



Town of Leicester
ZONING BOARD OF APPEALS

3 Washburn Square
Leicester, Massachusetts, 01524-1333
Phone: 508-892-7007 Fax: 508-892-7070
www.leicesterma.org

Certificate of Decision on Special Permit
1 Breezy Green Road (ZBA 23-02)

Decision Date: May 17, 2023

Project Name: 1 Breezy Green Road

Location of Project: 1 Breezy Green Road, Leicester, MA

Assessors Reference: Map 25A, Parcel H11-0

Deed Reference: Book 55289/Page 74

Zoning District: Residential-1 (R1)

Total Lot Area: 7.88 acres

Type of Use: Vacant lot

Building Area: N/A

Applicant(s): Sean M. O'Neil & Lisa M. O'Neil
19 Juniper Road
Worcester, MA 01602

Owner(s): David P. Foy & Alyssa J. Foy
1 Breezy Green Road
Leicester, MA 01524

Plans Prepared by: Robert D. O'Neil, Jr., Professional Land Surveyor

Plans Dated: December 1, 2022 and revised through May 10, 2023

Application Date: March 16, 2023

Public Hearing: April 26, 2023 duly noticed and posted in accordance with the provisions of the Zoning Act, MGL c.40A and the Open Meeting Law, MGL c. 39, §23A - §23C

Voting Members: Jim Buckley (Chair), Jim Reinke (Vice Chair), Richard Johnston and Vaughn Hathaway

ZBA Action: Approved by a vote of four (4) in favor, zero (0) opposed and one (1) abstained (4-0-1)

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Summary Description of Application:

The applicant requests a Special Permit under Section 1.3 (Definitions, Limited Frontage Lot) and Section 6.4.02 (Special Permits) and M.G.L. Chapter 40A, Section 9 to allow the applicant to create a lot containing limited frontage that contains 90.39 feet of frontage. The property is located in the Residential-1 (R1) Zoning district, which requires a minimum of 150 feet of frontage.

Findings:

The Leicester Zoning Board of Appeals made the following findings as required by M.G.L. Chapter 40A, Section 9 and Sections 1.3 and 6.4.02 of the Leicester Zoning Bylaws:

1. That the proposed use is in harmony with the general purpose and intent of the Zoning Bylaw (MGL40A§9).
2. That the proposed lot meets all other dimensional requirements of the Residential-1 (R1) zoning district.
3. The revised plan dated May 10, 2023 shows access to the provided across the front of the lot and in accordance with the Zoning Bylaws.


Conditions:

1. The applicant is required to submit an application for an Approval Not Required (ANR) plan to create the proposed lot to the Planning Board for review and approval prior to conducting any site activity for development on the lot in question.
2. The driveway to the dwelling shall not be more than 500 feet in length and must be gravel if not paved and installed in accordance with the Zoning Bylaws.

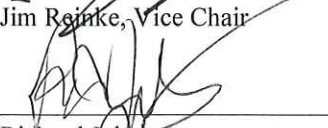
Vote:

Based on these findings, the Leicester Zoning Board of Appeals, as the Special Permit Granting Authority, pursuant to Section 6.4 of the Leicester Zoning Bylaws and M.G.L. Chapter 40A, Section 9, voted four (4) in favor, zero (0) opposed and one (1) abstained (4-0-1) to approve the Special Permit as herein described.

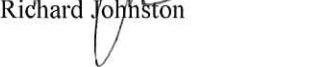
Leicester Zoning Board of Appeals:



Jim Buckley, Chair

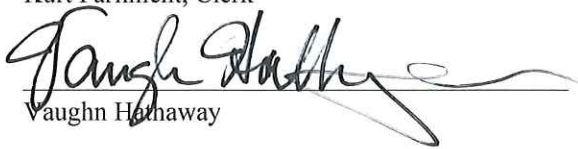


Jim Reinke, Vice Chair



Richard Johnston

Kurt Parliment, Clerk



Vaughn Hathaway

This Decision shall not take effect until a copy is recorded with the Worcester District Registry of Deeds. Any construction authorized hereunder must commence no later than one year from the granting of the Special Permit.

Notice of this Decision will be sent by the Board to persons notified of the hearing (parties in interest) pursuant to MGL Chapter 40A§9.

Any appeal to this Decision must be made to the Superior Court within 20 days after the filing of this Decision with the Town Clerk, in accordance with MGL Chapter 40A§17.