this approval but the owner is on vacation out of the country and it may take a while to get it.
- Oil tank – Mr. Peck stated that the oil tank is no way near the construction area
- To be aware of Mr. Morse’s concern that there is enough coverage between the top of the existing septic system infiltrators and the bottom of the new driveway. – Ms. Peck stated that they are doing nothing with the driveway at this time
- Pavers are shown on the plan – Ms. Peck stated that the pavers may be installed at a later date
- Need written documentation granting approval from neighbor to encroach the abutting property owner during construction as a condition of approval
- The 10’X12” porch that is shown on the plan shall not be built as part of this application because it is not stated in the application

Mr. Creeden thought it was onerous of the applicant.

Motion: Made by Mr. Fairbrother to grant the Determination to Thomas & Kelly Peck for a proposed 15’6”X12’ addition over the existing first floor and a proposed 7’X26’ deck over the existing patio for the property located at 60 South Shore Drive; the Determination does not intensify the existing or create additional non-conformities and the owner may apply for a building permit with the following three conditions for the described activities as shown on the attached survey forthwith. Site Plan - Kelly Peck – prepared by Bertin Engineering – plan date 11/11/20122 – revision 4 – project # 11-717

1. Written documentation from the neighbor granting approval to access their property during construction and to be submitted to the Planning Department.
2. The 10’X12’ porch that was shown on the plans shall not be built as part of this application and be excluded as part of this Determination.
3. All other necessary permits must be obtained prior to the start of construction.

2nd: Ms. Banks

Discussion: None

Vote: 4 – 1(Mr. Creeden)

DETERMINATION – MATTHEW S. & MARY WILSON KIBBE ARE REQUESTING A DETERMINATION FOR AN ADDITION OF A WORKSHOP WITH CONNECTOR TO EXISTING GARAGE AND EXPAND THE UPPER DECK. THE PROPERTY IS LOCATED AT 324 THE TRAIL.

Materials presented:

Determination Application for Matthew S. & Mary Wilson Kibbe – received May 28, 2013

Existing Site Condition for Matthew S. & Mary Wilson Kibbe – prepared by D.L.Bean, Inc., Westfield MA – plan date 4/11/2005 – received 5/28/2013

Building Plans – Kebbe Residence – plan date 9/14/2012 – revised 4/25/2013 – prepared by R. Curran Designs, Inc. 25 Woolworth Street, Longmeadow MA

Pictures of house and garage from different views

Mr. Creeden acknowledged the following department memos:

- Ms. Bubon, Town Planner
- Mr. Morse, DPW Director
- Mr. Colburn, Conservation Agent
- Mr. Marinelli, Fire Inspector
- Mr. Ford, Police Chief

Mr. Curran of R. Curran Design, Inc and Mr. Kibbe, the land owner spoke. Mr. Kibbe stated the proposal is to add a workshop for personal use in between the home and the existing garage. The addition will be between the two structures.

Mr. Curran stated that the existing patio will be removed and replaced with pervious pavers so that the lot coverage requirements are met.

The Board had the following concerns and questions:

- The difference in the rear setback – Mr. Curran stated that the new patio will be farther away from the lake
- Why the workshop is so large – Mr. Kibbe stated that the workshop will also have storage
- Why the connection between the workshop and garage will be covered – Mr. Kibbe stated just to be protected from the weather

Motion: Made by Ms. Banks to grant the Determination to Matthew S. & Mary Wilson Kibbe for an addition of a workshop with connector to existing garage and expand the upper deck for the property located at 324 The Trail; the Determination does not intensify the existing or create additional non-conformities and the owner may apply for a building permit with the one condition for the described activities as shown on the attached survey forthwith. Kibbe Residence – 324 The Trail – prepared by R. Curran Designs, Inc., 25 Woolworth Street, Longmeadow MA – plan date 9/14/2012 – revised 4/25/2013

1. All other necessary permits must be obtained prior to the start of construction.

2nd: Mr. Fairbrother

Discussion: none

Vote: 5 - 0

RE-ORGANIZATION OF THE BOARD

Postponed to the August 21, 2013 meeting

NEXT MEETING

July 17, 2013 at the Center Office Building

On a motion made by Ms. Cooney, seconded by Mr. Fairbrother and voted unanimously, the meeting adjourned at 8:30PM.