

STURBRIDGE ZONING BOARD OF APPEALS
MINUTES OF
Wednesday, November 19, 2014

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

Also Present: Diane M. Trapasso, Administrative Assistant

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

The Board introduced themselves.

APPROVAL OF MINUTES

Motion: Made by Mr. Mattioli to accept the minutes of October 15, 2014.
2nd: Ms. Banks
Discussion: None
Vote: 7 – 0

PUBLIC HEARING – BLACKINGTON, LLC IS REQUESTING A SPECIAL PERMIT TO IMPROVE AND REDEVELOP THE EXISTING FACILITY LOCATED ACROSS THE STREET AT 595 MAIN STREET.

Materials presented:

Application for Special Permit – Blackington LLC – received 10/20/2014

Blackington Block – Site Plan – 572 Main Street – prepared by Jalbert Engineering – DWG #82009 – received 10/20/2014

Existing Site Plan – Blackington LLC – plan date 5/30/2014 – DWG #13246P

Ms. Cooney read the legal notice.

Mr. Fairbrother acknowledged the following department memos:

- Ms. Bubon, Town Planner
- Lt. Marinelli, Fire Inspector

- Mr. Ford, Chief of Police
- Mr. Colburn, Conservation Agent
- Mr. Morse, DPW Director

Mr. Jalbert of Jalbert Engineering spoke on behalf of the applicant. Mr. Jalbert stated that the applicant is proposing to improve and redevelop an existing graveled parking area at 595 Main Street. The parking area is to provide off-street for occupants and patrons at 572 Main Street located across the street. The property is located within the Riverfront Area associated with the Quinebaug River, within the 100-foot buffer zone of an associated Bordering Vegetated Wetland, and lies within a mapped area of Priority Habitat of Rare Wildlife as determined by the Natural Heritage and Endangered Species Program. A Notice of Intent was filed with the Conservation Commission and an Order of Conditions was issued by the Commission on October 2, 2014. Further, a determination was made by the Species Program that this proposal "will not adversely affect" the actual Resource Area Habitat and as proposed "will not result in a prohibited "take" of state-listed rare species".

Mr. Jalbert also stated that this parking area was in existence in 1982 as shown on the plans. At the time parking was allowed within the required setbacks. The extent of the parking was from the existing fence along Route 20 to the existing slope. Sometime thereafter truck loads of excavated material and some construction debris were deposited on the westerly end of the parking lot. It is presumed that piles were to be used to expand the existing parking area beyond the top of slope limits. This never happened and the piles of soil remain scattered around the west end of the parking area. These piles have become vegetated with scrub brush, saplings and small trees. The applicant proposes to remove these piles from the site and restore the site to its previous grade of 1982. The area will then be dressed with compacted gravel and landscaped buffers. A wooden guard will be provided to protect the existing embankment.

The Board had the following concerns and questions:

- Will the street lights be regular ones or decorated – Mr. Jalbert stated that the street lights will be regular ones mounted on the telephone poles
- Will the parking lot be paved – Mr. Jalbert stated it will be gravel
- Why is the parking lot across the street necessary – Mr. MacConnell, the property owner, stated that in order to rent the second floor of the Blackington Building, he needs to have the parking across the street
- Blackington building is a beautiful building and the Board is glad it is being restored
- The flea market items in front of the building and entrances are a hazard and is a concern – Mr. MacConnell stated that this is an issue the ZEO and the Fire Inspector are trying to find a solution with the tenant
- Is there parking behind the building – Mr. Jalbert stated that there is no parking behind the building – not enough of room
- Is the building ADA compliant – Mr. MacConnell stated that he has filed with the State and they have granted an extension to August 25, 2017 for full access compliance on the first floor and August 25, 2019 for full access compliance for the second floor.

Motion: Made by Mr. Creeden to close the Public Hearing.
2nd: Ms. Thorpe
Discussion: None
Vote: 7 – 0

Motion: Made by Ms. Cooney to find that the proposal by the applicant Blackington LLC to allow a pre-existing non-conforming parking lot located at 595 Main Street to be improved and redeveloped. The proposal will provide better vehicular and pedestrian traffic including necessary handicap parking spaces and is consistent with section 20.05 and section 24.09 (a) thru (e) of the amended Sturbridge Zoning Bylaws, The proposal will not be substantially more detrimental to the neighborhood than the existing non-conforming use and will bring the lot more into conformity.

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

Motion: Made by Ms. Cooney to grant the Special Permit requested by Blackington LLC 572 Main Street, Fiskdale MA to allow adequate parking to facilitate additional occupancy at 572 Main Street. The existing non-conforming parking area located at 595 Main Street as outlined in the application and documentation provided as shown on the plan titled Existing Site Plan – Blackington LLC – 595 Main Street, Sturbridge MA – dated 5/30/14 – plan #13246P – sheet 1 of 2 and plan titled Proposed Redevelopment Plan – dated 10/16/14 – plan #13246P – sheet 2 of 2 – revision #1 – dated 12/03/13. Plans prepared by Jalbert Engineering, Inc. 54 Main Street, Sturbridge MA 01566.

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

CORRESPONDENCE

None

OLD/NEW BUSINESS

Ms. Banks asked if the Planning Department received an email Mr. Doherty given the easement restrictions for the property located at 21 New Boston Road.

Ms. Trapasso stated that the Planning Department had not received an email from Mr. Doherty. The department will not receive any easement restrictions, it was not a condition of the approval.

NEXT MEETING

December 10, 2014 at the Center Office Building

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