

**STURBRIDGE ZONING BOARD OF APPEALS**

MINUTES OF

WEDNESDAY, MAY 20, 2015

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

**Absent:** Michael Young

Ms. Cooney 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 April 15, 2015.

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

**Discussion:** None

**Vote:** 6 – 0

**DETERMINATION – FREDERICK B. & SUSAN M. SHEA ARE REQUESTING A DETERMINATION TO DEMOLISH AN EXISTING SINGLE FAMILY RESIDENCE AND EXISTING GARAGE AND CONSTRUCT A NEW TWO STORY RESIDENCE WITH ATTACHED GARAGE. THE PROPERTY IS LOCATED AT 170 LAKE ROAD.**

**Materials presented:**

Application for Determination – Frederick B. Susan M. Shea – received 4/16/2015

Proposed Site Plan for Fredrick B. & Susan M. Shea - 170 Lake Road – prepared Jalbert Engineering – plan date /17/2015 – DWG #13253 – Revision 1 – received 4/16/2015

Architectural Plans Fred & Susan Shea – 170 Lake Road – prepared by Escape Estates P.O. Box 154 Sturbridge MA

Letter from Mr. Jalbert, Jalbert Engineering – Dated May 12, 2015 – Re: Continuation to the ZBA meeting of June 17, 2015

Ms. Cooney read the letter from Mr. Jalbert requesting a continuation of the Determination for Frederick B. & Susan M. Shea for the property located at 170 Lake Road. The letter was dated May 12, 2015.

**Motion:** Made by Mr. Mattioli to continue the Determination requested by Frederick B. & Susan M. Shea for the property located at 170 Lake Road to June 17, 2015.  
**2<sup>nd</sup>:** Ms. Banks  
**Discussion:** None  
**Vote:** 6 – 0

**DETERMINATION – MARJORIE FALLON & RICK ELLIS ARE REQUESTING A DETERMINATION TO CONSTRUCT AN ENCLOSED ROOM OVER THE EXISTING DECK. THE PROPERTY IS LOCATED AT 30 CAMP ROAD.**

**Materials presented:**

Application for Marjorie Fallon & Rick Ellis – received 4/29/2015

Title 5 Official Inspection Form – received 5/14/2015

Ms. Cooney acknowledged the following department memos:

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

Mr. Ellis the property owner spoke. Mr. Ellis stated that he is requesting from the Board permission to construct a bonus room on top of the existing deck. The bonus room will be open to the main house and used for living space, only.

Mr. Ellis stated that he has talked with Mr. Colburn, the Conservation Agent, and is on the agenda for the May 21<sup>st</sup> for a Request for Determination of Applicability.

The Board had the following concerns and questions:

- Will there be a closet in the addition – Mr. Ellis sated “no” – it will be only a three season room
- Will it be insulated – Mr. Linelli, the builder, stated that the walls and roof will be insulated only
- Will there be electricity, plumbing and heating – Mr. Ellis stated electricity only – no source of heating or plumbing
- Septic system rated – Mr. Ellis stated that it was inspected on November 8, 2014

**Motion:** Made by Mr. Mattioli to grant the Determination requested by Marjorie Fallon & Rick Ellis for the property located at 30 Camp Road; as requested to construct an enclosed room over the existing deck. 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 Mortgage Inspection Plan – prepared by Reney, Moran & Tivnan – Registered Land Surveyors – received 4/29/2015. 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.

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

**Discussion:** None

**Vote:** 6 - 0

**PUBLIC HEARING – MARK & JANET FARRELL ARE REQUESTING A SPECIAL PERMIT TO CONSTRUCT A 52 SQUARE FOOT ADDITION AND REBUILD THE WIDTH OF AN EXISTING BATHROOM/ENTRANCE VESTIBULE FROM 4.3 FT. TO 7.5 FT. WIDE. THE PROPERTY IS LOCATED AT 30 GOODRICH ROAD.**

**Materials presented:**

Application for Special Permit – Mark & Janet Farrell – received 4/24/2015

Special Permit Plan – Mark R. & Janet D. Farrell – prepared by Thomas Fancy Land Surveyor – dated 4/19/2015 – file #2011-SP – DWG#2011 – received 4/24/2015

Mr. Mattioli read the legal notice.

Ms. Cooney acknowledged the following department memos:

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

Mr. Farrell, the property owner spoke. Mr. Farrell stated that he is requesting a Special Permit to rebuild and increase the width of an existing bathroom/entrance vestibule from 4.3 feet wide to 7.5 feet wide. Increasing the width will allow for the installation of a toilet, sink and bath tub and will correct structural deficiencies within the original building.

Mr. Farrell stated the bathroom addition was poorly constructed. It was placed directly on the earth and is improperly attached to the main building, causing boards to rot on both the addition and the main cottage.

Mr. Farrell stated the proposed addition will enhance the neighborhood by making the exterior structure more attractive and functional. It will not obstruct any views, and cannot be seen from the road or from the lake.

The Board had the following concerns and questions:

- The trees on the side to stay – Mr. Farrell stated “yes”
- Will the building be a year round home – will it be winterized – Mr. Farrell stated that the home will be seasonal only

- Will it have heat – Mr. Farrell stated “no”
- How will the stairs be replaced – Mr. Farrell stated that the stairs will be new to wrap around to the front
- Is the camp one or two bedrooms – Mr. Farrell stated that the camp has always been a two bedroom
- Going to a tight tank – Mr. Farrell stated “yes”

**Motion:** Made by Mr. Mattioli to close the Public Hearing.  
**2<sup>nd</sup>:** Ms. Thorpe  
**Discussion:** None  
**Vote:** 6 - 0

**Motion:** Made by Mr. Mattioli to find that the proposal by the applicant: Mark & Janet Farrell for the property located at 30 Goodrich Road to allow a proposed change in a non-conforming use and non-conforming structures, to construct a 52 square foot addition. The proposal will not be more detrimental to the neighborhood than the existing, since the increase in coverage is negligible and because the proposed addition will not encroach further on the property lines. The proposal is in accordance with section 20.05 and 24.09 (a) thru (e) of the Sturbridge Zoning Bylaws.  
**2<sup>nd</sup>:** Ms. Banks  
**Discussion:** None  
**Vote:** 6 - 0

**Motion:** Made by Mr. Mattioli to grant the Special Permit to Mark & Janet Farrell to allow the construction of a 52 square foot addition and rebuild the width of an existing bathroom/entrance vestibule from 4.3 ft. wide to 7.5 ft. wide for the property located at 30 Goodrich Road; according to the plan entitled Special Permit Plan – Mark R. & Janet D. Farrell – prepared by Thomas Fancy Land Surveyor – 5 Hasting Road, Spencer MA – plan date 4/19/2015 – file #2011-SP – DWG #2011 with the following conditions:  
 1. The addition shall be constructed only after all necessary approvals are obtained regarding the septic system and well.  
 2. All other state and local approvals and permits shall be obtained.  
**2<sup>nd</sup>:** Ms. Thorpe  
**Discussion:** None  
**Vote:** 6 – 0

**RE-ORGANIZATION OF THE BOARD**

Re-scheduled for the June 17, 2015 meeting

**CORRESPONDENCE**

None

**OLD/NEW BUSINESS**

The Board would like to see some type of identification on the properties to make it easier to find when they make site visits.

The Board asked if there could be some type of identification for them when they make site visits. Sometimes Board members run into conflicts with abutters.

**NEXT MEETING**

June 17, 2015 at Center Office Building

On a motion made by Mr. Mattioli, seconded by Ms. Banks, and voted unanimously, the meeting adjourned at 7:27 PM.