



# TOWN OF STURBRIDGE

## *Zoning Board of Appeals*

**SPECIAL PERMIT DECISION/DETAILED RECORD  
THE COMMONWEALTH OF MASSACHUSETTS  
TOWN OF STURBRIDGE  
February 16, 2023**

**File # ZB-2022-000019**

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 The Blanchard Family Trust regarding property located at 26 Farquhar Road which is the property affected by this Special Permit request.

The application to the Board is dated December 22, 2022 and was received by the Board and the Town Clerk on December 22, 2022. The applicant proposes the construction of a garage on a portion of an existing concrete pad that is non-conforming.

The application requests a Special Permit from Article XV §300-15.2 (A-E) and Article XVIII §300-18.2 (2) 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 January 26, 2023 & February 2, 2023;
2. Posted in a conspicuous place in the town hall at least fourteen days before the hearing was held on February 15, 2023, and;
3. Mailed, (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. Proposed garage type renderings;
5. Form B – Building (Massachusetts Historical Commission Archives Building Report)
6. A plan entitled “Special Permit Plan Proposed Garage #26 Farquhar Road”  
Prepared by Sherman & Frydryk – 3 Converse Street, Suite 203, Palmer, MA 01069,  
Project Number: 22204, dated: 12/8/22

Other Documents Received/Reviewed:

1. Town Planner report;
2. Departmental memos;
3. Taxes paid sign off;

4. Legal Notice;
5. Certificate of mailings;

After receipt of the application on December 22, 2022, the plan and application was forwarded to the following Departments review and comment:

- Mark Augello, DPW Operations Manager
- Heather Blakeley, DPW Director
- Shane Moody, Water/Sewer
- Rebecca Gendreau, Conservation Agent
- Lt. Jennifer Ashe, Fire Inspector
- Ken Lacey, Board of Health Agent
- Nelson Burlingame, Building Inspector/Zoning Enforcement Officer
- Jean Bubon, Town Planner

The following comments were received by the aforementioned Departments:

- Jean Bubon, Town Planner, Received December 27, 2022 – “I have reviewed the Assessor’s records and found that this neighborhood contains a variety of single family homes with accessory structures. The lot nearest this contains multiple residential units with the buildings quite close to the property line. Overall, this property is not inconsistent with adjoining properties. In general, I think that the garage as proposed is consistent with the immediate neighborhood and will not result in detriment to the neighborhood; however, the ZBA will need to make its Findings during the Public Hearing. If the Board does find that the proposal by the applicant will not be more detrimental to the neighborhood than the existing non-conformity, the Special Permit may be granted.”
- Rebecca Gendreau, Conservation Agent, Received December 28, 2022 – “The project appears to be within the SCC's local buffer zone to wetlands located across the street and therefore would require review pursuant to the Sturbridge Wetland Bylaw. The project does not appear to be located within the WPA buffer zone. Due to the scope of the project, the project would qualify for administrative review. A Wetland Bylaw Letter Permit Application can be submitted for this review. As the accessory structure is located within an existing developed yard and will be built on an existing concrete pad, staff do not anticipate any concerns.”
- Mark Augello, DPW Operations Manager, Received December 28, 2022 – “DPW added a sewer as built to help the contractor avoid conflicts.”
- Lt. Jennifer Ashe, Fire Inspector, Received December 28, 2022 – “The proposed garage is detached. Being that it is close to an exposure and detached from the home, I recommend the installation of a heat alarm in the garage, capable of communicating with the main home in the event of a fire emergency.”
- Nelson Burlingame, Building Inspector, Received December 29, 2022 – “Need as built after concrete pad is poured and before construction. Also where runoff from roof is to go because of close proximity to property line.”
- Ken Lacey, Board of Health Agent, Received December 30, 2022 – “public water and public sewer here. I see no concerns from the Health Department.”

The Public Hearing on this application was held on February 15, 2023 at 6:35 PM.

The following regular members of the Board present were: Diane Trapasso, Liz Banks, Marge Cooney, Fidelis Onwubueke and Tom Welch.

At the close of the Public Hearing on February 15, 2023, a motion was made by Ms. Trapasso, seconded by Mr. Onwubueke and voted 5-0 to find that the proposal by the applicant The Blanchard Family Trust pursuant to Article XV §300-15.2 (A-E) of the Zoning Bylaw, to build a garage on a portion of an existing concrete pad on the property located at 26 Farquhar Road will not be more detrimental 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 Article XV §300-15.2 (A-E) and Article XVIII §300-18.2 (2) of the Zoning Bylaw, to The Blanchard Family Trust, to build a 24x28 garage on a portion of an existing concrete pad at 26 Farquhar Road, according to revised plans entitled: "Special Permit Plan Proposed Garage #26 Farquhar Road" Prepared by Sherman & Frydryk – 3 Converse Street, Suite 203, Palmer, MA 01069, Project Number: 22204, dated: 12/8/22"

With the following conditions:

- All construction and site improvements shall be in conformance with the plans submitted and approved by the Zoning Board of Appeals;
- All State and Local Zoning Bylaws, Building Codes and Regulations must be adhered to;
- All other necessary permits must be obtained prior to the start of construction;
- An as-built must be provided to the Planning Department.

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 Fidelis Onwubueke voting to grant the special permit requested.

Member Tom Welch 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.



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Elizabeth Banks, Chair  
Zoning Board of Appeals

Copy to:

Applicant

Town Clerk

Building Inspector