

STURBRIDGE ZONING BOARD OF APPEALS
MINUTES OF
WEDNESDAY, AUGUST 19, 2015

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

Absent: Michael Young
Chris Mattioli

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

The Board introduced themselves.

APPROVAL OF MINUTES

Motion: Made by Ms. Thorpe to accept the minutes of July 15, 2015.

2nd: Mr. Kelley

Discussion: None

Vote: 4 – 0 – 1(Ms. Banks)

**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

Site Plan for Fredrick B. & Susan M. Shea - 170 Lake Road – prepared Jalbert Engineering
– plan date 7/8/2015 – DWG #13253 – Revision 3 – received 8/4/2015

Architectural Plans Fred & Susan Shea – 170 Lake Road – prepared by Escape Estates P.O.
Box 154 Sturbridge MA – dated 3/4/2015

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

Letter from Mr. Jalbert, Jalbert Engineering – Dated June 11, 2015 – Re: Continuation to the
ZBA meeting of July 15, 2015

Letter from Mr. Jalbert, Jalbert Engineering – Dated June 26, 2015 – Re: Continuation to the ZBA meeting of August 19, 2015

Ms. Cooney acknowledged the following department memos:

- Ms. Bubon, Tower Planner
- Mr. Colburn, Conservation Agent
- Lt. Marinelli, Fire Inspector

Mr. Jalbert of Jalbert Engineering spoke on behalf of the applicant. Mr. Jalbert stated that he wanted to apologize for the three months of continuations but it took that long with the Conservation Committee to finally approve the Shea plan which ended up being the original plan.

Mr. Jalbert stated that the applicant is proposing to demolish the existing family residence and existing garage and construct a 2,216 sq.ft. single family residence with an attached garage. A portion of the new residential structure is proposed in the same footprint of the existing house and those portions outside the existing footprint will meet both in lot coverage and setback requirements. The proposed deck on the west end of the proposed house has been reduced in size and the existing deck and ramp on the north will not be rebuilt.

The Board had the following concerns and questions:

- Will the ramp be removed – Mr. Jalbert stated that the ramp and the deck on the north side of the house will be removed
- Will there be a basement – Mr. Jalbert stated that there will be no basement – just a crawl space
- The middle section – will it be finished – Mr. Shea stated there are no plans at this time to finish the second floor but may in the future
- Will you be using the same footprint for the original structure – Mr. Jalbert stated that the same footprint will be used but a new foundation will be poured
- If moving the foundation – you would probably come out of the setback – Mr. Jalbert stated that they are not moving the foundation; it will be poured in the same footprint – Conservation Commission took three months to approve the original plan
- Is the boat ramp on the property line – Mr Shea stated “no”
- Why not a Special Permit – Mr. Jalbert stated that the building itself will be re-built in the exact footprint and conforms to zoning – the proposal does not create any new non-conformities and is consistent with other homes in the neighborhood

Mr. Cormier of Escape Estates stated that a Special Permit is not needed because the structure will be on the same footprint and not creating any new non-conformities.

Mr. Kelley read from the Zoning Bylaw, Chapter 20.05. Since the proposal by the applicant will not increase the non-conforming nature of the structure or create any new non-conformity, the Board may issue a Determination.

Motion: Made by Ms. Bank to grant the Determination requested by Frederick B. & Susan M. Shea for the property located at 170 Lake Road; as requested to demolish an existing single family residence and existing garage and construct a new two story residence with an attached garage. 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 Site Plan for Fredrick B. & Susan M. Shea - 170 Lake Road prepared Jalbert Engineering – plan date 7/8/2015 – DWG #13253 – Revision 3 - received 8/4/2015 and the Architectural Plans – prepared by Escape Estate, Inc. All necessary permits must be obtained prior to the start of construction.

2nd: Mr. Kelley

Discussion: None

Vote: 5 – 0

CORRESPONDENCE

Memo from Mr. Gaumond, Town Administrator – Conduct of Board & Committee Members

OLD/NEW BUSINESS

None

NEXT MEETING

September 16, 2015 at the Center of Building

On a motion made by Mr. Kelley, seconded by Ms. Banks, and voted unanimously, the meeting adjourned at 7:20PM.