

Brimfield Zoning Board of Appeals

Minutes, Tuesday, Feb. 26, 2019

1. The Hearing for Debra Cormier regarding demolition and rebuilding of house at 97 Cubles Drive, Brimfield, MA, Parcel ID Map 6A-A-33 commenced at 7:03 PM. In attendance were Mike MacFadden, Don Damon, Kevin Moore, Pam Engberg for the ZBA, Debra Cormier, Jason Dubois of DC Engineering and Survey, and abutters Monique and Terence Hegerty and Tom Fredette. Kim Adams was not present due to illness and she had appointed Mr. Damon as acting chairman for the meeting.

Ms. Cormier described her proposal to demolish the existing structure at 97 Cubles Drive as it contains extensive black mold and is not worth restoration. She intends to replace the structure with a new house on the same 30' x 32' footprint, and to add an 8' x 30' deck. The addition of the deck will not affect setbacks. She introduced Jason Dubois, who is the surveyor and who then reviewed the plot plan and floor plans for the building with the board, including the location of the well and the septic system. The Conservation Commission has reviewed the plans and sent the Board a letter approving the project. Ms. Cormier stated that, given the condition of the existing structure, the proposed house will be an improvement, not a detriment, to the neighborhood.

Mr. Hagerty stated that he "couldn't imagine that it would not be an improvement". Mr. Fredette was concerned about a ditch along the property line that provides drainage for the area and needs to be kept open. It drains onto Ms. Cormier's property but when she blocked the drainage it backed up and affected Mr. Fredette's property. Ms. Cormier was advised to contact the Highway Department about the drainage. She also stated that her landscaper was looking at the problem. Mr. Fredette also asked some questions about the septic system and the well. None of the abutters expressed any objection to the proposed project.

Mr. MacFadden moved to close the public hearing, Mr. Moore seconded, Mr. Damon, Mr. Moore, and Mr. MacFadden each voted yes; the motion passed 3-0. The hearing closed at 7:20 PM and Ms. Cormier, Mr. Dubois, and the abutters left.

The business meeting opened at 7:25 PM.

2. Introduction of Meghan Drysdale. Meghan is interested in taking over the clerk's position. She mentioned that she attends Becker College and described her career plans. Her work background includes working at Harrington Hospital and at Tufts. She is also on the Brimfield Trails Committee. Meghan will meet with Ms. Engberg on March 6 to review the procedures that have been documented.

3. Review of Minutes from meeting of Jan. 23, 2019. It was suggested that the phrase "in accordance with the Brimfield Zoning Bylaws section 4.2" be added in paragraph 7 before the words "that the special permit be granted." It was also noted that Mr. Burlingame has not provided contact information for Mike Doyle, an action that was mentioned in the minutes, and that someone needs to follow up on that. Mr. MacFadden moved that the minutes be accepted as amended, Mr. Moore seconded. Mr. Damon, Mr. Moore, and Mr. MacFadden each voted yes; the motion passed 3-0.

4. Signing of Expense Forms - The clerk payroll form and an expense form for postage and Stonebridge Press legal notices were reviewed and signed by Mr. Damon. A discussion then took place regarding the clerk's compensation account, which only has enough funding for two more hearings. Ms. Engberg said that this was due to additional allocations made to compensate for the Cumberland Farms hearing work and the computerization and forms revision work. Mr. MacFadden said that should the fund run out the Board can request additional funds from the Finance Committee. The fees charged applicants for special permits, variances, and decisions are currently \$100 for advertising and \$100 for the hearing fee, which in theory compensates the clerk, although the fees go into the general fund. Mr. MacFadden suggested that since the usual clerk fee for a hearing is \$150, the Board should consider raising the hearing fee charged applicants to \$150. After some discussion about the relationship between the general fund and the

allocation accounts, Mr. Moore proposed that the total allocation per hearing be raised to \$300 effective July 1, 2019. Mr. MacFadden seconded, Mr. Damon, Mr. Moore, and Mr. MacFadden each voted yes; the motion passed 3-0.

5. Review/Discussion of Forms Revision. The change to the forms that merged paragraphs 4 and 5 were reviewed. Ms. Engberg pointed out that the fee change effective July 1 means another change to the forms. This will need to be done and approved prior to July 1. Mr. Moore motioned that the forms be accepted as amended, with the price amendment to happen as of July 1. Mr. MacFadden accepted. Mr. Moore, Mr. MacFadden, and Mr. Damon each voted yes; the motion passed 3-0.

6. The deliberation for the decision for the Cormier application. The drainage issue was mentioned. It was determined that the owner should contact the Highway Department about the situation; it does not affect the application to the ZBA. The decision was based on the testimony of Ms. Cormier, Mr. Dubois, and the abutters present, and an examination of the reference plans drawn by Stephen Fleshman, Architect, No. 18-052, and by Jason Dubois, DC Engineering and Survey, dated 12/19/2018, project 18-189. The Board found that the project is not detrimental to the neighborhood. The Board further noted that no abutters expressed opposition during the hearing. Mr. MacFadden moved that the ZBA approve Debra Cormier's application for a special permit under the Brimfield Zoning Board Bylaws section 4.2 to raze a structure at 97 Cubles Drive and replace it with a structure designed by Stephen Fleshman, Architect and site engineering plans by D.C. Engineering and Survey. The structure is to be built as per submitted plans and changes to either plan are not allowed without approval by the Brimfield Zoning Board of Appeals. Mr. Moore seconded; Mr. Damon, Mr. Moore, and Mr. MacFadden each voted yes; the motion passed 3-0.

7. The next meeting was not scheduled.

8. The vote to adjourn was proposed by Mr. MacFadden, seconded by Mr. Moore; Mr. Moore, Mr. Damon, Mr. MacFadden each voted yes; the motion was passed 3-0. The meeting was concluded at 8:27 PM.

Respectfully Submitted

Pamela Engberg
ZBA Clerk

Kim Adams

Don Damon

Kevin Moore