



TOWN OF STURBRIDGE

Zoning Board of Appeals

**SPECIAL PERMIT DECISION/DETAILED RECORD
THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF STURBRIDGE
August 18, 2021**

File # ZB-2021-000006

The members of the Permit Granting Authority hereby certify that the following is a detailed record of all the Board's proceedings regarding the petition of M.A. Detarando Family Realty Trust regarding property located at 100 Paradise Lane, Sturbridge, MA 01566 which is the property affected by this Special Permit request.

The application to the Board is dated July 6, 2021 and was received by the Board and the Town Clerk on July 8, 2021. The applicant proposes the demolition of the existing home and the construction of a new single family home, garage and related site improvements on the property.

The application requests a Special Permit from Section 24.09 (a-e) of the Zoning Bylaw.

A notice of the public hearing on this Special Permit was:

1. Published in the Southbridge Evening News, a newspaper of general circulation in the Town of Sturbridge on July 29, 2021 & August 5, 2021;
2. Posted in a conspicuous place in the town hall at least fourteen days before the hearing was held on August 18, 2021, and;
3. Mailed on July 20, 2021, postage prepaid (certificate of mailing), at least fourteen days before the hearing to the petitioner, abutters to the property in question, owners of land directly opposite from the property in question on any private or public street or way, abutters to abutters whose property is located within three hundred feet of the property line of the property in question, the Planning Board of the Town of Sturbridge and the Planning Board of abutting cities and towns including the Towns of Brimfield, Brookfield, Charlton, East Brookfield, Holland, Southbridge, and Union. The notice was mailed to the names of persons and at the addresses as provided by the most recent tax list kept by the Town Assessors, with the Assessors certifying such names and addresses.

The applicant submitted the following documents:

1. Narrative & Application for Special Permit;
2. Filing fee;
3. A Certified List of Abutters;
4. USGS Quadrangle;
5. Natural Heritage Map;
6. Firm Map;
7. Deed;
8. Property tax release;
9. A plan entitled "Existing Site Plan M.A. Detarando Family Trust 100 Paradise Lane Sturbridge, Massachusetts" Prepared by Jalbert Engineering, Inc. – 54 Main Street, Sturbridge, MA 01566. The plan date is June 14, 2013; DWG # 13120;

10. A plan entitled "Proposed Site Plan M.A. Detarando Family Trust 100 Paradise Lane Sturbridge, Massachusetts" Prepared by Jalbert Engineering, Inc. – 54 Main Street, Sturbridge, MA 01566. The plan date is December 16, 2020 and revised April 20, 2021 (Revise Footprint) & June 15, 2021 (Relocate Buildings); DWG #: 20127 Rev. 2;
11. A Landscape plan entitled "Detarando Paradise Lane Sturbridge, MA" prepared by Ground Effects LLC – East Brookfield Massachusetts, dated 5/26/2021, L-P-3;
12. An Architectural plan entitled "Detarando Residence 100 Paradise Lane Sturbridge, Massachusetts Elevations" Prepared by Wadsworth & Associates Architects – 11 Pleasant Street Suite 420, Worcester, Ma 01609. The plan date is April 28, 2021, Job #21-132.

The Public Hearing on this application was held on August 18, 2021 at 6:35 PM there were several abutters present and some questions were asked in regards to the proposed project. The following regular members of the Board present were: Diane Trapasso, Liz Banks, Michael Young, David Zonia, and Marge Cooney.

At the close of the Public Hearing on August 18, 2021, a motion was made by Ms. Trapasso, seconded by Ms. Cooney and voted 5-0 to find that the proposal by the applicant Michael Detarando for the property located at 100 Paradise Lane pursuant to Chapter 20.05 and Chapter 24.09(a-e) of the Zoning Bylaws to expand, change, or alter a pre-existing, non-conforming structure to raze and rebuild the existing single family house and build a detached garage. The new residence will be constructed 45.3 feet from the shoreline and the detached garage will be constructed 29.7 feet from the existing road, the proposal will not be more detrimental to the neighborhood, instead it will be an improvement to the neighborhood.

Second, a motion was made by Ms. Trapasso and seconded by Ms. Cooney and voted 5-0, to grant the Special permit pursuant to M.A. Detarando Family Trust to raze and rebuild the existing single-family house and construct a detached garage, the new residence will be constructed 45.3 feet from the shoreline and the detached garage will be constructed 29.7 feet from the existing road, according to the plans entitled: "Existing Site Plan M.A. Detarando Family Realty Trust 100 Paradise Lane Sturbridge, Massachusetts" prepared by Jalbert Engineering, plan date: 6/14/2013, DWG # 13120; and a plan entitled: "Proposed Site Plan M.A. Detarando Family Trust 100 Paradise Lane Sturbridge, Massachusetts" Prepared by Jalbert Engineering, plan date 12/16/2020, DWG #: 20127 Rev. 2 dated 6/15/2021; and landscape plans by Ground Effects LLC, L-P-3, dated 5/26/21, Job: Detarando; and Architectural Plan by Wadsworth & Associates Architects, entitled "Detarando Residence" Plan date 4/28/21, Job #21-132. A Condition: All state and local permits and approvals, including Conservation Commission must be obtained prior to the start of construction.

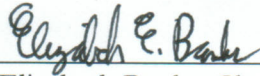
The following members were present and voting as follows with respect to the requested Special Permit:

- Member Diane Trapasso voting to grant the special permit requested.
- Member Liz Banks voting to grant the special permit requested.
- Member David Zonia voting to grant the special permit requested.
- Member Michael Young voting to grant the special permit requested.
- Member Marge Cooney voting to grant the special permit requested.

Copies of this decision have been filed with the Zoning Board of Appeals Office, the Town Clerk's Office and the Office of the Planning Board as required by M.G.L. Ch. 40A, § 11.

Any appeal of this decision of the Zoning Board of Appeals must be made to a court of competent jurisdiction within twenty days from the date this decision was filed with the Sturbridge Town Clerk, pursuant to Section 17, Chapter 40A of the general laws of the Commonwealth of Massachusetts as amended.

If the rights authorized by this Special Permit are not exercised within one (1) year of the date of grant, such Special Permit shall lapse; provided however, that the permit granting authority in its discretion and upon written application by the grantee of such rights may extend the time for exercise of such rights for a period not to exceed one year; and provided further that the application for such extension is filed with such permit granting authority prior to the expiration of the one year period. Otherwise such rights may only be re-established after a new notice and public hearing in accordance with the provisions of Section 9, Chapter 40A of the general laws of the Commonwealth of Massachusetts as amended.



Elizabeth Banks, Chair
Zoning Board of Appeals

Copy to:
Applicant
Town Clerk
Building Inspector