

STURBRIDGE ZONING BOARD OF APPEALS
MINUTES OF
WEDNESDAY, MAY 17, 2017

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

Also Present: Diane M. Trapasso, Administrator Assistant

Absent: Elizabeth Banks

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

The Board introduced themselves.

APPROVAL OF MINUTES

Motion: Made by Mr. Young to approve the draft minutes of April 19, 2017.

2nd: Ms. Thorpe

Discussion: None

Vote: 5 – 0 - 1 (Ms. Cooney)

DETERMINATION – GARY & PATRICIA JEZNACH ARE REQUESTING A DETERMINATION TO CONSTRUCT A PERMANENT ROOF/AWNING OVER PART OF THE EXISTING DECK. THE PROPERTY IS LOCATED AT 12 CEDAR LAKE DRIVE.

Materials presented:

Application for Determination – Gary & Patricia Jeznach - received 4/5/2017

Foundation Certification – Gary F. Jeznach – 12 Cedar Lake Drive – prepared by Jalbert Engineering – job #03995

Proposed Site Plan for Gary F. Jeznach – prepared by Jalbert Engineering – plan date 5/2003 – DWG #03407

Architectural – Gary Jeznach – prepared by Brennick

Ms. Cooney acknowledged the following department memos:

- Ms. Terry, Interim BOH Agent
- Mr. Colburn, Conservation Agent

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

Mr. Jeznach, the property owner stated that they are proposing to construct a roof over a portion of the existing deck. This proposal will not create any new non-conformity.

The Board had the following questions, comments and concerns:

- Is it an awning or roof – Mr. Jeznach stated that the awning that is there now is retractable and is weathered that is why it is more practicable to be a permanent roof
- ConCom denied at their May 4th meeting – Mr. Jeznach stated that at the ConCom meeting they didn't realize that there is a concrete slab – ConCom now, is saying the at the roof is new construction in the buffer zone – They are going to the 18th meeting to appeal
- What is the distance between the deck and slab – Mr. Jeznach stated that it's a foot
- Will it be converted into a three season porch – Mr. Jeznach stated no
- What is the concern with ConCom – Mr. Jeznach stated no new structure in the buffer zone

Motion: Made by Mr. Kelley to grant the Determination to Gary & Patricia Jeznach for the property located at 12 Cedar Lake Drive to construct a roof over a portion of the existing deck, according to the plans; Proposed Site Plan for Gary F. Jeznach – prepared by Jalbert Engineering – plan date 5/2003 – DWG #03407 and Architectural Plans – Gary Jeznach – prepared by Brennick. 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.

2nd: Ms. Thorpe

Discussion: None

Vote: 6 – 0

DETERMINATION – ALFRED & ANA DOBSON ARE REQUESTING A DETERMINATION TO DEMOLISH THE EXISTING SINGLE HOUSE AND CONSTRUCT A NEW SINGLE FAMILY HOUSE. THE PROPERTY IS LOCATED AT 22 CEDAR LAKE DRIVE.

Materials presented:

Application for Determination– Alfred & Ana Dobson– received 4/12/2017

Building Permit Plan – 22 Cedar Lake Drive – prepared by Bertin Engineering – plan date 10/4/2016 – project #16M-193 – DWG # S-1 – Revision #3 – dated 4/20/2017

Plan Prepared for Dobson Residence – 22 Cedar Lake Drive – plan provided by Laura's Arch Drafting

Ms. Cooney acknowledged the following department memos:

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

Mr. Fitzback of Bertin Engineering spoke on behalf of the applicant. Mr. Fitzback stated that the lot is considered to be pre-existing, non-conforming as it was created prior to the zoning requirements, and lacks the necessary lot coverage and frontage.

Mr. Fitzback stated that here is an existing structure on the lot, a two story single family house. The existing house is vacant, and uninhabitable, with a number of issues needing to be addressed in order to be livable including a failing foundation. The structure is currently non-conforming to the required zoning setbacks for Suburban Residential Zone, violating the side yard and rear setback of 15', by approximately 3' in each direction. They are proposing the removal of this structure and the reconstruction of a new single family house on the property.

Mr. Fitzback stated that the proposed two story single family house will be located outside of all required setbacks for the zoning district, and the lot will remain under the maximum lot coverage of 15%. The house will also match the character of the surrounding neighborhood as the majority of abutting properties are two story single family houses.

The Board had the following concerns, questions and comments:

- Well done plan
- Centered on the lot

Motion: Made by Mr. Kelley to grant the Determination to Alfred & Ana Dobson to demolish the existing single family house and construct a new single family house; according to the plans; Building Permit Plan – 22 Cedar Lake Drive – prepared by Bertin Engineering – plan date 10/4/2016 – project #16M-193 – DWG # S-1- Revision #3 – dated 4/20/2017; Plan Prepared for Dobson Residence – 22 Cedar Lake Drive – plan provided by Laura's Arch Drafting. 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.

2nd: Mr. Young

Discussion: None

Vote: 6 – 0

DETERMINATION – CHARLES & RACHEL AMARU ARE REQUESTING A DETERMINATION FOR A 24' X 16' ADDITION OFF THE REAR OF THE EXISTING BUILDING AND A 20' X 16' DECK OFF THE EXISTING BUILDING. THE PROPERTY IS LOCATED AT 69 CLARKE ROAD.

Materials presented:

Application for Determination – Charles & Rachel Amaru – received 5/1/2017

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Proposed Addition Charles & Rachel Amura – prepared by Green Hill Engineering – project #2017-052

Architectural – Proposed Addition – received 5/1/2017 – prepared by Joel Jetta

Ms. Cooney acknowledged the following department memos:

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

Mr. Farrell of Green Hill Engineering spoke on behalf of the applicant. Mr. Farrell stated that they are proposing to construct an addition and a deck on the rear of the existing building. The proposal will not create a new non-conformity. The lot meets the area requirements. The lot is non-conforming only with regard to frontage.

The Board had the following questions, concerns and comments:

- Will the deck be enclosed – Mr. Farrell stated no

Motion: Made by Mr. Kelley to grant the Determination to Charles & Rachel Amura for the property located at 69 Clarke Road, to allow the construction of an addition and a deck on the rear of the existing building; according to the plans; Proposed Addition Charles & Rachel Amura – prepared by Green Hill Engineering – project #2017-052, Hand drawn Architectures – Proposed Addition – received 5/1/2017. 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.

2nd: Mr. Earls

Discussion: None

Vote: 6 – 0

RE-ORGANIZATION OF THE BOARD

Rescheduled

CORRESPONDENCE

None

OLD/NEW BUSINESS

Ms. Cooney stated that Ms. Bubon made edits to the Draft Comprehensive Permit Rules and Regulations which was only updating. Ms. Cooney had edits to that revision. At the April 19th meeting, the Board reviewed the draft and only had one edit Ms. Bubon will revise the draft.

NEXT MEETING

June 21, 2017

On a motion made by Mr. Young, seconded by Ms. Thorpe, and voted unanimously, the meeting adjourned at 7:30 PM.