

**Sturbridge Zoning Board of Appeals  
Meeting Minutes  
Wednesday, August 18, 2021  
Town Hall**

**APPROVED**

**DEC 15 2021**

**DESIGN REVIEW  
COMMITTEE**

**Present:**

Diane Trapasso  
Elizabeth Banks  
Michael Young  
Margaret Cooney  
David Zonia  
Jeneé Lacy, Administrative Assistant

**Absent:**

Thomas Earls  
Fidelis Onwubueke

**Also Present:**

Lenny Jalbert, Jalbert Engineering  
Michael Detarando, 100 Paradise Lane  
Michael Harriman, 9 Williams Road  
Nancy Murphy, 110 Paradise Lane  
Tracy Murphy, 110 Paradise Lane  
Barbara Hitchcock, 102 Paradise Lane

**Chair Banks called the meeting to order at 6:30pm and read the agenda.**

**Approval of Minutes**

May 19, 2021

**Motion: To approve the minutes of May 19, 2021 as written.**

**By: M. Cooney**

**2<sup>nd</sup>: D. Zonia**

**Vote: All in Favor (5-0)**

**Public Hearing – Special Permit – 100 Paradise Lane – Detarando**

The applicant requests a Special Permit to raze and rebuild the existing single-family house and build a detached garage. The new residence will be constructed 45.3 feet from the shoreline and the detached garage will be constructed 29.7 feet from the existing road.

D. Trapasso read the legal notice that was posted in the Southbridge Evening News.

E. Banks discussed the department head memos and the Town Planner report.

L. Jalbert came before the Board and stated that the Conservation Commission approved the project for 100 Paradise Lane the night before. M. Detarando and members of the ZBA stated

that it was actually continued at the Conservation meeting and not approved. L. Jalbert stated that he had confused this project with another and the project for 100 Paradise Lane and it was not approved by Conservation but was continued.

L. Jalbert discussed the plans for the proposed house and detached garage. Percentage impervious was discussed by the Board and L. Jalbert. E. Banks asked were the original garage was since it wasn't on the plans, L. Jalbert stated that it was demolished years ago. L. Banks asked about access to garage from house. L. Jalbert stated that the stairwell was inside the structure. E. Banks and L. Jalbert discussed Lot 11 & Lot 12 and how much of the structure would be on each. M. Cooney stated that the verbiage in the application was confusing because it stated to raze and rebuild the existing house and garage but the garage was taken down many years ago so it should say to raze and rebuild the existing house and to build a detached garage. L. Jalbert stated that he would revise the application. The shared driveway was discussed.

E. Banks asked if there was anyone from the public that had any questions or comments regarding the Special Permit.

An abutter, Barbara Hitchcock of 102 Paradise Lane came forward to address the ZBA. She stated that a few years ago she had paid to have a survey done of her property by Jalbert Engineering and there was a strip of land between her property and 100 Paradise Lane that she was told was owned by her so she put a drainage system on it, a sewer pump was installed and she had done plantings. She stated when the applicant had his survey done, that strip of land was noted as the applicant's property. B. Hitchcock stated that she is not against the project getting approved, but she had the following request:

- That someone continue to maintain the sewer system and all the work she had done in regards to drainage.
- There is a stone walkway and a ramp that is the only way for her to access the backyard to the front yard with the lawnmower that she would still like to be able to use.
- The proposed house will only be 15 feet away from her house and she will lose part of her view of the lake and asked if they could possibly reevaluate where the house will be positioned.

M. Cooney suggested that B. Hitchcock work with the applicant in regards to these concerns to come to an agreement. D. Trapasso stated that the abutters concerns were more of a civil matter and that it is out of the reach of the ZBA. M. Detarando stated that the drainage would benefit both of them so he does not have a problem with that, he also stated that the position they choose for the house would be the least impactful to the abutters view and that anything else he would be willing to work with B. Hitchcock to come to a solution. B. Hitchcock said she is happy with that solution.

There was no one else from the public that had comments or concerns.

**Motion: To close the public hearing.**

**By: D. Trapasso**



2<sup>nd</sup>: M. Young

Vote: All in Favor (5-0)

**Motion:** To find that the proposal by the applicant Michael Detarando for the property located at 100 Paradise Lane pursuant to Chapter 20.05 and Chapter 24.09(a-e) of the Zoning Bylaws to expand, change, or alter a pre-existing, non-conforming structure to raze and rebuild the existing single family house and build a detached garage. The new residence will be constructed 45.3 feet from the shoreline and the detached garage will be constructed 29.7 feet from the existing road, the proposal will not be more detrimental to the neighborhood, instead it will be an improvement to the neighborhood.

**By:** D. Trapasso

2<sup>nd</sup>: M. Cooney

Vote: All in Favor (5-0)

**Motion:** To grant the Special permit pursuant to M.A. Detarando Family Trust to raze and rebuild the existing single-family house and construct a detached garage, the new residence will be constructed 45.3 feet from the shoreline and the detached garage will be constructed 29.7 feet from the existing road, according to the plans entitled: "Existing Site Plan M.A. Detarando Family Realty Trust 100 Paradise Lane Sturbridge, Massachusetts" prepared by Jalbert Engineering, plan date: 6/14/2013, DWG # 13120; and a plan entitled: "Proposed Site Plan M.A. Detarando Family Trust 100 Paradise Lane Sturbridge, Massachusetts" Prepared by Jalbert Engineering, plan date 12/16/2020, DWG #: 20127 Rev. 2 dated 6/15/2021; and landscape plans by Ground Effects LLC, L-P-3, dated 5/26/21, Job: Detarando; and Architectural Plan by Wadsworth & Associates Architects, entitled "Detarando Residence" Plan date 4/28/21, Job #21-132. A Condition: All state and local permits and approvals, including Conservation Commission must be obtained prior to the start of construction.

**By:** D. Trapasso

2<sup>nd</sup>: M. Cooney

Vote: All in Favor (5-0)

Documents Reviewed:

- Narrative & Application for Special Permit;
- Filing fee;
- A Certified List of Abutters;
- USGS Quadrangle;
- Natural Heritage Map;
- Firm Map;
- Deed;
- Property tax release;
- A plan entitled "Existing Site Plan M.A. Detarando Family Trust 100 Paradise Lane Sturbridge, Massachusetts" Prepared by Jalbert Engineering, Inc. – 54 Main Street, Sturbridge, MA 01566. The plan date is June 14, 2013; DWG # 13120;

- A plan entitled "Proposed Site Plan M.A. Detarando Family Trust 100 Paradise Lane Sturbridge, Massachusetts" Prepared by Jalbert Engineering, Inc. – 54 Main Street, Sturbridge, MA 01566. The plan date is December 16, 2020 and revised April 20, 2021 (Revise Footprint) & June 15, 2021 (Relocate Buildings); DWG #: 20127 Rev. 2;
- A Landscape plan entitled "Detarando Paradise Lane Sturbridge, MA" prepared by Ground Effects LLC – East Brookfield Massachusetts, dated 5/26/2021, L-P-3;
- An Architectural plan entitled "Detarando Residence 100 Paradise Lane Sturbridge, Massachusetts Elevations" Prepared by Wadsworth & Associates Architects – 11 Pleasant Street Suite 420, Worcester, Ma 01609. The plan date is April 28, 2021, Job #21-132.

### **Determination – 9 Williams Road – Michael Harriman**

The applicant requests a Determination to construct a 12'x18-6' deck at the rear of the house.

M. Harriman came before the Board. E. Banks discussed the department head memos and the Town Planner report.

M. Harriman discussed his requesting for a determination.

**Motion: To grant a determination to Michael Harriman for the property located at 9 Williams Road to construct a 12'x 18-6' raised deck at the rear of the house. The proposal does not intensify the existing or create additional non-conformities and the owner may apply for a building permit according to the plans entitled mortgage inspection plan dated July 2016.**

**By: D. Trapasso**

**2<sup>nd</sup>: M. Cooney**

**Vote: All in Favor (5-0)**

### **Old/New Business**

- Next Meeting Dates: September 22<sup>nd</sup> & October 20<sup>th</sup>

### **Adjournment**

**Motion: To adjourn.**

**By: D. Trapasso**

**2<sup>nd</sup>: M. Young**

**Vote: All in Favor (5-0)**

The meeting adjourned at 7:25 PM

**Minutes prepared by: Jeneé Lacy**

**Chair of the Board: \_\_\_\_\_**

**Date signed: \_\_\_\_\_**