



TOWN OF STURBRIDGE

Zoning Board of Appeals

SPECIAL PERMIT DECISION/DETAILED RECORD

THE COMMONWEALTH OF MASSACHUSETTS TOWN OF STURBRIDGE

July 24, 2018

File # 2018-3SP

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 Julie & Wayne Zuidema whose address is 114 Lane Ten, Sturbridge MA regarding property owned by Julie & Wayne Zuidema located at 114 Lane Ten, Sturbridge, MA. 01566, which is the property affected by this Special Permit request.

The application to the Board is dated June 19, 2018 and was received by the Board and the Town Clerk on June 19, 2018. The applicant proposes to build a proposed 20' X 24' addition with a 6' X 12' deck onto the existing single family home on a pre-existing non-conforming lot. The application requests a Special Permit from Section 20.05 of the Zoning Bylaw which may permit the extension, change or alteration of a pre-existing non-conforming structure.

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 June 28, 2018 and July 5, 2018;
2. Posted in a conspicuous place in the town hall at least fourteen days before the hearing was held on July 18, 2018, and;
3. Mailed on June 22, 2018 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. The completed application and fee.
2. A certified list of abutters.
3. A Site Plan entitled "Proposed Site Plan for Additions in Sturbridge, Mass – Julie Ann Zuidema Wayne Zuidema – Sturbridge, Mass" dated September 22, 2015 prepared by Para Land Surveying, Inc. – 349 Ashland Avenue, Southbridge, MA.
4. A Site Plan entitled "Site Plan for Julie & Wayne Zuidema – Lane Ten – Sturbridge, Massachusetts" prepared by Roberty G. Murphy & Associates, Inc. Environmental Consultants – 214 Worcester Street North Grafton, MA dated June 4, 2018.

The Public Hearing on this application was held on June 18, 2018 at 6:55 PM there were no abutters or interested parties present to speak in favor or opposition of the Special Permit requested. An abutter, Marita Tasse sent an email in support of the request. The following regular members of the Board were: Margret Cooney, Thomas Earls, Fidelis Onwubueke, Diane Trapasso, Michael Young and William Zelenak.

At the close of the Public Hearing on July 18, 2018, a motion was made by Ms. Trapasso and seconded by Mr. Onwubueke and voted 6-0, to grant the Special Permit requested to build the proposed 20' X 24' addition with a 6' X 12' deck onto the existing single family home on the pre-existing non-conforming lot as shown on plan dated June 4, 2018. The Board finds that per Zoning Bylaws 20.05 the change in use is not detrimental to the health, safety or conservation of the neighborhood. Granting this Special Permit would not be more detrimental to the neighborhood since it will not increase the existing non conformities; according to the Sturbridge Zoning Bylaws Chapter 20.05 and Chapter and Chapter 24.09 (a – e).

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

- Member Margret Cooney voting to grant the special permit requested.
- Member Thomas Earls voting to grant the special permit requested.
- Member Fidelis Onwubueke, voting to grant the special permit requested.
- Member Diane Trapasso voting to grant the special permit requested.
- Member Michael Young voting to grant the special permit requested.
- Member William Zelenak 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.


Michael Young, Acting Chair
Zoning Board of Appeals

Copy to:

- Applicant
- Robert G. Murphy & Associates, Inc.
- Town Clerk
- Building Inspector
- Conservation
- File

OFFICE OF THE TOWN CLERK

CERTIFICATION OF NO APPEAL

2018-3SP
Julie Ann Zuidema

I, Lynne Giraouard Town Clerk for the Town of Sturbridge, hereby certify that twenty (20) days have elapsed since the filing with my office of the above decision on July 24, 2018 by the Zoning Board of Appeals and that no appeal concerning said decision has been filed or that any appeal that has been filed has been dismissed or denied.

Date

Town Clerk



WORCESTER COUNTY REGISTRY OF DEEDS
RECORDING CERTIFICATION

Received _____, 2018 at _____ o'clock and _____ minutes ____M. and entered with the Registrar of Deeds in the County of Worcester, Book _____ Page _____.

Attest: _____
Registrar of Deeds