

# Brimfield Zoning Board of Appeals

## Minutes, Tuesday, July 17, 2018 (07172018)

Business Meeting started at 7:30 PM.

In attendance were Don Damon, Kim Adams, and Pamela Engberg for the ZBA; Amber and Tony Ditomasso (property owners), Mark Farrell and Joe Levesque (Green Hill Engineering), and Steve and Debby LeMay (neighbors across the lake but not abutters).

1. The meeting opened with the Ditomasso hearing. The Ditomassos intend to demolish the old house located at 82 First Street, Parcel ID 5C-A-54, and replace it with a new structure. Mr. Farrell, who drew up the plans, made the presentation of proposed changes and demonstrated that the three changes proposed (Minimum Front Yard, Building height, Maximum Lot Coverage) remain conforming, fall within the allowable increase in an existing dwelling footprint, and no existing non-conforming side is being changed. Neighbors Debby and Steve LeMay, whose residence is directly across the water from the Ditomassos parcel, approved strongly that the house will be "fixed up" and stated "from our vantage point we are in favor of the project." Joe Levesque was the surveyor for the project and assured the Board that the existing and new footprints agree with what Mr. Farrell stated. After some discussion Mr. Damon stated that because a nonconforming structure can "go up but not out" a special permit or variance is not required. Based on public input it does not appear to be detrimental to the neighborhood. The Ditomassos were advised that a vote will be taken after the hearing is closed, the decision will go to the Town Clerk, and that there is a 20-day period in which abutters may contest the decision. Construction should wait until that period begins. [Note: See minutes of 8/21/2018 for more discussion and final decision]

A motion was made by Ms. Adams to close the hearing, seconded by Ms. Engberg, passed 3-0. The hearing was closed and the LeMays, Ditomassos, Mr. Farrell and Mr. Levesque left.

Upon review of the plans submitted by Mark Farrell (Green Hill Engineering plot plan Project 2017-163, 5 June 2018, signed and dated 7/17/18, and elevation and building plans as received by the Board on 7/17/18), according to the information provided the Board does not find that a special permit or variance is required. Further, based upon comments of town members the Board finds that the project as proposed is not detrimental to the neighborhood. A motion so stating the decision was proposed by Ms. Engberg, seconded by Ms. Adams, passed 3-0.

2. Review of minutes from meeting of May 29 - Motion made to accept minutes as amended (typographical errors corrected) by Ms. Adams, seconded by Ms. Engberg, passed 3-0; Review of minutes from meeting of July 9 - Motion made to accept minutes as amended (typographical errors corrected) by Ms. Adams, seconded by Ms. Engberg, passed 3-0.

3. Discussion of new permitting process and review of ZBA forms was deferred until next meeting.

4. Expense form signed by acting chairman Mr. Damon.

5. New Business: Ms. Engberg reported that a new hearing will be forthcoming for Elizabeth Crosby, 74 First St, Brimfield, Ma, for a dimensional variance to construct a garage. The requestor has been directed to the Zoning Officer/Building Office to begin the process.

A motion to adjourn was made by Ms. Adams, seconded by Ms. Engberg; the meeting adjourned at 8:30 PM.

Respectfully Submitted

Pamela Engberg

ZBA Clerk

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Michael Macfadden

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Don Damon

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Kim Adams

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Kevin Moore