



# TOWN OF STURBRIDGE

## *Zoning Board of Appeals*

**SPECIAL PERMIT DECISION/DETAILED RECORD  
THE COMMONWEALTH OF MASSACHUSETTS  
TOWN OF STURBRIDGE  
June 1, 2023**

**File # ZB-2023-000008**

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 ICON Architecture representing the Town of Sturbridge, regarding property located at 480 Main Street which is the property affected by this Special Permit request.

The application to the Board is dated April 4, 2023 and was received by the Board and the Town Clerk on April 24, 2023. The applicant proposes a change in a pre-existing non-conforming use with the expansion of the existing parking lot within the required rear setback to accommodate the proposed expansion of the Senior Center and additional parking. The rear setback is proposed a 2'. All other parking setbacks will comply with the bylaw according to the plans and supporting documents provided.

The application requests a Special Permit from Article XV §300-15.2A and Article XVIII §300-18.2(2) of the Zoning Bylaw.

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

1. Published in the Southbridge Evening News, a newspaper of general circulation in the Town of Sturbridge on May 11, 2023 and May 18, 2023;
2. Posted in a conspicuous place in the town hall at least fourteen days before the hearing was held on May 31, 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. Application for Special Permit;
2. A Certified List of Abutters;
3. A plan entitled "Sturbridge Senior Center – 480 Main Street, Sturbridge, MA 01518". Plan prepared by ICON Architecture – 101 Summer Street, Boston, MA 02110 and Waterfield Design Group – 50 Cross Street, Winchester, Massachusetts 01890. Plan date 3-31-2023, revised 4-13-2023;

4. A plan entitled “Boundary & Topographic Survey” by Bargmann Hendrie & Archetype, Inc. dated 2-13-2020 and revised 2-24-2020.

Other Documents Received/Reviewed:

1. Town Planner report;
2. Departmental memos;
3. Legal Notice;
4. Certificate of mailings;

After receipt of the application on June 21, 2022, the plan and application was forwarded to the following Departments for review and comment:

- Heather Blakeley, DPW Director
- Earl Dessert, Chief of Police
- Lt. Jennifer Ashe, Fire Inspector
- Rebecca Gendreau, Conservation Agent
- 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:

- Lt. Jennifer Ashe, Fire Inspector, received April 25, 2023 – “The Fire Department has no objections or concerns with endorsing this request.”
- Rebecca Gendreau, Conservation Agent, received April 27, 2023 – “Based on the information provided, portions of the project require review under the local wetland bylaw. Staff have been corresponding with the project team and an application will be submitted. Staff do not anticipate any concerns with approval of the work proposed within the buffer zone as that work is minor in nature and located within a developed area.”
- Nelson Burlingame, Building Inspector/Zoning Enforcement Officer, received May 9, 2023 – “Waiting for Building Energy Code information. Have no objections to project. Need ZBA approval.”
- Jean Bubon, Town Planner, received May 18, 2023 – “Based upon staff reviews and the information presented, it is my opinion that this project will not be substantially more detrimental to the neighborhood than the existing non-conforming use since although the parking lot is extending in a non-conforming nature, appropriate screening is being proposed with the installation of a fence. Additionally, the site, once constructed will comply with Stormwater Management standards and additional landscaping will be added to the site. The proposed addition to the building and the other portions of the parking lot will all comply with the setback and lot coverage requirements.”

The Public Hearing on this application was held on May 31, 2023 at 6:30 PM.

The following regular members of the Board present were: Diane Trapasso, Michael Young, Fidelis Onwubueke, Elizabeth Banks, Marge Cooney and Tom Welch. One abutter was also present with questions regarding the project.

At the close of the Public Hearing on May 31, 2023, a motion was made by Ms. Trapasso, seconded by Ms. Cooney and voted 6-0 to find pursuant to Article XV §300-15.2A for the property located at 480 Main Street. The project will not be more detrimental to the neighborhood than the existing non-conforming use since the parking lot is extending into a non-conforming nature. Appropriate screening is being proposed with the installation of a fence. The site, once constructed, will comply with stormwater management standards and additional landscaping will be added to the site. The proposed addition to the building and to the other portions of the parking lot will all comply with setback and lot coverage requirements.

Second, a motion was made by Ms. Trapasso and seconded by Mr. Cooney and voted 6-0, to grant the Special Permit pursuant to Article XVIII §300-18.2(2) to expand, change, or alter a pre-existing, non-conforming use for the parking lot for the property located at 480 Main Street. The applicant for the proposal to expand the existing parking lot within the required rear setback to accommodate the proposed expansion of the Senior Center and additional parking, the rear setback is proposed at 2' all other parking setbacks will comply with the bylaw according to the plans and documents entitled "Sturbridge Senior Center" Prepared by Waterfield Design Group and ICON Architects, plan date 3-15-2023, project number: 222064-000 and DWG number: W-1717.

Approval is subject to the following conditions:

- All concerns of the Building and Fire Inspectors shall be addressed through the building permit application phase of this project;
- Any substantial modifications to this plan must be submitted to the ZBA for review and approval;
- All other state and local permits and approvals shall be obtained prior to the start of any 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 Fidelis Onwubueke voting to grant the special permit requested.

Member Elizabeth Banks voting to grant the special permit requested.

Member Marge Cooney voting to grant the special permit requested.

Member Michael Young voting to grant the special permit requested.

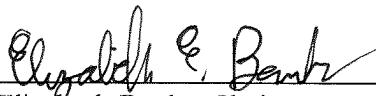
Member Tom Welch voting to grant the special permit requested.

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 two (2) years 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 two 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