



Zoning Board of Appeals – Town of Spencer

Minutes

Zoning Board of Appeals Meeting
Tuesday, January 13, 2014 at 7:15 PM
McCourt Social Hall
Memorial Town Hall

Zoning Board Members Present: Dee Kresco, Allan Collette and Bert Drexler
Zoning Board Member Absent: Robert Emerson
Staff present: Monica Santerre-Gervais, Clerk & Michelle Buck, Town Planner

1. Open Meeting - Mr. Drexler opens the meeting at 7:15pm

2. Special Permit: Applicant/Owner: Robert Beaudin. Location: 95 Wilson Avenue, Spencer Assessor's Map U28/49&50. The applicant is requesting a Special Permit under section 4.4.1.B (Accessory Uses) in order to build a garage. The property is located within the Lake Residential zoning district.

Mr. Drexler asked for clarification on if the applicant needed the variance. Ms. Buck said Robert Beaudin did not.

Mr. Collette read the application submitted by Mr. Beaudin. The applicant, Robert Beaudin, 95 Wilson Avenue is proposing to build a garage on a parcel in the same ownership which is directly across the street from his residence. The zoning district is Lake Residential, Spencer Assessors Tax Map Number U28, Parcel number 49 & 50, Deed Reference- Worcester Registry of Deeds Book number 22069, page 302, applicable Zoning Bylaw Section 4.4.1.B.

Mr. Drexler announced that the voting Board Members would be Dee Kresco, Allan Collette, and Robert Emerson.

Jason Dubois, Engineering Representative for Mr. Beaudin, discussed Mr. Beaudin's request for a two garage on a lot across from his residents. Requesting a Special Permit under Zoning Bylaw section 4.4.1.B, the size of the garage will be 945 sq ft two-car detached garage, with building coverage under allowable zoning requirements. They will have the lot surveyed before they start the construction of the garage to ensure they will stay in the allowable setbacks. Mr. Dubois handed out a Google map to show where the applicant lives and where the garage is being placed. The asphalt will come out to the road.

Ms. Buck told the Planning Board Members to view the revised plan (it was revised so that the garage would conform to setback requirements).

Mr. Collette asked about the impervious coverage. Ms. Buck mentioned that the applicant is here due to the fact his lot is only 3,800 sq ft and looking to put the accessory garage on a non-conforming lot, which is allowed by Section 4.4.1.B. The impervious coverage does not affect residential uses, only commercial. Mr. Collette asked if the applicant was over the allowed building coverage. Mr. Dubois said they are under the coverage.

Mr. Emerson questioned the location of the Google Map and asked if the abutter (Henry) was okay with the garage being put there. Mr. Beaudin said that Henry is okay with the proposed garage and he had done the same thing.

Mr. Drexler question where the septic system was. Mr. Beaudin said it was on the side of his house.

Ms. Kresco said the front set back was not listed. Ms. Buck showed Ms. Kresco the dotted line on the plan that represents all the setbacks.

Mr. Drexler asked about the second floor to the garage. Mr. Beaudin said that the second floor of the garage will act like an attic for storage purposes only.

MOTION: Mr. Collette made the motion to grant the Special Permit to Robert Beaudin, residing at 95 Wilson Avenue, to put in the garage according to the submitted plans dated 11/24/2014 under Section 4.4.1.B. Mr. Collette read the Zoning Bylaws Section 4.4.1.B:

“A private garage may be located on an abutting legal non-conforming parcel, including a parcel in the same ownership which is directly across the street from the residence, upon the granting of a special permit by the Zoning Board of Appeals. Setbacks required in Section 5.1 of this Article 4. Zoning Bylaw shall be met to the greatest practicable. In determining what is practicable, the ZBA shall consider a typical two car garage as the normal size, and may impose size restrictions on the proposed structure to minimize setback encroachment.”

SECOND: Ms. Kresco

DISCUSSION: None

VOTE: 3-0 (Mr. Drexler did not vote on this application)

3. Approval of Minutes:

- **November 10, 2014-** Minutes need to be changed. Where it says Ms. Shiver in the document change to Ms. Kresco.

MOTION: Ms. Kresco motioned to accept the amended minutes.

SECOND: Mr. Collette

DISCUSSION: None

VOTE: 4-0

4. Adjournment: with no further discussion the meeting is adjourned

MOTION: Mr. Drexler

SECOND: Ms. Kresco

Submitted By: Monica Santerre-Gervais, ODIS Clerk MSG
Approved by the Zoning Board of Appeals on 3/10/2015

List of Documents used on January 13, 2014:

1-7-2015 ZBA mailing

Items mailed to ZBA members prior to meeting:

- Agenda
- Minutes from 11/10/2014
- Special Permit plans for 95 Wilson Ave

Items submitted to ZBA members at the meeting:

- Special Permit Application and Documents
- General Special Permit Standards (Section 7.2.3)
- Google Map handed out by Jason Dubois (dated 1/13/2015)