

TOWN OF ASHBURNHAM
ZONING BOARD OF APPEALS
LOWER LEVEL MEETING ROOM – TOWN HALL
April 10, 2013

RECEIVED
16 AUG 20 AM 9:46
443 1111 1111 1111

In attendance – Chairman David Perry, Clerk Joe Daigle, Terry Girouard, Richard Archer, and Cheryl Anderson

Absent: Mark Carlisle.

Special Permit Hearing #13-02

1. David Perry opens hearing at 7:32 PM
 - A. Reads appeal cover sheet
 - B. Introduces Board Members
 - C. Explains the hearing rules

2. Mr. Wesley Smith turns hearing over to Chris MacKenzie (Whitman and Bingham) as agent for Michelle Barry the owner.
 - A. Chris explains plan
 - B. Michelle Barry speaks to having talked to the Westminster Building Inspector

3. Cheryl explains Section 3.32

4. Chris MacKenzie questions location of old home

5. David explains to Ms. Barry the intent of the Board's way of handling the By-Laws

6. Cheryl talks with Ms. Barry

7. Joe tells Chris MacKenzie from Whitman and Bingham why we handle appeals as we do

8. David asks Chris MacKenzie for total of square feet coverage
 - A. 1845 square feet house
 - B. 279 square feet deck
 - C. 800 square feet the driveway
 - D. 9.98% coverage

9. David points out tightness of North setback of 25'
 - A. Understands
 - B. Discussion of setback issues

10. David asks Board for additional questions
 - A. None

11. Abutter: Alan Rose present but has no comment for or against the project.

12. David explains rules of appeals process.

13. David closes the hearing at 8:05 PM
14. Board enters deliberation at 8:06 PM
- A. Terry makes motion to go into deliberations
 - B. David seconded the motion to go into deliberation
 - C. Vote: Unanimous to enter deliberation
15. David makes motion that a finding be made from 1.42 and that a Special Permit may be sought.
- A. Seconded by Cheryl
 - B. Vote unanimous that a finding be made from 1.42 and that a Special Permit may be sought.
16. David makes motion to grant special permit with conditions
- A. North setback 9"2"
 - B. South setback 16"2"
 - C. East setback 25'
 - D. Height 35'
 - E. Meets requirements of section 3.33-H
 - 1. Seconded by Terry Girouard
 - 2. Discussion
 - 3. Vote: Unanimous to grant Special Permit with conditions.
17. Submitted Items
- A. 1 of 3 Plan with colors (Proposed Soil Absorption System 01/16/13)
 - B. 2 of 3 Board of Health letter
 - C. 3 of 3 Conservation Letter
18. Board goes over minutes of 1/16/2013
- A. Correction on #6 (To 1.42)
 - B. Board approves minutes with correction
19. Board goes over minutes of 2/27/2013
- A. Correction on lead sentence (David=Chairman and Joe=Clerk)
 - B. Board approves minutes with correction
20. David Nominates Joe to continue as clerk
- A. Seconded by Rich
 - B. Vote unanimous
21. Terry nominates David to continue as Chairman of the Zoning Board of Appeals
- A. Seconded by Cheryl
 - B. Vote unanimous to have David as the Chairman of the ZBA
22. Cheryl nominates Joe to continue as Co-Chairman of the ZBA
- A. Seconded by Terry
 - B. Vote Unanimous
23. David nominates Terry to continue as Co-Clerk

- A. Seconded by Rich
- B. Vote unanimous

24. David makes motion to adjourn at 8:40 P.M.

- A. Seconded by Joe

- B. Vote Unanimous to adjourn the ZBA Meeting at 840 P.M.

RECEIVED
16 AUG 20 01 9:47
ADVISORIAL BOARD

Respectfully submitted,

Joseph Daigle,
Clerk

BE: 5 Shamrock Lane

March 26, 2013

After reviewing the ZBA referral, the Board of Health has the following comments:

1) The approved septic plan is for a three(3) bedroom home. The definition of a bedroom per Title 5 is:

"A room providing privacy... and consisting of all of the following:

- (a) At least 70 square feet.
- (b) Ceiling height of at least 7'3"
- (c) Electrical service & ventilation
- (d) At least one window
- (e) Heat "

The "office/game room" would be considered a fourth bedroom by this definition. If the door was removed, it would no longer meet the definition and would be OK.

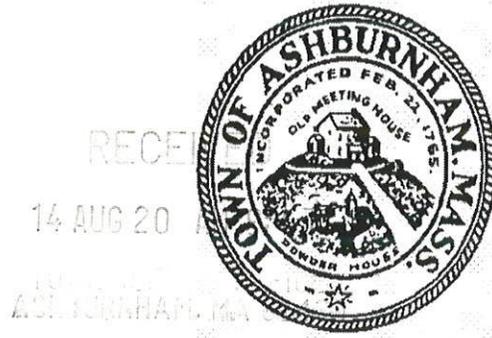
Other than that, there are ~~not~~ other comments. If you have any questions I can be reached @ 978.772.3335.

Sincerely,

Rick Metcalf, BOH Agent.

RECORDED
16 APR 20 10:59 AM
1000

Board of Selectmen
Extension 109
Town Administrator
Extension 109
Town Accountant
Extension 120
Town Clerk
Extension 114
Tax Collector
Extension 113
Treasurer
Extension 112 or 110
Board of Assessors
Extension 111
Land Use Office
Extension 117
Planning Board
Extension 121
Conservation Commission
Extension 115



Animal Control
Board of Health
Building Commissioner
Conservation Commission
Council on Aging
Cultural Council
Electrical Inspector
Gas & Plumbing Inspector
Historical Commission
Municipal Planning
Parks & Recreation
Planning Board
Zoning Board of Appeals

PHONE: (978)-827-4100
FAX: (978) 827-4105

TOWN OF ASHBURNHAM
Town Hall, 32 Main Street
Ashburnham, Massachusetts 01430

TO: Zoning Board of Appeals

FROM: Conservation Commission

DATE: April 10, 2013

SUBJECT: Request for an Amended Order of Conditions for 5 Shamrock Lane

The Conservation Commission held a public hearing for the Request for an Amended Order of Conditions for 5 Shamrock Lane on Monday, April 8, 2013. The request pertains to a revision to the location of the proposed construction of a new single-family dwelling and installation of a new septic system, with both activities within the 100 feet buffer zone. The applicant's representatives requested that they be able to continue the public hearing to Monday, April 22, 2013 due to further location revisions to the proposed dwelling and septic system.

Thank you,

Maureen Pollock
Conservation Agent