


# Leicester Zoning Board of Appeals

## Special Permit & Variance Application Form

**PERMIT TYPE:** ☒ Special Permit ☐ Variance

**Date:** 3-5-2021

<b>CONTACT INFORMATION</b>			
<b>Property Owner:</b>			
<b>Name:</b>	Jeffrey & Kandra Gervais		
<b>Company Name:</b>	N/A		
<b>Signature:</b>			
<b>Address:</b>	11 Colicum Drive, Charlton, MA 01507		
<b>Phone:</b>	774-696-3499	<b>Email:</b>	jeff@gervaismechanical.com
<b>Applicant:</b>			
<b>Name:</b>	SAME		
<b>Company Name:</b>			
<b>Signature:</b>			
<b>Address:</b>			
<b>Phone:</b>		<b>Email:</b>	
<b>Primary Contact Person:</b> <i>(The person that will be contacted by Town staff during the application process.)</i>			
<b>Name:</b>	Jennifer Hager		
<b>Company Name:</b>	N/A		
<b>Address:</b>	36 Ridge Way, Sturbridge, MA 01566		
<b>Phone:</b>	508-479-4582	<b>Email:</b>	jhager23@charter.net
<b>PROJECT INFORMATION</b>			
<b>Project Address:</b>	Lake View Drive	<b>Zoning District:</b>	SA
<b>Assessors Map &amp; Parcel #</b>	28B-2B		
<b>Deed Reference (Book/Page):</b>	63167/269		
<b>Size of Proposed Structures:</b>	24' X 30'	<b>Total Lot Area:</b>	.128 a. + (.588 a.)
<b>Water Source:</b>	N/A	<b>Sewer Source:</b>	N/A
<b>Applicable Zoning Bylaw Section(s):</b>	1.5.01 & 6.4.02		
<b>Brief Project Description:</b>			
<p>Please include a brief description on this form (i.e. do not write "see attached"). <i>[Examples: construction of a 10' x 20' shed in the front yard of an existing home; installation of a 60s.f. freestanding sign (special permit required to exceed 50 s.f.)]</i></p> <p>Construction of a 24' X 30' two car garage on M28B P2B, effectively in the front yard of 67 Lake View Drive (M28B P3A).</p>			

**PROJECT INFORMATION, Continued****State Briefly Reasons for Variance or Special Permit:**

*See Zoning Board of Appeals Instructions for Variance and Special Permit Applications. You may use the space below and/or attach additional pages as necessary to fully describe the application and reasons for the variance or special permit.*

67 Lake View Drive (M28B P3A) and the lot across the street at M28B P2B (no street number) are both owned by the Gervais family.

Lake View Drive is a private way that does not appear to be owned by any single party. Considering the Derelict Fee Statute, abutters to a private way hold fee to the centerline, effectively making these lots contiguous lots in the same ownership.

Therefore, in accordance with Section 1.5.01 it is permissible with a Special Permit from the Zoning Board of Appeals to allow this proposed garage to be located on this lot, effectively in the front yard of 67 Lake View Drive, with the appropriate findings in accordance with Section 6.4.02.

The applicant feels this lot is appropriate for this use noting garages are permitted in this District and that similar structures exist across private ways as is seen at 39 and 51 Lake View Drive.

Additionally, in terms of potential impacts on Cedar Meadow Pond, it is more desirable for the garage to be located east of the road than west closer to Cedar Meadow Pond.

As the garage is strictly for residential vehicles with no utilities other than electricity 1) water and sewer are not effected, 2) it will not create undue nuisance in the neighborhood, and 3) it will not produce an unsafe condition for vehicles or pedestrians.

Having a garage for the families vehicles will be more aesthetic, will keep them off the private way, and will allow them to enter the way in a forward motion which is much safer. For these reasons the applicant requests your favorable consideration of this application.

**APPLICATION CHECKLIST:**

*Use this checklist to ensure you have provided all required information.*

*Three (3) copies of all paper submittals are required except where noted.*

<input checked="" type="checkbox"/> Application Form	<input checked="" type="checkbox"/> Any supplemental information where applicable (letters, detailed project information, etc.)	<input checked="" type="checkbox"/> Plans (1-full-size & 2 11"x17")
<input checked="" type="checkbox"/> Certified Abutters List (1 copy)	<input checked="" type="checkbox"/> Fee (\$175) - check payable to the Town of Leicester	<input checked="" type="checkbox"/> .pdf copy of <u>all</u> submitted documents (CD or USB Drive)

***Submit the full application to the Town Clerk's Office***