

**STURBRIDGE ZONING BOARD OF APPEALS**  
MINUTES OF  
WEDNESDAY, NOVEMBER 16, 2016

**Present:** Elizabeth Banks  
Margaret Cooney, Chair  
Thomas Earls  
Kevin Kelley, Clerk/Vice/Chair  
Fidelis Onwubueke  
Maryann Thorpe  
Michael Young

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

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 approve the amended draft minutes of October 12, 2016.

**2<sup>nd</sup>:** Mr. Earls

**Discussion:** None

**Vote:** 7 – 0

**DETERMINATION – JONATHAN & NICOLE POPE ARE REQUESTING A DETERMINATION TO BUILD A NEW SHED (18'X10') WHERE THE FORMER WOOD SHED WAS LOCATED. THE PROPERTY IS LOCATED AT 35 RIDGE WAY.**

**Materials presented:**

Application for Determination – Jonathan & Nicole Pope – received 10/7/2016

Mortgage Inspection Plan – prepared by Bertin Engineering - plan date 1/17/2013 – deed reference DB. 43840 PG. 40 – plan reference PB. 486 PL. 97

Photo of the Shed & Tree

Photo of new shed

Ms. Cooney acknowledged the following department memos

- Lt. Marinelli, Fire Inspector
- Ms. Bubon, Town Planner
- Ms. Terry, Interim BOH Agent

- Mr. Colburn, Conservation Agent
- Mr. Burlingame, Building Commissioner
- Mr. Morse, DPW Director

Mr. Pope the property owner, stated that he is proposing to build a new shed (18'X10') which was damaged by a fallen tree limb where the former wood shed was located. The new shed will be placed on ground gravel will not have a foundation.

The Board had the following questions, concerns and comments:

- Do the neighbors have a problem with the new shed site – Mr. Pope stated “no”
- Were the sheds always there – Mr. Pope stated that the sheds were on the property when they bought the property
- Will the boat be there all the time – Mr. Pope stated only in the winter
- Questions pertaining to side setbacks – Mr. Pope stated that there will be no change

**Motion:** Made by Mr. Young to grant the Determination to Jonathan & Nicole Pope to build a new shed (18'X10') where the former wood shed was located, according to the Mortgage Inspection Plan for Jonathan A. & Nicole A. Pope – prepared by Bertin Engineering – dated 1/17/2013 . 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. All necessary permits must be obtained prior to the start of construction

**2<sup>nd</sup>:** Mr. Onwubueke

**Discussion:** None

**Vote:** 7 – 0

**DETERMINATION – JOHN LAFLECHE IS REQUESTING A DETERMINATION TO ALLOW THE REMOVAL OF THE EXISTING 12'X20' DECK AND THE CONSTRUCTION OF A NEW 16'X20' DECK. THE PROPERTY IS LOCATED AT 11 BLUEBERRY LANE.**

**Materials presented:**

Application for Determination – John La Fleche – received 10/18/2016

Plot Plan – John & Christine LaFleche – 11 Blueberry Lane – prepared by Jalbert Engineering – plan date 9/30/2016 – DWG #16202

Architectural Drawings – David Daigneault & Paul Bartlett- date 9/26/2016

Ms. Cooney acknowledged the following department memos:

- Ms. Terry, Interim BOH Agent
- Ms. Bubon, Town Planner
- Lt. Marinelli, Fire Inspector
- Mr. Burlingame, Building Commissioner

- Mr. Colburn, Conservation Agent

Mr. Morin, the builder spoke on behalf of the applicant. Mr. Morin stated they are requesting a Determination to allow the removal of a 12'X20' deck and the construction of a new 16'X20' deck in its place. The parcel is non-conforming with respect to area and frontage.

The Board had the following questions, concerns and comments:

- Many questions about the existing square footage and the proposed
- Math is wrong – Very confusing
- Want a revised plan with new calculations

**Motion:** Made by Mr. Earls to continue the Determination to December 14, 2016 @ 7:00 PM; for John LaFleche to allow the removal of the existing 12'X20' deck and the construction of a new 16'X20' deck. The property is located at 11 Blueberry Lane, according to the plans; Plot Plan – John & Christine – 11 Blueberry Lane – prepared by Jalbert Engineering – plan date 9/30/2016 – DWG #16202

**2<sup>nd</sup>:** Mr. Young

**Discussion:** None

**Vote:** 7 – 0

**PUBLIC HEARING – OTIS LAND MANAGEMENT, LLC IS REQUESTING A SPECIAL PERMIT FOR THE ALTERATION OF PRE-EXISTING NON-CONFORMING STRUCTURES TO ALLOW THE REPLACEMENT OF 7 EXISTING MOBILE HOMES AND THE INSTALLATION OF AN 8<sup>TH</sup> MOBILE HOME ON THE VACANT MOBILE HOME SITE. THE PROPERTY LOCATION IS 8 BIRCH STREET.**

**Materials presented:**

Application for Special Permit – Otis Land Management, LLC – Ralph Nichols – received 10/18/2016

Narrative by DC Engineering & Survey Inc. – dated 10/17/2016 – received 10/18/2016  
Existing & Proposed Site Plan – Otis Land Management – 8 Birch Street – prepared by DC Engineering & Survey, Inc. – plan date 10/12/2016 – project #13-201 – DWG # EX – received 10/18/2016

Photos of the site

Mr. Kelley read the legal notice.

Ms. Cooney acknowledged the following Department memos:

- Mr. Colburn, Conservation Agent
- Lt. Marinelli, Fire Inspector
- Ms. Terry, Interim BOH Agent

- Mr. Morse, DPW Director
- Mr. Burlingame, Building Commissioner
- Mr. T. Ford, Police Chief

Mr. Nichols the property owner, spoke on his own behalf. Mr. Nichols stated that he purchased the property at Public Auction from the Town of Sturbridge. The property was noted at the auction and on the property cards as an 8 site mobile home park. Mr. Nichols proposes to change the footprint and envelopes of the mobile homes (since new units would likely not be the same envelope even if they could get the same footprint size) and there are some related site improvements needed. Although there does not appear to be an intensification of non-conformity, Mr. Nichols stated that he requesting a Special Permit since the replacement of the units will take place over time. Mr. Nicholas stated that as you can see from the photographs, this site has fallen into a severe state of dis-repair. There are two mobile homes that are burned out, and others that need improvement. The property was taken by the Town for non-payment of taxes and subsequently sold at Auction.

The Board had the following concern, questions and comments:

- How do you identify street numbers – Mr. Nichols stated that the numbers are on the trailers or posted on a stand
- Show existing – replace with new – Mr. Nichols stated that #7 & 8 were burned and will be replaced with a double – eventually will replace the trailers as needed
- Do the residents have a problem with the new ownership – Mr. Nichols stated that they are pleased the property is finally going to be cleaned up
- #4 trailer no longer in existence – will be replaced
- Will replacing the trailers with new ones impact the view – Mr. Nichols stated that there will be no impact on the scenic view
- When replacing trailers will the lot coverage be the same – not over burden the site – Mr. Nichols stated that the coverage will be within 1% - 2%
- When are you on the agenda for Conservation – Mr. Nichols stated December 1<sup>st</sup>
- How long have #7 and # 8 not been lived in – Mr. Nichols stated that #8 has a squatter and #7 has been abandoned about 12 years
- Concern about the trailers by the waterfront and the setbacks

The following abutters had concerns, questions and comments:

- Ms. Wondolowski of 16 Birch Street stated that there has always been 8 trailers – who owns the docks – Mr. Nichols stated that he as the land owner owns the docks – three are existing needs to bring them up to date thru the BOS (Harbormaster)
- Ms. Brozel of 2 Kaitbenski Drive stated that that she is happy the property is finally going to be cleaned up – she is president of Cedar Lake Association
- Ms. O'Connell of 100 Westwood Drive has concerns about the “no wake zone” on the lake – can't picture doublewide trailers on the lot – too much coverage – how close to the water

The Board wants to see a revised plan with the dimensions for all setbacks existing and proposed, and a phased plan showing locations of all the trailers.

**Motion:** Made by Mr. Young to continue the Public Hearing for Otis Land Management LLC to December 14, 2016 @ 7:15 PM.

**2<sup>nd</sup>:** Mr. Earls

**Discussion:** None

**Vote:** 7 – 0

### **CORRESPONDENCE**

None

### **OLD/NEW BUSINESS**

None

### **NEXT MEETING**

December 14, 2016

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