

STURBRIDGE ZONING BOARD OF APPEALS

MINUTES OF

Wednesday, November 20, 2013

Present: Elizabeth Banks
Joel Casaubon
Margaret Cooney (arrived @ 6:40 PM)
Thomas Creeden, Chair
Donald Fairbrother, Vice-Chair/Clerk (arrived 6:40 PM)
Maryann Thorpe
Michael Young

Also Present: Diane M. Trapasso, Administrative Assistant

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 October 16, 2013.
2nd: Ms. Thorpe
Discussion: None
Vote: 4 – 0 - 1 (Mr. Young)

CORRESPONDENCE

Memo from Ms. Bubon, Town Planner – dated 10/30/2013 – Cumberland Farms –
Revisions to Stormwater System

DETERMINATION – JOHN G. & SUZANNE STAGIAS ARE REQUESTING A DETERMINATION TO CONSTRUCT A TWO STORY UNATTACHED GARAGE. THE PROPERTY IS LOCATED AT 36 MT. DAN ROAD.

Materials Presented:

Application for Determination – John G. & Suzanne Stagias – received 10/21/2013

Site Plan for John G. & Suzanne Stagias – 36 Mt. Dan Road, Sturbridge – prepared by
Jalbert Engineering – plan date 10/9/2013 – DWG #12171 – received 10/21/2013 –
revision 8 – dated 10/9/2013

Stagias Residence – Garage Plans – prepared by Wadsworth & Associate, Architects – 11 Pleasant Street, Suite 130, Worcester MA – plan date 7/08/13 – job #1460012

Mr. Creeden acknowledged the following department memos:

- Lt. Marinelli, Fire Inspector
- Mr. Camacho, Building Commissioner
- Mr. Colburn, Conservation Agent
- Ms. Bubon, Town Planner
- Mr. Ford, Police Chief
- Ms. Rusiecki, BOH Agent

Mr. Jalbert of Jalbert Engineering spoke on behalf of the applicant. Mr. Jalbert stated that the applicant is proposing to construct a two story unattached garage with associated site work.

Mr. Jalbert addressed the concerns of Mr. Morse, DPW Director, about the moving of Pole #21. Mr. Jalbert stated that the pole has been already moved. Also, the grading is away from the foundation and approved by Conservation Commission.

Mr. Jalbert stated that the intensity with all improvements will be less than 15%. The proposed improvements do not increase the non-conformity of the lot and do not create additional non-conformities. The applicant is proposing to construct a 970 sq. ft. garage and remove the existing shed. The detached garage is a three stall garage with additional lawn and garden equipment storage as well as full second floor for recreational use.

The Board had the following concerns and questions:

- What is the landscape plan – Mr. Jalbert stated that the landscape is not finalized yet
- What is between the house and garage – Mr. Jalbert stated a paved driveway and turn around at the house – access to the garage will be from the existing driveway
- Will this addition be an accessory dwelling – Mr. Jalbert stated this will not be an accessory dwelling – only used for recreational purposes

Ms. Howlett of 32 Mt. Dan Road stated that she would like the applicant to plant trees along the boundry line to have privacy between the two properties. She wants to be a good neighbor but still wants privacy.

Mr. Howlett of 32 Mt. Dan Road stated the same.

The Board agreed that screening for abutters is not in their purview.

Motion: Made by Mr. Fairbrother to grant the Determination requested by John G. & Suzanne Stagias to construct a two story three stall unattached garage for the property

located at 36 Mt. Dan Road as per the plans and documentation submitted; as it does not intensify or create additional non-conformities, and the owner may apply for a building permit for the described activities as shown on the attached survey forthwith, prepared by Jalbert Engineering, Site Plan for John G. & Suzanne, 36 Mt. Dan Road , plan date 10/9/13, DWG #12171, revision 8, dated 10/9/2013. All other necessary permits must be obtained prior to the start of construction and with the condition that the new garage will not be an accessory dwelling unit.

2nd: Ms. Thorpe

Discussion: None

Vote: 7 – 0

PUBLIC HEARING – SPECIAL PERMIT – PORCHLIGHT INVESTMENT IS REQUESTING A SPECIAL PERMIT TO ENCLOSE THE EXISTING FRONT PORCH. THE PROPERTY IS LOCATED AT 502 MAIN STREET.

Materials presented:

Application for Special permit – Porchlight Investment – Daniel Gonya – received 10/24/2013

Alta/ACSM – Land Title Survey – Whistling Swan Restaurant – 502 Main Street – received 10/24/2013

Site Plan & Demolition Plan – Whistling Swan – 502 Main Street – prepared by Williams J. Masiello Architect, Inc. – received 10/24/2013

Mr. Fairbrother read the legal notice.

Mr. Gonya, the applicant e-mailed Ms. Bubon requesting a continuation of the Public Hearing to December 11, 2013. He stated that the continuation would be in the best interest of all parties in order to work with DRC with the design to enclose the porch.

Mr. Creeden acknowledged the following department memos:

- Ms. Bubon, Town Planner
- Mr. Ford, Police Chief
- Mr. Colburn, Conservation Agent
- Lt. Marinelli, Fire Inspector
- Mr. Camacho, Building Commissioner
- Ms. Rusiecki, BOH Agent

Mr. Creeden read the e-mail from Mr. Gonya requesting the continuation of the Public Hearing.

Motion: Made by Ms. Cooney to continue the Public Hearing for the Special Permit for Porchlight Investment to enclose the existing front porch at the property located at 502 Main Street to December 11, 2013 at 6:35 PM.

2nd. Mr. Casaubon
Discussion: None
Vote: 7 - 0

DETERMINATION – TIMOTHY J. BONIN IS REQUESTING A DETERMINATION TO RAZE AN EXISTING SINGLE FAMILY AND CONSTRUCT A ONE AND ONE HALF SINGLE FAMILY RESIDENCE WITH AN ATTACHED GARAGE. THE PROPERTY IS LOCATED AT 93 SHORE ROAD.

Materials Presented:

Application for Determination – Timothy J. Bonin – received 10/30/2013

Proposed Site Plan for Timothy J. Bonin – 93 Shore Road, Sturbridge MA – prepared by Jalbert Engineering – 54 Main Street, Sturbridge MA – plan date 10/17/2013 – DWG #13205 – received 10/30/2013

Proposed House Plans – Timothy J. Bonin – 93 Shore Road, Sturbridge MA – date 10/17/2013

Mr. Creeden acknowledged the following department memos:

- Ms. Bubon, Town Planner
- Lt. Marinelli, Fire Inspector
- Mr. Colburn, Conservation Agent
- Ms. Rusiecki, BOH Agent

Mr. Jalbert of Jalbert Engineering spoke on behalf of the applicant. Mr. Jalbert stated that the applicant is proposing to raze the existing single family structure and construct a one and one half story family residence with an attached garage. All disturbances to the site will be contained within the areas of previous development or improvement. Associated site work includes the removal of a shed, the circular driveway and a stoned landscape area.

Mr. Jalbert stated that the new residence is proposed so as not to increase the existing non-conformity of the property with regards to zoning setback requirements. The new structure will conform to front and side yard requirements. However, the new structure will not conform to rear yard requirements but will be more conforming than which exists.

Mr. Jalbert addressed the concerns of Mr. Morse, DPW Director, the water line intake for lawn sprinklers is never cross connected. There is no concrete for walkways and ramps.

Mr. Jalbert stated that a permit is required for the abandonment of the well and for the placement of a new well.

The Board had the following questions and concerns:

- On the tax map – were two lots bought – Mr. Jalbert stated yes

- What will be under the deck – Mr. Jalbert stated dirt only
- Remaining driveway – Mr. Jalbert stated that it will be beside the house

Ms. Seitz of 97 Shore Road stated that she is in favor of the proposal and has no concerns.

Motion: Made by Mr. Fairbrother to grant the Determination requested by Timothy J. Bonin to raze an existing single family structure and construct a one and one half story family residence with an attached garage for the property located at 93 Shore Road as per the plans and documentation submitted; as it does not intensify the existing lot or create additional non-conformities, and the owner may apply for a building permit for the described activities as shown on the attached survey forthwith, prepared by Jalbert Engineering, 54 Main Street, Sturbridge MA, Proposed Site Plan for Timothy J. Bonin – 93 Shore Road, Sturbridge MA – plan date 10/17/2013 – DWG #13205 – received 10/30/2013. All other necessary permits must be obtained prior to the start of construction, and the condition that the DPW memo dated 11/6/2013 be addressed.

2nd: Mr. Casaubon

Discussion: None

Vote: 7 – 0

DETERMINATION – PAUL D. & KATHLEEN H. HARRINGTON ARE REQUESTING A DETERMINATION TO ADD A 230 SQ. FT. ADDITION FOR THE PROPERTY LOCATED AT 14 HARRINGTON COURT.

Mr. Fairbrother stated that Dr. Harrington is his primary care physician.

Materials presented:

Application for Determination – Paul D. & Kathleen H. Harrington – received 10/31/2013

Zoning Plan owned by Paul D. Harrington & Kathleen H. Harrington – prepared by Bertin Engineering - plan date 10/29/2013 – project #12-671 – received 10/31/2013

Mr. Creeden acknowledged the following department memo:

- Ms. Bubon, Town Planner
- Mr. Colburn, Conservation Agent
- Mr. Camacho, Building Commissioner
- Mr. Morse, DPW Director
- Ms. Rusiecki, BOH Agent

Mr. Perron of Bertin Engineering spoke on behalf of the applicant. Mr. Perron stated that the proposal is to demolish the exterior framed wall, install LVL wood beam to span existing living room and dining room between the proposed living and dining room addition. New three bay and two bay windows installed to match existing windows. The new addition shall

be designed and constructed within the existing zoning setback lines, inclusive of proposed overhang.

Mr. Creeden acknowledged the following department memos:

- Mr. Colburn, Conservation Agent
- Mr. Camacho, Building Commissioner
- Ms. Bubon, Town Planner
- Lt. Marinelli, Fire Inspector
- Mr. Morse, DPW Director
- Ms. Rusiecki, BOH Agent

The Board had no comments or concerns with this project.

Motion: Made by Mr. Fairbrother to grant the Determination requested by Paul D. Harrington & Kathleen H. Harrington to add a 230 sq. ft. addition for the property located at 14 Harrington Court as per the plans and documentation submitted; as it does not intensify the existing lot or create additional non-conformities, and the owner may apply for a building permit for the described activities as shown on the attached survey forthwith, prepared by Bertin Engineering, 39 Elm Street, Southbridge MA, - Zoning Plan and Proposed Residential Addition for Dr. Paul & Kathleen Harrington, owned by Paul D. Harrington & Kathleen H. Harrington, located at 14 Harrington Court, Sturbridge MA, - project #12-671 – dated 10/30/2013 and all other necessary permits must be obtained prior to the start of construction

2nd: Ms. Cooney

Discussion: None

Vote: 7 – 0

OLD/NEW BUSINESS

None

NEXT MEETING

December 11, 2013 at the Center Office Building

On a motion made by Mr. Casaubon, seconded by Ms. Thorpe, and voted unanimously, the meeting adjourned at 8:15 PM.