

**Sturbridge Zoning Board of Appeals
Meeting Minutes
Wednesday, April 19, 2023
Center Office Building**

Present:

Fidelis Onwubueke
Michael Young
Elizabeth Banks
Diane Trapasso
Tom Welch
Jeneé Lacy, Administrative Assistant

Absent:

Marge Cooney
David Zonia

Also Present:

Teresa Paquin, 98 Gladding Lane
Stephen Soper, 92 Stallion Hill Road
Leonard Jalbert, Jalbert Engineering
Taylor Stedman, 14 Cedar Lake Drive
David Sadowski, Clinton, MA
Linda Bond-Gleason, Clinton, MA
Tom Lird, Webster, MA
Alycia Sprague, 14 Cedar Lake Drive
Matt St. Laurent, NBM LLC
Bob Haveles, Architectural Insights
Jerry Farinella, 221 Fiske Hill Road (Virtual)
Suzanne Farinella, 221 Fiske Hill Road (Virtual)
Kathy Daley, 18 Mt. Dan Road (Virtual)

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

Approval of Minutes

February 15, 2023

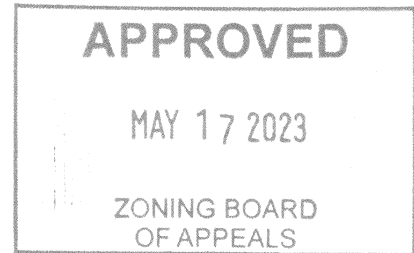
Motion: To approve the minutes of February 15, 2023 as amended.

By: D. Trapasso

2nd: F. Onwubueke

Vote: 4-0-1 (M. Young Abstained)

Old/New Business



- None

Public Hearing – Special Permit – 11 Carey Road – Teresa Paquin

T. Paquin and S. Soper came before the Board. D. Trapasso read the legal notice that was posted in the Southbridge Evening News. E. Banks discussed the Town Planner report and departmental comments. J. Lacy stated that the Board of Health has approved of the well & septic changes.

S. Soper discussed the departmental concerns and what has been taken care of and that they will make sure that the wetlands are flagged.

T. Welch asked about the orientation of the unit. E. Banks and D. Trapasso discussed their site visit. E. Banks asked about the existing leech field on the plan, S. Soper discussed. E. Banks asked if there were any comments or questions from the audience, there were none.

Motion: To close the public hearing for 11 Carey Road.

By: D. Trapasso

2nd: M. Young

Vote: All in Favor (5-0)

Motion: To Find pursuant to Article XI §300-11.1-11.6 of the Zoning Bylaws, for an accessory dwelling unit located on the same lot as the principle dwelling unit. The applicant has met all the standards for this bylaw for the property located at 11 Carey Road.

By: D. Trapasso

2nd: F. Onwubueke

Vote: All in Favor (5-0)

Motion: To Grant the Special Permit pursuant to Article XVIII §300-18.2 (2) (a) (1)-(6) to Teresa Paquin to allow the construction of an accessory dwelling structure on the property located at 11 Carey Road, according to the plans entitled “Proposed Site Plan, Terry Paquin”, prepared by Green Hill Engineering, plan dated 2/20/23, job # 2018-057 and architectural plans prepared by Patrick Ferro for Teresa Paquin, dated 3/14/23.

With the following conditions:

- All construction and site improvements shall be in conformance with the plans submitted and approved by the Zoning Board of Appeals;
- All State and Local Zoning Bylaws, Building Codes and Regulations must be adhered to;
- All other necessary permits must be obtained prior to the start of construction;
- An as-built must be provided to the Planning Department.

By: D. Trapasso

2nd: M. Young

Vote: All in Favor (5-0)

Documents Reviewed:

- *Application for Special Permit;*
- *Certified list of abutters;*
- *A plan entitled "Proposed Site Plan New Construction" Prepared by Green Hill Engineering, 10 Main Street Sturbridge, MA 01566, dated: 2/20/23, Job #2018-057;*
- *An architectural plan entitled "Terry Paquin" Prepared by Patrick Ferro, dated 3/14/23;*
- *Town Planner Report;*
- *Departmental Memos;*
- *Legal Notice;*
- *Certificate of Mailing.*

Public Hearing – Special Permit – 16 Mt. Dan Road – Mt. Dan Road LLC

L. Jalbert of Jalbert Engineering, came before the Board. D. Trapasso read the legal notice that was posted in the Southbridge Evening News. E. Banks discussed the Town Planner report and departmental comments.

L. Jalbert stated that he was requesting a special permit to raze the existing house and rebuild a new 1,274 sq.ft. home in the vicinity of the existing foundation. He stated that the project was approved by the Conservation Commission after many meetings. E. Banks asked if there was a garage and how the house would be accessed from the road. L. Jalbert stated that there was no garage and discussed the access to the house. F. Onwubueke asked if the new house would be in the same footprint. L. Jalbert stated that it would be the approximate footprint. B. Haveles, of Architectural Insights, stated that the footprint of the house was moved to make it more conforming and to shift away from the side setback. E. Banks asked if there were any comments or questions from the audience, there were none.

Motion: To close the public hearing for 16 Mt. Dan Road.

By: D. Trapasso

2nd: M. Young

Vote: All in Favor (5-0)

Motion: To Find pursuant to Article XV §300-15.2 A of the Zoning Bylaws, to expand, change or alter a pre-existing, non-conforming use or structure for the property located at 16 Mt. Dan Road, the new proposed single family home will not be more detrimental to the neighborhood since most of the homes are close to the right of way.

By: D. Trapasso

2nd: T. Welch

Vote: All in Favor (5-0)

Motion: To Grant the Special Permit pursuant to Article XVIII §300-18.2 (2) (a) (1)-(6) to Mt. Dan Road LLC. For the property located at 16 Mt. Dan Road to raze the existing house and rebuild a new 1,274 sq.ft. home in the vicinity of the existing foundation according to plans entitled, "Site Plan For: Weber, Gross & Bennett 16 Mt. Dan Road, Sturbridge, MA" Prepared by Jalbert Engineering, Inc. (52 Main Street, Sturbridge, MA 01566), dated 6/23/22, revised 2/2/23, DWG #: 21129; and an architectural plan entitled "Proposed New Construction For: Webber Residence 16 Mt. Dan Road Sturbridge, MA 01518" Prepared by Architectural Insights (3 Converse Street, Palmer, MA 01059) dated: 12/28/22, Project #: 21-90.

With the following conditions:

- All construction and site improvements shall be in conformance with the plans submitted and approved by the Zoning Board of Appeals;
- All State and Local Zoning Bylaws, Building Codes and Regulations must be adhered to;
- All other necessary permits must be obtained prior to the start of construction;
- An as-built must be provided to the Planning Department.

By: D. Trapasso

2nd: M. Young

Vote: All in Favor (5-0)

Documents Reviewed:

- *Narrative & Application for Special Permit;*
- *Certified list of abutters;*
- *A plan entitled "Site Plan For: Weber, Gross & Bennett 16 Mt. Dan Road, Sturbridge, MA" Prepared by Jalbert Engineering, Inc. (52 Main Street, Sturbridge, MA 01566), dated 6/23/22, revised 2/2/23, DWG #: 21129;*
- *An architectural plan entitled "Proposed New Construction For: Webber Residence 16 Mt. Dan Road Sturbridge, MA 01518" Prepared by Architectural Insights (3 Converse Street, Palmer, MA 01059) dated: 12/28/22, Project #: 21-90.*
- *Town Planner Report;*
- *Departmental Memos;*
- *Legal Notice;*
- *Certificate of Mailing.*

Public Hearing – Special Permit – 14 Cedar Lake Drive – Taylor Stedman

D. Trapasso read the legal ad that was posted in the Southbridge Evening news. E. Banks discussed the Town Planner report and departmental comments.

D. Sadowski and T. Stedman came before the Board. D. Sadowski stated that they were requesting a Special Permit to build a 651 sq.ft. two bay garage on the property. He discussed Conservation approval and stated that the location of the garage was chosen based on Conservation regulations and the location of the sewer pump and well. D. Sadowski stated that the existing shed on the property will be removed to reduce the lot coverage.

T. Welch asked if the garage was attached to the house. T. Stedman stated that it was going to be attached by a breezeway. E. Banks asked if there was going to be electric, water and/or sewer in the garage. D. Sadowski stated that there would be electric but no water or sewer. F. Onwubueke asked what was going to be located in the space above the garage and asked how many windows there would be. T. Stedman stated it would just be for storage and that he hasn't decided yet on the amount of windows.

Banks asked if there were any comments or questions from the audience, there were none.

Motion: To close the Public Hearing for 14 Cedar Lake Drive.

By: F. Onwubueke

2nd: D. Trapasso

Vote: All in Favor (5-0)

Motion: To Find pursuant to Article XV §300-15.2 A of the Zoning Bylaws, to expand, change or alter a pre-existing, non-conforming use or structure for the property located at 14 Cedar Lake Drive, the proposal is very consistent with the neighboring properties and is not considered a detriment.

By: D. Trapasso

2nd: M. Young

Vote: All in Favor (5-0)

Motion: To grant the Special Permit pursuant to Article XVIII §300-18.2 (2) (a) (1)-(6) to Taylor Stedman for the property located at 14 Cedar Lake Drive to build a 651 sq.ft. two bay garage, the right side setback will be reduced to 8.7' where 15' is required, according to the plans entitled "Proposed Garage Plan 14 Cedar Lake Drive Sturbridge, Massachusetts" Prepared by D.J. & Associates (7 Cedar Street Clinton, MA 01510) dated 12/27/22 Rev. 2/26/23 and untitled architectural plans.

With the following conditions:

- All construction and site improvements shall be in conformance with the plans submitted and approved by the Zoning Board of Appeals;
- All State and Local Zoning Bylaws, Building Codes and Regulations must be adhered to;
- All other necessary permits must be obtained prior to the start of construction;
- An as-built must be provided to the Planning Department.

By: D. Trapasso

2nd: F. Onwubueke

Vote: All in Favor (5-0)

Documents Reviewed:

- *Application for Special Permit;*
- *Certified list of abutters;*
- *A plan entitled "Proposed Garage Plan 14 Cedar Lake Drive Sturbridge, Massachusetts" Prepared by D.J. & Associates (7 Cedar Street Clinton, MA 01510) dated 12/27/22 Rev. 2/26/23;*
- *Untitled architectural plans.*
- *Town Planner Report;*
- *Departmental Memos;*
- *Legal Notice;*
- *Certificate of Mailing.*

Public Hearing – Special Permit – 68 Paradise Lane – Jeff & Martha Buchanan

F. Onwubueke read the legal ad that was posted in the Southbridge Evening news. E. Banks discussed the Town Planner report and stated that a continuation was requested by the applicant for this project.

Motion: To continue the public hearing for 68 Paradise Lane to May 17th at 6:55PM.

By: E. Banks

2nd: D. Trapasso

Vote: All in Favor (5-0)

Documents Reviewed:

- *Town Planner Report – Request for Continuation*

Determination – 221 Fiske Hill Road – Jerry Farinella

Jerry and Suzanne Farinella attended the meeting virtually. E. Banks discussed the departmental comments. J. Farinella stated that they were requesting a determination to build an addition onto the existing house. E. Banks stated that the property is currently 0.94 acres where 1 acre is required which is the only reason they needed a Determination.

Motion: To grant the Determination to Jerry Farinella to build an addition to the existing property at 221 Fiske Hill Road according to the plans entitled "Plot Plan for Gerald V. & Suzanne L. Farinella" prepared by Bertin Engineering, Inc. Plan date March 8, 2023 and architectural plans prepared by Trifone Design Associates, Inc. for the Farinella Addition, plan dated March 5, 2020, job #281-096. The addition does not intensify the existing or create additional non-conformities and the owner may apply for a building permit.

By: D. Trapasso

2nd: T. Welch

Vote: All in Favor (5-0)

Documents Reviewed:

- *Application for Determination;*
- *A plan entitled "Plot Plan for Gerald V. & Suzanne L. Farinella" Prepared by Bertin Engineering, Inc. (39 Elm Street, Southbridge, MA) Plan date March 8, 2023;*
- *An architectural plan entitled: "The Farinella Addition" Prepared by Trifone Design Associates, Inc. (103 Shore Road Sturbridge, MA) Plan date March 15, 2020, Job #281-096;*
- *Departmental Memos;*

Request for Extension – Five Leaves Comprehensive Permit – NBM Realty, LLC

Matt St. Laurent came before the Board and gave an update on the Five Leaves project, requesting a 24 month extension.

Motion: To grant the request for extension for the Five Leaves Comprehensive Permit by NBM Realty, LLC to June 9, 2025.

By: D. Trapasso

2nd: F. Onwubueke

Vote: All in Favor (5-0)

The Board discussed permits and extensions now being good for two years.

Town Planner Update

- Next Meeting Dates:
 - May 17, 2023

Adjournment

Motion: To adjourn.

By: M. Young

2nd: F. Onwubueke

Vote: All in Favor (5-0)

The meeting adjourned at 7:31 PM

Minutes prepared by: Jeneé Lacy