



TOWN OF STURBRIDGE

Zoning Board of Appeals

SPECIAL PERMIT DECISION/DETAILED RECORD

THE COMMONWEALTH OF MASSACHUSETTS TOWN OF STURBRIDGE

April 26, 2021

File # ZB-2021-000002

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 Brian & Sarah Oxman regarding property located at 20 Cedar Lake Drive, Sturbridge, MA 01566 which is the property affected by this Special Permit request.

The application to the Board is dated February 22, 2021 and was received by the Board and the Town Clerk on February 25, 2021. The applicant proposes the demolition of the existing home and outbuilding and the construction of a new single family home and outbuilding 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 April 4, 2021 & April 8, 2021;
2. Posted in a conspicuous place in the town hall at least fourteen days before the hearing was held on April 21, 2021, and;
3. Mailed on March 22, 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. Application for Special Permit;
2. Filing fee;
3. A Certified List of Abutters;

4. A plan entitled "Proposed Site Plan prepared for Brian D. & Sarah J. Oxman 20 Cedar Lake Drive, Sturbridge, MA" The plan was prepared by Jalbert Engineering, Inc. – 54 Main Street, Sturbridge, MA 01566. The plan date is February 25, 2021 and revised March 30, 2021 to add new foot print and plantings.

The Public Hearing on this application was held on April 21, 2021 at 6:35 PM there were no abutters or interested parties present to speak in favor or opposition of the Special Permit requested. The following regular members of the Board present were: Thomas Earls, Diane Trapasso, Liz Banks, Fidelis Onwubueke, Michael Young, and Marge Cooney.

At the close of the Public Hearing on April 21, 2021, a motion was made by Ms. Trapasso, seconded by Mr. Young and voted 6-0 to find that the proposal by Brian & Sarah Oxman, for the property located at 20 Cedar Lake Drive, will not be more detrimental to the neighborhood because by combining the two lots the lot coverage is less than having two homes on each lot, plus the new home and the outbuilding as proposed is consistent with the neighborhood and will not result in detriment to the neighborhood.

Second, a motion was made by Ms. Trapasso and seconded by Ms. Cooney and voted 6-0, to grant the Special permit pursuant to Chapter 20, Section 20.05 and Chapter 24, Section 24.09(a-e) of the Zoning Bylaw to expand, change or alter a pre-existing non-conforming structure of uses for the property located at 20 Cedar Lake Drive, to demolish and rebuilt an existing single family home and shed, new foundations will be built to support both buildings. A second floor will be added to the single family home and office will be located in the shed as shown on the plan entitled "Proposed Site Plan for Brian D. & Sarah J. Oxman" prepared by Jalbert Engineering, plan date February 18, 2021, DWG #19157, revision # 2 dated March 30, 2021.

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

- Member Thomas Earls voting to grant the special permit requested.
- 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 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
Elizabeth Banks, Chair (jimb)
Zoning Board of Appeals

Copy to:
Applicant
Town Clerk
Building Inspector