

STURBRIDGE ZONING BOARD OF APPEALS

MINUTES OF

Wednesday, April 15, 2015

Present: Elizabeth Banks
Margaret Cooney, Vice Chair/Clerk
Kevin Kelley
Thomas Earls
Chris Mattioli
Maryann Thorpe
Michael Young

Ms. Cooney opened the meeting at 6:30 PM and read the agenda.

Ms. Cooney had a moment of silence for Mr. Fairbrother who passed away on March, 2015. She thanked him for his service to the Town and to his country.

Ms. Banks stated that it was a pleasure to serve with Mr. Fairbrother. He was dedicated to the Board and he was a wonderful human being.

Ms. Cooney welcomed and congratulated new members Mr. Kelly and Mr. Earls to the Board. Ms. Cooney also congratulated Ms. Thorpe on her re-election to the Board.

APPROVAL OF MINUTES

Motion: Made by Ms. Banks to accept the minutes of January 21, 2015.

2nd: Ms. Thorpe

Discussion: None

Vote: 4 – 0 – 1 (Mr. Young)

Motion: Made by Ms. Banks to approve the minutes of February 17, 2015.

2nd: Mr. Young

Discussion: None

Vote: 3 - 0

DETERMINATION – TERESA PAQUIN IS REQUESTING A DETERMINATION TO CONSTRUCT A NEW DETACHED 22'X22' GARAGE WITH STORAGE ON THE SECOND FLOOR. THE PROPERTY IS LOCATED AT 98 GLADDING LANE.

Materials presented:

Application for Determination – Teresa Paquin – received 3/9/2015

Proposed Garage Plan for Teresa Paquin – prepared Jalbert Engineering – plan date 2/27/2015 – DWG #15015 – received 3/9/2015

Ms. Cooney acknowledged the following department memos:

- Ms. Bubon, Town Planner
- Lt. Marinelli, Fire Inspector
- Ms. Rusiecki, BOH 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 construct a new detached 22'X22' garage. The new garage includes the construction of a 1 ½ story for storage. The new construction proposed does not create any non-conformity to current zoning. Associated site work includes the new driveway to access the garage. Two 18' trees will be removed and both trees are beyond 100' to the pond.

Mr. Jalbert stated that there is no significant grade changes proposed for the property. A concrete wall will be installed for the garage and drainage will be provided along the top of the wall.

The Board had the following concerns and questions:

- Will there be heating and plumbing on the second floor – Mr. Jalbert stated no that the second floor is just for storage and will only have electricity
- Is there another access door for the garage – Mr. Jalbert stated that access will be from the front garage doors at some point there may be a side door
- Will the two 18" trees be removed – Mr Jalbert stated that the two trees are hemlocks and will be removed

Motion: Made by Ms. Banks to grant the Determination requested by Teresa Paquin for the property located at 98 Gladding Lane; as requested to construct a new detached 22'X22' garage with storage on the second floor.. The Determination does not intensify the existing or create additional non-conformities and the owner may apply for a building permit for the described activities as shown on the Proposed Garage Plan for Teresa Paquin – prepared Jalbert Engineering – plan date 2/27/2015 – DWG #15015 – received 3/9/2015. Approval is granted provided that all issues, concerns, and permits deemed necessary by any Departments, Boards, etc. be in compliance adhered to prior to construction

2nd: Mr. Kelley

Discussion: None

Vote: 7 – 0

PUBLIC HEARING – DAVID M. MCGUILL & SANDRA LEE ROGERS ARE REQUESTING A SPECIAL PERMIT TO ADD A 3.6'X11' STAIRWAY TO ENHANCE SAFE ACCESS TO THE EXISTING LOWER LEVEL OF THE STRUCTURE. THE PROPERTY IS LOCATED AT 10 CEDAR POND ROAD.

Materials presented:

Application for David M. McGuill & Sandra Lee Rogers – received 3/9/2015

Special Permit Plan of Land for David M. McGuill & Sandra Lee Rogers – prepared by Guerriere & Hanlon, Inc. Engineering & Land Surveying – plan date 2/27/ 2015 - #G-9555

Mr. Mattioli read the legal notice.

Ms. Cooney acknowledged the following department memos:

- Mr. Colburn, Conservation Agent
- Lt. Marinelli, Fire Inspector
- Ms. Bubon, Town Planner
- Mr. Mosre, DPW Director

Mr. Orlowski of Windham Interiors spoke on behalf of the applicant. Mr. Orlowski stated that the proposal is to add a 3.6'X11' stairway addition to enhance safe access to the existing lower level of the structure. Right now the applicant accesses the lower level by the outside.

The Board had the following concerns and questions:

- Where will the entrance be for the lower level – Mr. Orlowski stated that the entrance will be where the basement window is now
- Will the stairway have a landing – Mr. Orlowski stated that the stairs will be built according to the building code – there will be a landing and 4' wall and sono tubes will be installed under the porch
- What is your case that the project will not be more detrimental to the neighborhood – Mr. Orlowski stated that the addition will not impede the view of the lake to anyone – the addition will not be visible to anyone – it will increase the value of the home – it fits in with the neighborhood of modified camps

Motion: Made by Mr. Mattioli to close the Public Hearing.

2nd: Ms. Thorpe

Discussion: None

Vote: 7 - 0

Motion: Made by Ms. Banks to Find that the proposal for a Special Permit by Windham Interiors on behalf of David M. McGuill & Sandra Lee Rogers for 10 Cedar Pond Road, Sturbridge MA to allow the construction of a 3.6'X11' addition to accommodate an interior stairway to allow access to the existing lower level of the structure.. This Special Permit application would not be more detrimental to the neighborhood since the increase in coverage is negligible and because the proposed addition will not encroach further on the property lines; according to the Sturbridge Zoning Bylaws Chapter 20.05 and Chapter 24.09 (a) thru (e).

2nd: Mr. Mattioli

Discussion: None

Vote: 7 - 0

Motion: Made by Ms. Cooney to grant the Special Permit to David M. McGuill & Sandra Lee Rogers for the property located at 10 Cedar Pond Road to allow the construction of a 3.6'X11' addition to accommodate an interior stairway to allow access to the existing lower level of the structure; as outlined in the application and documentation provided: Special Permit Plan of Land prepared for David M. McGuill & Sandra Lee Rogers, 10 Cedar Pond Road, prepared by Guerriere & Halon, Engineering & Land Surveying, 333 West Street, Milford MA – plan date 2/27/2015 – plan #G-9555 – Architectural Design – McGuill Residence – 10 Cedar Pond Road by Wayne Orłowski (dba) Windham Interiors – 30 English Neighborhood Road, Woodstock CT 06281

2nd: Mr. Mattioli

Discussion: None

Vote: 7 - 0

PUBLIC HEARING – CENTER OF HOPE IS REQUESTING A SPECIAL PERMIT TO CONVERT THE EXISTING WAREHOUSE/MANUFACTURING BUILDING INTO A 6,000 SQ.FT. DAY HABILITATION FACILITY (UPPER LEVEL) AND LIGHT PRODUCTION AREA FOR ASSEMBLY OF PRODUCTS TO BE OPERATED BY THE APPLICANT. THE PROPERTY IS LOCATED AT 23 MAIN STREET.

Materials presented:

Application for Special Permit – Center of Hope – received 3/23/2015

Site Plan – ZBA – 23 Main Street – Center of Hope – prepared by Bertin Engineering – plan date 3/2/2015 – project #15-619 – DWG #S – received 3/23/2015

MR. Mattioli read the legal notice.

Ms. Cooney acknowledged the following department memos:

- Ms. Bubon, Town Planner
- Mr. Ford, Police Chief
- Mr. Colburn, Conservation Agent
- Ms. Rusiecki, BOH Agent
- Mr. Morse, DPW Director

Ms. Reyes, Director of Programs at the Center of Hope spoke. Ms. Reyes stated that their home base is in Southbridge with four buildings and need more room and that is why they are proposing to use this building which will be perfect.

Ms. Reyes stated that the program deals conjunctively with learning and medical disabilities clients, only and not criminal backgrounds. They learn life skills that will enable them to work and live in the community.

Ms. Reyes stated that they are proposing to re-use the existing 18,324 s.f. building; the upper level of the building that is approximately 6,000 s.f. will be renovated into a Day Habilitation Program for their special needs clients.

The remaining 12,324 s.f. lower level is proposed to remain the same use as previously existed. The use will comprise of light production area for the assembly of various products by clients of the applicants. There will be no manufacturing done on the premise.

Mr. Gillespie, Project Manager at the Center of Hope stated that the only exterior changes to the site will be handicapped accessible ramping and parking re-alignment. A new 6" sprinkler will be run from Main Street to the proposed renovated building.

The Board had the following concerns and questions:

- Will the parking lot configuration change – Mr. Gillespie stated no it will be the same
- No manufacturing – Ms. Reyes stated only light assembly – packaging for applicants
- Educational uses are allowed – can you tell us how you are educational – Ms. Reyes stated that they teach their clients life and safety skills – how to live on their own – each client has their own plan and is evaluated individually by the staff, who are fully qualified and certified in their fields
- Are their specific hours the clients are working – Ms. Reyes stated that it will be open from 9:00 AM to 3:00 PM but the clients vary in time
- Four vans will be housed at the Main Street site. Center of Hope could have as many as 10 a day could be entering and existing at any time
- Will the house stay – Ms. Reyes stated that the house will remain and be rented
- What are the drop off times – Ms. Reyes stated that the times will vary depending on the clients
- Where is the entrance – Mr. Gillespie stated in the back – there will be a new exist and stated that a handicap ramp will be constructed

Mr. Foley of 17 Wallace Road questioned the traffic that caused by the vans and concerned about some of the clients having criminal backgrounds.

Ms. Reyes stated that the traffic would be no worse that it is now on Route131. Their vans are already traveling on Route 131.

Ms. Reyes stated that they do background checks on all their clients and according to their accreditation they cannot have clients with a mental or criminal background.

The Board stated that they appreciate and admire the work being done by the Center of Hope.

Motion: Made by Mr. Young to close the Public Hearing.
2nd: Mr. Mattioli
Discussion: None
Vote: 7 - 0

Motion: Made by Mr. Mattioli to find that the proposal by the applicant: Center of Hope for the property located at 23 Main Street to allow a proposed change in a non-conforming use and non-conforming structures (formerly TAG Manufacturing) to convert the existing warehouse/manufacturing building on the upper level into a Day Rehabilitation Facility and light production assembly in the lower level. The proposal will not be more detrimental to the neighborhood than the existing, educational uses are permitted within the district. The proposal is in accordance with section 20.05 and 24.09 (a) thru (e) of the Sturbridge Zoning Bylaws.

2nd: Ms. Banks

Discussion: None

Vote: 7 - 0

Motion: Made by Mr. Mattioli to grant the Special Permit to the Center of Hope to allow the change in use of a manufacturing and warehouse facility into a educational use for special needs clients. The proposal will permit light production area for the assembly of different products as outlined in the application and documentation provided. The Plan Title Site Plan-ZBA – 23 Main Street – prepared by Bertin Engineering – 39 Elm Street, Southbridge – dated 3/2/15 – project #15-619 – DWG #S

2nd: Ms. Thorpe

Discussion: None

Vote: 7 - 0

CORRESPONDENCE

None

OLD/NEW BUSINESS

40B has been filed with the State

Re-Organization of the Board will be held at the next full Board

Schedule of meeting dates

NEXT MEETING

May 20, 2015 at the Center Office Building

On a motion made by Mr. Young, seconded by Mr. Mattioli, and voted unanimously, the meeting adjourned at 8:25 PM.