



# TOWN OF STURBRIDGE

## *Zoning Board of Appeals*

**SPECIAL PERMIT DECISION/DETAILED RECORD  
THE COMMONWEALTH OF MASSACHUSETTS  
TOWN OF STURBRIDGE  
September 21, 2023**

**File # ZB-2023-000017**

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 Ashley Steppic regarding property located at 60 Main Street which is the property affected by this Special Permit request.

The application to the Board is dated July 27, 2023 and was received by the Board and the Town Clerk on August 1, 2023. The applicant proposes to convert the existing structure from residential to commercial use for the purpose of a 2 chair salon and create a non-conforming parking lot at the rear of the building. Both the lot and the structure are pre-existing non-conforming as shown on the plans and documents provided.

The application requests a Special Permit from Article XVIII §300-18.2 (2) and Article XV §300-15.2 A 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 27<sup>th</sup> and August 3<sup>rd</sup>;
2. Posted in a conspicuous place in the town hall at least fourteen days before the hearing was held on August 16, 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. Taxes paid sign off;
5. Deed, Book: 69019/Page:103;
6. A plan entitled "Proposed Site Plan Prepared for Ashley Steppic 60 Main Street, Sturbridge, MA" prepared by Jalbert Engineering – 54 Main Street, Sturbridge, MA 01566, dated 4-25-23, revised through 7-20-23;

Other Documents Received/Reviewed:

1. A plan entitled "Exhibit A Easement Plan" prepared by Jalbert Engineering – 54 Main Street, Sturbridge, MA 01566, dated 9-12-23;
2. A document entitled "Grant of Easement" un-executed;
3. Town Planner report;
4. Departmental memos;
5. Legal Notice;
6. Certificate of mailings;

After receipt of the application on March 6, 2023, the plan and application was forwarded to the following Departments review and comment:

- Heather Blakeley, DPW Director
- Shane Moody, Water/Sewer
- Rebecca Gendreau, Conservation Agent
- Lt. Jennifer Ashe, Fire Inspector
- Chief Earl Dessert, Police Chief
- 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 September 14, 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. The area is developed with a variety of small businesses on small, non-conforming lots. With the expansion of the easement area from 10' to 20', there will be adequate room to maneuver in and out of the proposed parking lot. Additionally, from an aesthetic standpoint, the applicant has already significantly cleaned up the property and refreshed the exterior of the building and a new proposed sign has been approved by the Design Review Committee. In conclusion, I believe that the applicant meets of the criteria for approval of the Special Permit. Should the Board choose to grant the Special Permit, I recommend approval with conditions."
- Lt. Jennifer Ashe, Fire Inspector, Received July 26, 2023 – "There are no questions or concerns by the fire department regarding this change, at this time."
- Chief Earl Dessert, Police Chief, Received August 8, 2023 – "No concerns."
- Rebecca Gendreau, Conservation Agent, Received August 10, 2023 – "Project is within jurisdiction of the MA Wetlands Protection Act and the Sturbridge Wetland Bylaw. The applicant has filed with Conservation and an Order of Conditions has been issued for the project. The project is located within the SWB's 50 foot no new structure setback and the 25 foot no disturb setback. The applicant's representative was requested to review alternatives to minimize disturbance within these setbacks and to make improvements to the stormwater design to demonstrate that the waiver could be received for the project. The applicant's representative was asked to perform due diligence to see if/what other design options would be feasible options. The SCC was presented with this project as an option and approved project."



The Public Hearing on this application was opened on August 16, 2023 at 6:45 PM and voted to continue without taking any testimony to September 20, 2023 at 6:35 PM.

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

At the close of the Public Hearing on September 20, 2023, a motion was made by Mr. Onwubueke, seconded by Mr. Welch and voted 5-0 to find pursuant to Article XV §300-15.2 A of the Zoning Bylaws, to expand, change or alter a pre-existing, non-conforming use or structure for the property located at 60 Main Street, the proposed non-conforming parking lot and change of use from residential to a commercial hair salon will not be more detrimental to the neighborhood.

Second, a motion was made by Mr. Onwubueke and seconded by Mr. Welch and voted 5-0, to grant the Special Permit pursuant to Article XVIII §300-18.2 (2) to Ashley Steppic. For the property located at 60 Main Street to create a non-conforming parking lot at the rear of the building and to change the use of the existing building from residential to a commercial 2 chair hair salon according to plans entitled, "Proposed Site Plan Prepared for Ashley Steppic 60 Main Street Sturbridge, MA" Prepared by Jalbert Engineering, Inc. (54 Main Street, Sturbridge, MA 01566), dated 4-25-23, revised through 7-20-23, DWG #: 23012; and a plan entitled "Exhibit A Easement Plan" prepared by Jalbert Engineering (54 Main Street, Sturbridge, MA 01566) dated 9-12-23.

With the following conditions:

1. The easement agreement as proposed shall be signed by all parties and recorded at the Worcester District Registry of Deeds and a copy shall be provided to the Planning Department prior to construction of the parking lot.
2. The site plan shall be revised to reflect the new easement area the easement has been recorded and that shall be provided to the Planning Department prior to construction of the parking lot.
3. All improvements shall be in conformance with the plans submitted and approved by the Zoning Board of Appeals. If any changes are made during the Planning Board review process, updated plans shall be provided to the Zoning Board of Appeals.
4. All other necessary permits 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 Fidelis Onwubueke voting to grant the special permit requested.

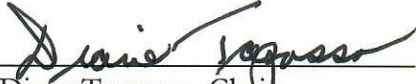
Member Tom Welch voting to grant the special permit requested.

Member Josh Cole 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 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.



Diane Trapasso, Chair  
Zoning Board of Appeals

Copy to:  
Applicant  
Town Clerk  
Building Inspector