

**ZONING BOARD OF APPEALS  
MEETING MINUTES**

**August 5, 2020**

*[Note: This meeting was held remotely using GoToMeeting]*

**Members Present:** Jim Reinke, Chair, Jim Buckley, Vice Chair, Vaughn Hathaway

**Members Absent:** N/A

**Alternate Members Present:** Richard Johnston

**Staff Present:** Michelle Buck, Town Planner, Tiffany Peters, Department Assistant

**Meeting Time:** 6:00PM

**Agenda:**

1. **Board Re-Organization**
2. **Public Hearing, Special Permit**  
1655 Main Street, Accessory structure in front setback, Applicant: Justin Zuffante
3. **Approval of Minutes:**
  - June 11, 2020
4. **Correspondence/General Board Discussion:**
  - Miscellaneous Updates
5. **Adjourn**

Meeting called to order at 6:00PM

**1655 Main Street, Special Permit**

Mr. Hathaway reads a summary of the application. The applicant, Mr. Justin Zuffante, states he purchased the property in 2018 which included the main building and the two existing car ports. He states he has since moved them around the property to better suit his needs and that the Building Inspector had visited the property and signed off on the site prior to him opening for business. He states that about nine months later he experienced some problems with vandalism and theft to vehicles he was servicing on his property. In order to prevent further vandalism issues, keep the vehicles from public view and give his business better curb appeal he added sides and locking doors to the car port. Approximately six months later he was approached by the Building Inspector who states that it was too close to the road by a few feet.

Mr. Reinke asks for clarification regarding where the carport is located on the property. Mr. Zuffante states that it is in between the main building which sits diagonally on the lot and Route 9. Ms. Buck shows the site plan on the screen and points out the structure which sits in the front setback. Mr. Hathaway verifies that we are having this hearing because the accessory structure is in the front setback and not because it is near the lot line. Ms. Buck states that he is correct, it is due to structure being in the front setback. Mr. Zuffante states that the building is 1,000 s.f., the dimensions of the structure are 20x50 feet and that the side walls are 12 feet high. He states that the existing building is 8-10 feet taller than the accessory structure. Mr. Reinke asks if the structure could be moved to the back of the building. Mr. Zuffante states it would be difficult to

move it because it butts up against another carport that he has and that its current location works the best for his business. Mr. Reinke asks if there is a door that connects the structures. Mr. Zuffante states it is connected by a pass through.

Mr. Buckley states that he thinks this meets the criteria of the special permit. Mr. Reinke asks what the building is used for. Mr. Zuffante states it is used for storage. He states that it matches the main building and that he planted evergreen trees between his property and the neighbor's house to allow more privacy for the abutters. Mr. Johnston states he thinks they are looking at two issues, the accessory building in the front setback and also the distance between the building and the road. He states that due to the way the main building sits kitty-cornered on the property, it could be interpreted that the accessory building is on the side of the main building. Mr. Johnston states that visually, the enclosed building is an improvement to the property.

Mr. Reinke asks what the distance is between the corner of the main building and the road as he is questioning if it might be closer to the road than the accessory building. Mr. Zuffante states that the main building is over 50 feet away from the road and is not closer to the road than the accessory building. Mr. Hathaway adds that accessory structures can be as close as 10 feet from lot line.

**Motion:** Mr. Buckley moved to grant the special permit to allow an accessory structure in the front setback at 1655 Main Street in Leicester, MA.

**Second:** Mr. Johnston

**Discussion:** None

**Roll Call Vote:** All in favor (4-0-0)

**Motion:** Mr. Buckley moved that we close the hearing for 1655 Main Street

**Second:** Mr. Hathaway

**Discussion:** None

**Roll Call Vote:** All in favor (4-0-0)

### **Board Re-Organization:**

**Motion:** Mr. Buckley moved to keep the Board organization the same as it currently is:

- Mr. Reinke – Chair
- Mr. Buckley – Vice Chair
- Mr. Hathaway – Clerk

**Second:** Mr. Hathaway

**Discussion:** None

**Roll Call Vote:** All in favor (4-0-0)

### **Approval of Minutes:**

#### **June 11, 2020 Meeting Minutes**

Minor edits were forwarded to the Department Assistant prior to the meeting. Meeting minutes for June 11, 2020 have been corrected as instructed by the Board members.

Jim Reinke asks for a vote on the minutes.

**Roll Call Vote:** (4-0-0)

## **Correspondence/General Board Discussion:**

### *Vacancies*

Ms. Buck informs the Board that they are in the process of trying to hire a Building Inspector and a Board of Health Agent. The ZBA also has vacancies.

**Motion to Adjourn:** Mr. Johnston

**Second:** Mr. Buckley

**Discussion:** None

**Roll Call Vote:** (4-0-0)

Meeting Adjourned at 6:57PM

Respectfully submitted,  
Tiffany Peters, Department Assistant

## **Documents included in meeting packet or otherwise sent to ZBA in advance of the meeting:**

- Agenda
- Memo to the Board from the Town Planner dated 7/30/2020
- Required Findings for ZBA Special Permits Sheet
- Public Hearing Notice for Special Permit for 1655 Main Street
- Special Permit application for 1655 Main Street
- Certified Abutters List for 1655 Main Street
- Google Maps photos of 1655 Main Street
- Massachusetts Interactive Property Map of 1655 Main Street
- Letter to applicant Justin Zuffante from Jeff Senecal dated 2/24/2020
- Letter to applicant Justin Zuffante from abutting neighbor John Guerin dated 2/18/2020
- Site Plan of 1655 Main Street
- Letter to applicant Justin Zuffante from Building Inspector dated 5/14/2020
- Letter to applicant Justin Zuffante from Building Inspector dated 2/5/2020
- Meeting Minutes for 6/11/2020

**Documents submitted at meeting: None**