

**Sturbridge Zoning Board of Appeals
Meeting Minutes
Wednesday, August 19, 2020
Virtual**

Present:

Thomas Earls
Diane Trapasso
Margaret Cooney
Elizabeth Banks
Fidelis Onwubueke
Jean Bubon, Town Planner
Jeneé Lacy, Administrative Assistant

Absent:

William Zelenak
Michael Young

Also Present:

Steven Hennigan, 104 Westwood Drive
Stephen Santangelo, 12 Tantasqua Shore Drive
Brian Ungerer, 51 Old Village Road
Sharon Rielly, Property One LLC
Tim O'Brien, 1 Hawthorne Road

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

Approval of Minutes

July 15, 2020

Motion: To approve the minutes as written. By: D. Trapasso

2nd: T. Earls

Roll Call Vote: (4-0-1)

- T. Earls – Yes
- D. Trapasso – Yes
- E. Banks – Abstained
- F. Onwubueke – Yes
- M. Cooney – Yes

Public Hearing – Special Permit – 104 Westwood Drive – Steven & Michelle Hennigan

J. Bubon read the Public Hearing Legal Notice.

E. Banks discussed the Town Planner report and Departmental comments regarding the application.

S. Hennigan discussed the request to expand a rear upper deck from 10'x16' to 12'x37', along with a proposed set of stairs and 22'x5' walkway.

E. Banks inquired if the walkway would be elevated, S. Hennigan stated that it would be. M. Cooney inquired about the placement of the sewer, the sewer placement was discussed by the applicant.

The project was approved by the Conservation Commission prior to the ZBA meeting.

Motion: To Close the Public Hearing. By: D. Trapasso

2nd: T. Earls

Roll Call Vote: All in Favor (5-0)

- T. Earls - Yes
- D. Trapasso - Yes
- E. Banks - Yes
- F. Onwubueke - Yes
- M. Cooney - Yes

Motion: To find that the proposal by Steven and Michelle Hennigan, to expand an upper deck from 10'x16' to 12'x37' with a proposed set of stairs and 22'x5' walkway, will increase the lot coverage from 16.53% to 19.04% this increase is non-conforming and will not be more detrimental to the neighborhood because the applicant is building an upper level deck and the roof drains infiltrate and will not impact ground infiltration. By: D. Trapasso

2nd: T. Earls

Roll Call Vote: All in Favor (5-0)

- T. Earls - Yes
- D. Trapasso - Yes
- E. Banks - Yes
- F. Onwubueke - Yes
- M. Cooney - Yes

Motion: 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 or uses for the property located at 104 Westwood Drive to expand a rear deck from 10'x16' to 12'x37', along with a proposed set of stairs and 22'x5' walkway as shown on the plan titled, "Mortgage Inspection Plan" for Steven P. Hennigan & Michelle M. Hennigan, prepared by Reney, Moran, & Tivnan, Registered Land Surveyors, dated 8-1-2019m Deed book/page 45857/64, plan book/plan 249/67, Job # 07-1784-19. By: D. Trapasso

2nd: M. Cooney

Roll Call Vote: All in Favor (5-0)

- T. Earls - Yes
- D. Trapasso - Yes

- E. Banks – Yes
- F. Onwubueke – Yes
- M. Cooney – Yes

Documents Reviewed:

- Request for Special Permit– 104 Westwood Drive Application
- A Plan titled, “Mortgage Inspection Plan, Steven P. Hennigan & Michelle M. Hennigan, 104 Westwood Drive, Sturbridge, MA.” Prepared by Reney, Moran, & Tivnan, Registered Land Surveyors. Dated, 8/1/2019
- Maps of the property
- Photos of existing conditions
- Town Planner Report
- Departmental comments

Determination – 12 Tantasqua Shore Drive – Stephen Santangelo

E. Banks read the request and the Department head comments.

S. Santangelo presented his request to replace the existing cinder-block and skirting foundation on his house with pored concrete with an increase of house elevation of 4’.

T. Earls asked about bad cellar floor conditions. S. Santangelo stated that they have a water issue in the basement.

Motion: To grant the determination to Stephen Santangelo for property located at 12 Tantasqua Shore Drive as requested to replace the existing cinder-block and skirting foundation with pored concrete with an increase of house elevation of 4’ as shown on a plan titled “Foundation Plan” dated June 2020, prepared by Stephen Santangelo. As the proposal does not intensify or create additional non-conformities. Approval is granted provided that all issues, concerns, and permits deemed necessary by various departments, boards, etc. be adhered to and in compliance prior to any construction.

By: M. Cooney

2nd: D. Trapasso

Roll Call Vote: All in Favor (5-0)

- T. Earls – Yes
- D. Trapasso – Yes
- E. Banks – Yes
- F. Onwubueke – Yes
- M. Cooney – Yes

Documents Reviewed:

- Request for Determination – 12 Tantasqua Shore Drive – Stephen Santangelo
- A Plan titled, “Foundation Plan” dated June 2020, prepared by Stephen Santangelo

- A Plan titled, "Proposed Tight-Tank Design located at: 12 Tantasqua Shore Drive Sturbridge, MA, For: Stephen & Catherine Santangelo, Owner: William M. Kitch" Dated October 18, 2017, prepared by Jalbert Engineering, Inc.
- Town Planner Report
- Departmental comments

Determination – 51 Old Village Road – Brian Ungerer

E. Banks read the request and the Department head comments.

B. Ungerer presented his request to build a 30'x40' detached garage.

M. Cooney inquired about shed #2 on the plan being relocated and how far from the setbacks Shed #1 is. B. Ungerer stated that it would be relocated they just don't know where yet and that Shed #1 would be inside the setbacks.

Motion: To grant the determination to Brian Ungerer for property located at 51 Old Village Road as requested to build a 30'x40' detached garage as shown on a plan titled "Proposed Garage Site Plan prepared for Brian E. & Margaret M. Ungerer, 51 Old Village Road, Sturbridge, MA" dated 7/9/20, prepared by Jalbert Engineering, Inc. As the proposal does not intensify or create additional non-conformities. Approval is granted provided that all issues, concerns, and permits deemed necessary by various departments, boards, etc. be adhered to and in compliance prior to any construction.

By: D. Trapasso

2nd: M. Cooney

Roll Call Vote: All in Favor (5-0)

- T. Earls – Yes
- D. Trapasso – Yes
- E. Banks – Yes
- F. Onwubueke – Yes
- M. Cooney – Yes

Documents Reviewed:

- Request for Determination – 51 Old Village Road Application
- A Plan titled, "Proposed Garage Site Plan prepared for Brian E. & Margaret M. Ungerer, 51 Old Village Road, Sturbridge, MA" dated 7/9/20, prepared by Jalbert Engineering, Inc.
- A Plan titled "Proposed Garage 51 Old Village Road Sturbridge, MA" dated July 2020 Sheet 1 of 1.
- Town Planner Report
- Departmental comments

Determination – 6 Fairgrounds Road – Property One LLC

E. Banks read the request and the Department head comments.

S. Rielly presented the request to build a 10'x22' deck off of the rear of the house and install a fence on the south side of the property.

The project was approved by the Conservation Commission prior to the ZBA meeting.

Motion: To grant the determination to Property One LLC for property located at 6 Fairgrounds Road as requested to build a 10'x22' deck off of the rear of the house and install a fence on the south side of the property as shown on a drawn plan. As the proposal does not intensify or create additional non-conformities. Approval is granted provided that all issues, concerns, and permits deemed necessary by various departments, boards, etc. be adhered to and in compliance prior to any construction.

By: M. Cooney

2nd: D. Trapasso

Roll Call Vote: All in Favor (5-0)

- T. Earls - Yes
- D. Trapasso - Yes
- E. Banks - Yes
- F. Onwubueke - Yes
- M. Cooney - Yes

Documents Reviewed:

- *Request for Determination – 6 Fairgrounds Road Application*
- *A drawn plan of the property and proposed additions*
- *Photos of existing conditions*
- *Town Planner Report*
- *Departmental comments*

Determination – 1 Hawthorne Road – Tim O'Brien

E. Banks read the request and the Department head comments.

T. O'Brien presented the request to build a 14'x30' garage to the right of the existing garage.

T. Earls recused himself because he is an abutter to the applicant.

The Board discussed the existing garage and the new driveway.

Motion: To grant the determination to Tim O'Brien for property located at 1 Hawthorne Road as requested to build a 14'x30' garage to the right of the existing garage as shown on a plan titled "Proposed Site Plan, Timothy W. Obrien 1 Hawthorne Road Sturbridge, Massachusetts" dated 7/27/20, prepared by Jalbert Engineering, Inc. As the proposal does not intensify or create additional non-conformities. Approval is granted provided that all issues, concerns, and permits deemed necessary by various departments, boards, etc. be adhered to and in compliance prior to any construction.

By: D. Trapasso

2nd: M. Cooney

Roll Call Vote: All in Favor (4-0-1)

- T. Earls – Abstained
- D. Trapasso – Yes
- E. Banks – Yes
- F. Onwubueke – Yes
- M. Cooney – Yes

Documents Reviewed:

- Request for Determination – 1 Hawthorne Road Application
- A plan titled, "Proposed Site Plan, Timothy W. Obrien 1 Hawthorne Road Sturbridge, Massachusetts" dated 7/27/20, prepared by Jalbert Engineering, Inc.
- Garage example photo
- Town Planner Report
- Departmental comments

Old Business

None

New Business

T. Earls brought up rules regarding recusing oneself because of being abutters. The Board and J. Bubon discussed.

Adjournment

Motion: To adjourn. By: D. Trapasso

2nd: T. Earls

Roll Call Vote: All in Favor (5-0)

- T. Earls – Yes
- D. Trapasso – Yes
- M. Young – Yes
- F. Onwubueke – Yes
- M. Cooney – Yes

The meeting adjourned at 7:26pm.

Minutes prepared by: Jeneé Lacy

On behalf of the
Chair of the Board: Juan M. Bubon
Town Planner

Date signed: 1-29-2021