

## **STURBRIDGE ZONING BOARD OF APPEALS**

### **MINUTES OF**

Wednesday, June 18, 2014

**Present:** Elizabeth Banks  
Thomas Creeden, Chair  
Margaret Cooney  
Donald Fairbrother, Vice-Chair/Clerk  
Chris Mattioli  
Maryann Thorpe

**Also Present:** Diane M. Trapasso, Administrative Assistant

**Absent:** Michael Young

Mr. Creeden opened the meeting at 6:30 PM and read the agenda.

The Board introduced themselves.

### **APPROVAL OF MINUTES**

**Motion:** Made by Mr. Fairbrother to accept the amended minutes of May 21, 2014.  
**2<sup>nd</sup>:** Ms. Cooney  
**Discussion:** None  
**Vote:** 5 – 0 – 1 (Ms. Cooney)

### **DETERMINATION – MATTHEW BROCHU & LINDSAY KRAUSS ARE REQUESTING A DETERMINATION TO DEMOLISH THE EXISTING FAMILY HOME AND REBUILD A NEW TWO STORY RESIDENCE WITH A NEW DECK. THE PROPERTY IS LOCATED AT 100 SOUTH SHORE DRIVE**

#### **Materials presented:**

Application for Determination – Matthew Brochu & Lindsay Krauss – 100 South Shore Drive – received 5/19/ 2014

Existing & Proposed Site Plan for Matthew Brochu & Lindsay Ashworth Krauss – received 5/19/2014 – prepared by Jalbert Engineering – plan date 5/14/2014 – DWG #14090 – Revision 1 – dated 5/14/2014

Mr. House Plans Affordable Custom House Plans – Brochu – South Shore Drive – plan date 5/12/2014

Mr. Creeden acknowledged the following department memos:

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

Mr. Jalbert of Jalbert Engineering spoke on behalf of the applicant. Mr. Jalbert stated the applicant is proposing to construct a new single family residence. The new home includes the construction of a second floor and a new deck. Associated site work includes the demolition of the existing single family home with a deck system. Also a geothermal well system and new driveway will be constructed to service the new home. The septic tank and pump chamber will be relocated.

Mr. Jalbert stated that the lot conformed to zoning when created and the residence conforms to zoning. The new construction proposed does not create any new non-conformities to current zoning. Furthermore, this proposal does not increase any existing non-conformities.

The Board had the following concerns and questions:

- Will the concerns of the Conservation Agent be addressed – Mr. Jalbert stated that the applicant is on the agenda for the June 19<sup>th</sup> meeting with the Conservation Commission
- DPW Director stated that the silt fence should be extended in a southerly direction to cover the existing driveway removal and topsoil placement – Mr. Jalbert stated that he revised the plans to show the silt fence for erosion control to be extended 50' in a southerly direction
- How will the abandonment of the well be handled – Mr. Jalbert stated that the BOH has strict rules to follow for abandoning a well – it will be filled with clay
- Will trees be removed for the new driveway – Mr. Jalbert stated that only the trees that are in the proposed new driveway and the driveway will be asphalt
- Under Mass General Law and the Town General Bylaw house numbers are required - Mr. Jalbert stated that the house numbers will be on the new proposed house according to fire regulations
- How high is the retaining wall – Mr. Jalbert stated that the retaining wall is less than 4 feet high

**Motion:** Made by Mr. Fairbrother to find the application submitted by Jalbert Engineering on behalf of Matthew Brochu & Lindsay Ashworth Krauss to request a determination to allow the demolition of a conforming single family home on a non-conforming lot and the construction of a new conforming single family home on this non-conforming lot located at 100 South Shore Drive, Sturbridge MA and as shown on the plan submitted by Jalbert Engineering, 54 Main Street, Sturbridge, MA 01566, further identified as Drawing No. 14090, Revision 1, dated May 14, 2014, Revision 2, dated May 27, 2014 and Revision 3, dated June 18, 2014 does not intensify the existing non-conformity nor create any additional non-conformities and the owner may apply for a building permit for the

described activities on the above cited plan under the following condition: satisfactorily achieves all the requirements of all other boards and committees.

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

**Discussion:** None

**Vote:** 6 – 0

## **CORRESPONDENCE**

Sturbridge Recreation Department – 2014 Summer Concert Series

Massachusetts Association of Planning Directors – 2014 Annual Conference – Case Law Updates

Kopelman & Paige – Application timeline and deadlines

## **OLD/NEW BUSINESS**

There was a discussion with Board members on Commercial projects and how do they know if the conditions that are placed on an approval are enforced.

A question was asked if there could be a spreadsheet provided to follow projects that come before the ZBA to track when they go to other boards, so that the Board can see what the results of those Boards were for the projects.

Ms. Trapasso stated that once a commercial project receives Site Plan Approval from the Planning Board, Ms. Bubon does an inspection of the property once their completion date passes.

Mr. Creeden stated that the Board should not be doing the Planning Board work on commercial projects. On residential projects the Board needs to look at parking and so on but on commercial projects, it's the Planning Board's job to look at the whole picture (landscaping, lighting, parking, stormwater, etc.).

Some Board members felt that whatever is presented to them in their packet is evidence; and they have the right to question and make decisions based on the facts presented.

The Board plans to re-organize at the July 9<sup>th</sup> meeting.

## **NEXT MEETING**

July 9, 2014 at the Center Office Building.

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