

STURBRIDGE ZONING BOARD OF APPEALS
MINUTES OF
WEDNESDAY, JANUARY 16, 2019

Present: Elizabeth Banks (arrived 6:25)
Margaret Cooney
Thomas Earls
Diane Trapasso
Fidelis Onwubueke
Michael Young

Absent: William Zelenak

Also Present: Rebekah DeCoursey, Administrative Assistant

Ms. Cooney opened the meeting at 6:15 PM and read the agenda. The Board introduced themselves.

APPROVAL OF MINUTES

Postponed until all Board members were present.

**REQUEST FOR DETERMINATION – 11 ARNOLD ROAD – LORI THOMPSON.
APPLICANT IS PROPOSING A SECOND STORY DORMER ADDITION ON A
SINGLE FAMILY HOME.**

Applicant Lori Thompson and her contractor Eric Nash, of Nash Contracting, presented the proposed project. The house is located on a pre-existing non-conforming lot at 11 Arnold Road, with a second lot of common ownership located behind the first parcel. The house is on town water and sewer.

Ms. Cooney noted memos from the Town Planner, Fire Department, Conservation Department, Chief of Police and Building Department that noted no major concerns with the dormer addition.

Motion: Made by Ms. Trapasso to grant the Request for Determination to Lori Thompson for the proposed addition at 11 Arnold Road as shown on construction plans titled “11 Arnold – Second Floor Renovation” by Dennis Colwell Architects (132 Central Street, Suite 203, Foxborough, MA 02035). Job # 18190.

2nd: Mr. Earls

Discussion: None

Vote: 6 – 0 – 1 (Ms. Banks due to late arrival)

REQUEST FOR DETERMINATION – 32 TANTASQUA SHORE DRIVE – PAUL BROCHU. APPLICANT IS PROPOSING AN ATTACHED TWO CAR GARAGE WITH LIVING SPACE ABOVE, A CAR PORT WITH LIVING SPACE ABOVE, AND EXTENDING THE DECK ON THE HOUSE.

Leonard Jalbert, of Jalbert Engineer, and applicant Paul Brochu were both present. The proposed project is on a site with reduced frontage and size. The project has been presented to and approved by the Natural Heritage and Endangered Species Program and the MassDEP due to the proximity to South Pond. The project proposed will take place on an existing single family year round residence, maintain the existing private well and septic system. Applicant is proposed a two car garage (24' x 24') that will be attached to the existing home with living space above the garage. The southwesterly side of the house will have an attached car port with living space above the 15' x 24' addition. The deck in the rear of the house will be extended 15' x 17' to the limits of the car port and 12' x 8' on the house. The current home is two bedrooms and will remain two bedrooms after the addition; there will be a half bath added. Mr. Jalbert submitted revised plans to the Board the previous day indicating that a proposed shed initially within the setback has been moved to be located outside the setback.

Ms. Banks noted memos from the Town Planner, Fire Department, and Chief of Police and that noted no major concerns with the application.

Motion: Made by Ms. Trapasso to grant the Request for Determination to Paul Brochu for the proposed project at 32 Tantasqua Shore Drive including a 24' x 24' garage with living space above, a 15' x 24' carport with living space above, and a deck. The project is approved as shown on plan titled "Proposed Site Plan Prepared for Paul Brochu" by Jalbert Engineering (54 Main Street, Sturbridge, MA 01566); Plan Date 10/9/18; Drawing Number 18159; Revision 2, 1/15/19 and does not intensify the pre-existing non-conformity.

2nd: Ms. Cooney

Discussion: None

Vote: 7 – 0

REQUEST FOR DETERMINATION – 13 OLD HAMILTON ROAD – JAMES HARABEDIAN. APPLICANT IS PROPOSING A RENOVATION TO CHANGE THE GARAGE AREA INTO A MASTER BEDROOM AND A SECOND FLOOR WILL BE ADDED TO THE GARAGE AREA.

Leonard Jalbert, of Jalbert Engineering presented on behalf of the applicant. The applicant is proposing an expansion of volume within his single family home. The home is partially within the setback. The proposed addition does not change the measurements of setback. The home is on town sewer and has a private well. The garage area will be made into a master bedroom and a second floor will be added to the garage area. The project proposes a new 13' x 26' pervious patio replacing an existing deck, as well as replacing the roof and siding. The addition will need four additional supports, which will be added to the southwesterly side of the house. Mr. Jalbert clarified the building layout to the Board members.

Ms. Banks noted memos from the Town Planner, Building Department, Conservation Commission, Board of Health, Fire Department, and Chief of Police and that noted no major concerns with the application.

Motion: Made by Ms. Cooney to grant the Request for Determination to James Harabedian for the proposed project at 13 Old Hamilton Road to renovate the existing garage into a master bedroom, with the addition of a second floor living space as shown on plan titled “Proposed Site Plan Prepared for James Harabedian” by Jalbert Engineering (54 Main Street, Sturbridge, MA 01566); Plan Date 11/27/18; Drawing Number 18182 no revisions noted and on architectural drawings A1-A4 by Stephen Fleshman Architect, LLC (17-059).

2nd: Ms. Trapasso

Discussion: None

Vote: 7 – 0

PUBLIC HEARING – SPECIAL PERMIT – 179 MAIN STREET – ESCAPE THE PIKE. THE APPLICANT IS REQUESTING A SPECIAL PERMIT FOR THE OPERATION OF AN ESCAPE ROOM. AN ESCAPE ROOM, ALSO KNOWN AS AN ESCAPE GAME, IS A PHYSICAL ADVENTURE GAME IN WHICH PLAYERS SOLVE A SERIES OF PUZZLES AND RIDDLES USING CLUES, HUNTS, AND STRATEGY.

Ms. Banks opened the public hearing and Ms. Cooney read the legal notice.

Applicants David and Meghan Jaquith presented their application for a change in use from office space and mixed use to a place of amusement or recreation. Peter Engle from Bertin Engineer was present on behalf of the property owner. Ms. Jaquith will be in charge of the day to day operations of the business. Mr. Jaquith described the 37' x 37' foot space the business will be located in and that their biggest concern is creating a space that meets all the safety requirements for fire and building code. They have an engineer that will be assisting them in creating interior rooms that will be appropriate for the use and will work around the existing sprinkler system. The business will involve escape games, each in a small room with a series of puzzles that need to be solved in order for participants to be “unlocked” or “released” from the room. When asked about locking mechanisms on these interior doors, Mr. Jaquith stated they were leaning towards a magnetic lock with an emergency button inside the room. They are still exploring options, and are in conversation with their engineer, the Fire Inspector and the Building Commissioner to determine what will be the best options. Mr. Jaquith did say that some escape rooms don't have an actually locking door, and the game participants acknowledge they aren't allowed to leave until they solve the puzzle – unless of course, there is an emergency. While the plans before the Board tonight are conceptual in nature, full building plans will be submitted to the Building Department when the project begins construction.

The Board had the following questions, comments, or concerns:

- How many people will be in a room at a time? The applicants are planning on ten, but it will depend on the final size of the rooms. Minimum would be two.
- When you plan to visit Escape the Pike – the name of the business – participants will typically book online in advance and be greeted onsite by the receptionist. In the lobby, participants will watch a safety video involving the rules of the game. The Jaquiths are planning four themed rooms: Post-Apocalyptic (the largest room), a Classroom, a Medieval-Era room, and a Bank Robbery room. Primary puzzles are deciphering codes, or finding something (like a key that then opens a box).
- Games will run typically one hour.
- The conceptual drawings of the rooms are 10’ wide, and this may change. Each room will have two points of egress. The Jaquiths both have background in law enforcement and are accustomed to evaluating spaces and safety, and will use this background when designing and running their business.
- Ms. Jaquith explained that there will be a game master with a HD monitor watching the games in progress the entire time. The game master will be able to interact with the participants through a two-way communication system.
- A Board member brought up the recent unfortunate deaths in Poland when there was a fire in an escape room. Mr. Jaquith expressed his sympathy and the reduced building and safety codes in other countries; particularly at a “pop up” location as was the circumstance in Poland. There is only one insurance company that insures escape rooms in the US, and out of roughly 800 spaces for such use, there has only been one claim filed in all their time in existence.
- There will be a small retail space with puzzles and prepackage food and beverages.
- What will marketing and advertising involve? A lot of online marketing, including Google, social media, as well as reaching out to local businesses, and hotels. Target audience will be 10 years old and up.
- Mr. Jaquith stated he and his wife are hoping to have two rooms ready to open for March 1, and continue with the others after that.
- What fail safe measures will be in place? They plan to have ready access to bolt cutters on site to open doors, and halogen cutters also if necessary. Final safety measures will be determined after the interior engineering is complete.

Motion: Made by Ms. Cooney to find the Special Permit proposal by applicant David Jaquith for the property at 179 Main Street for the purpose of Escape the Pike, an escape room, creating a change in use from office space and mixed use to a place of amusement or recreation as presented in the application and supporting material as it will not be more detrimental to the neighborhood per Chapter 24, Section 24.09(a-e).

2nd: Ms. Trapasso

Discussion: None

Vote: 7 – 0

Motion: Made by Ms. Cooney to grant the Special Permit proposed by applicant David Jaquith for the property at 179 Main Street for the purpose of Escape the Pike, an escape room, creating a change in use from office space and mixed use to a place of amusement or recreation as outlined in the application and documentation, plan prepared by Bertin Engineering dated 3/2/12 Project Number 16-627 reversion 5, 1/23/2019, with the following conditions:

1. Approval is granted subject to the conditions that all other necessary state and local approvals be obtained prior to beginning any work on the project.
2. The Risk Assessment and Physical Security Plan shall be drafted and provided to the Public Safety Department prior to opening. Confirmation that this has been done shall be provided to the Planning Department.
3. At no time shall any game activities be permitted in the outdoor area.

2nd: Ms. Trapasso

Discussion: The Board briefly reviewed the memo from the Town Planner to be sure all criteria were met and all topics had been covered during the meeting.

Vote: 7 – 0

PUBLIC HEARING – ADMINISTRATIVE APPEAL – ROBERT CASSIM – 33 MAIN STREET. APPLICANT IS REQUESTING RELIEF FROM A CEASE AND DESIST ORDER FROM THE BUILDING COMMISSIONER & ZONING ENFORCEMENT OFFICER. THE CEASE AND DESIST INDICATES TAT THE ONLY CURRENT BUSINESS ALLOWED ON SITE IS THE AUTO SALES BUSINESS AND THAT OPERATION OF ALL OTHER BUSINESSES MUST CEASE AND DESIST

Applicant has requested an extension of time to hold the public hearing because the legal notice was not placed in advertisement. The public hearing for the Administrative Appeal will be postponed until February 20th, 2019 at 6:35 PM. The Board voted in favor of accepting the extension.

APPROVAL OF MINUTES

Motion: Made by Mr. Earls to approve the minutes of October 24, 2018, second draft as amended.

2nd: Ms. Cooney

Discussion: None

Vote: 7 – 0

Motion: Made by Ms. Trapasso to approved the draft minutes, second revision, of November 14, 2018, as amended.

2nd: Mr. Earls

Discussion: None

Vote: 7 – 0

REORGANIZATION OF BOARD

Ms. Cooney made a nomination for Elizabeth Banks to be Chair. Ms. Banks accepted. There were no other nominations. Mr. Young seconded the nomination. The Board voted unanimously in favor.

Ms. Cooney made a nomination for Michael Young to be Vice-Chair/Clerk. Mr. Young accepted. There were no other nominations. Mr. Owunbueke seconded the nomination. The Board voted unanimously in favor.

On a motion by Ms. Trapsso, and seconded by Mr. Earls the meeting adjourned at 8:00 PM.