

STURBRIDGE ZONING BOARD OF APPEALS
MINUTES OF
WEDNESDAY, JULY 13, 2016

Present: Elizabeth Banks
Margaret Cooney, Chair
Thomas Earls
Kevin Kelley, Clerk/Vice/Chair
Fidelis Onwubueke **(arrived at 6:40 PM)**
Maryann Thorpe

Also Present: Diane M. Trapasso, Administrative Assistant

Absent: Michael Young

Ms. Cooney opened the meeting at 6:30 PM and read the agenda.

The Board introduced themselves.

APPROVAL OF MINUTES

Motion: Made by Mr. Earls to approve the draft minutes of June 5, 2016.
2nd: Ms. Banks
Discussion: None
Vote: 4 – 0 – 1(Ms. Thorpe)

DETERMINATION – CHARLES A. & JILL T. ROY ARE REQUESTING A DETERMINATION TO DEMOLISH THE EXISTING GARAGE AND CONSTRUCT A NEW MULTI-STALL TWO-STORY GARAGE. THE PROPERTY IS LOCATED AT 187/189 LAKE ROAD.

Materials presented:

Application for Determination – Charles A. & Jill T. Roy– received 6/20/2016

Proposed Site Plan for Charles A. & Jill T. Roy– 187/189 Lake Road – prepared by Jalbert Engineering –DWG #14179 – plan date 9/3/2014 – revision #3– dated 6/6/2016

Pencil Drawings of the garage

Ms. Cooney acknowledged the following department memos:

- Mr. Colburn, Conservation Agent
- Ms. Terry, Interim Health Agent
- Lt. Marinelli, Fire Inspector

Mr. Jalbert of Jalbert Engineering spoke on behalf of the applicant. Mr. Jalbert stated that the applicant is proposing to remove the garage at 189 Lake Road and replace with a garage at 187 Lake Road as shown on the plans. The proposed garage will be two-story. The building will be wood framed on a poured concrete foundation. A paved apron will be provided per Town regulations. Provisions to control erosion and site run-off have been proposed. A similar project for this property had been approved in 2014 by both ZBA and Conservation. Since that time the property has transferred to the current owners who own the property at 188 Lake Road.

Mr. Jalbert stated that the garage is a secondary structure to the residence that is across the street. And that is why they are before the Board for a Determination. If the applicant wanted to build a single family home with a garage attached, they would only need a building permit. The applicant has the acreage because the two lots are held in common ownership. Mr. Jalbert stated that when an owner owns two consecutive non-conforming lots, they are held in common ownership according to Mass General Law 40A section 6 (Mr. Jalbert inadvertently stated section 7).

The Board had the following concerns, comments and questions:

- Two separate lots – Mr. Jalbert stated that they are two non-conforming consecutive lots held in common ownership
- Will there be plumbing or heat – Mr. Jalbert stated “no” to both – only a garage for the cars, boat motorcycle and etc. – storage
- The plans show three garage stalls and on the pencil drawings show only two garage doors – Mr. Jalbert stated that one of the doors is a double door
- No heat or plumbing – just electricity for lighting – Mr. Jalbert stated “yes”
- The Board emphasized that the garage is used for storage only – not to be used for any residential uses – Mr. Jalbert stated that the garage is for storage only

Motion: Made by Mr. Earls to grant the Determination requested by Charles A. & Jill T. Roy for the property located at 187 & 189 Lake Road, as requested, to demolish the existing garage and construct a new multi-stall two-story garage. According to the Proposed Site Plan for Charles A. & Jill T. Roy – 187 & 189 Lake Road – prepared by Jalbert Engineering –DWG #14179 – plan date 9/3/2014 – revision #3 – dated 6/6/2016 – Pencil Drawings of the garage. The Determination does not intensify the existing or create additional non-conformities and the owner may apply for a building permit for the described activities. All necessary permits must be obtained prior to the start of construction and with the condition that the garage will not have plumbing or heat and it shall not be used for residential use (non-habitable).

2nd: Ms. Thorpe

Discussion: None

Vote: 6 – 0

RE-ORGANIZATION OF THE BOARD

Rescheduled to the next meeting

CORRESPONDENCE

None

OLD/NEW BUSINESS

Appeal Period for the 40B – Comprehensive Permit – Five Leaves at Sturbridge – expired on June 30, 2016 – no appeals

Ms. Murawski, Town Clerk, gave her letter of resignation to the BOS – effective as of August 5, 2016

Kevin Filchak – Economic Development/Tourism Coordinator - started July 11, 2016

NEXT MEETING

August 17, 2016

On a motion made by Ms. Thorpe, seconded by Mr. Earls, and voted unanimously, the meeting adjourned at 7:35 PM.