

Shutesbury ZBA Meeting Minutes

Date: 6/9/2022

Start: 7:01 PM

End: 7:55 PM

Attendees: Charles DiMare (Chair), Jeff Lacy, Herb Gilmore

Meeting called to order by DiMare, who announced that this virtual Zoom meeting is being recorded.

- Minutes of 2/16/2022 and 3/14/2022 (both in conjunction with Shutesbury PB) were unanimously approved. Note made by DiMare that there is no need to approve the 5/18/2022 meeting with the PB since we were invited by PB to partake in their meeting and therefore it was not an official ZBA meeting.
- Review of **Michael Vinsky Site Plan Application (ZBA Case 22-002)** regarding a 6.15 kW Ground Mounted Solar Array to be installed at 391 West Pelham Rd, Shutesbury MA 01072 with an amendment that the trench for the array was shown incorrectly on the initial site plan drawing and subsequently altered and reviewed by all members of the ZBA. Vinsky noted the environmental benefits of solar energy and that the array in question is in a good location physically and esthetically. Lacy agreed that the size, scope and location of this solar array fulfilled all of the ZBA By-Law requirements. DiMare noted that the array is not at all visible from the main road and did not obstruct any abutters views. Gilmore agreed with Lacy and DiMare. The application was supported unanimously by all 3 ZBA members. Vote will be taken at next meeting.
- Review of **Donna and Michael McCallum Special Permit Application (ZBA Case 22-001)** regarding removal of an existing structure, replacing it with a new foundation and structure with basement at 14 Lake Dr, Shutesbury MA 01072. DiMare noted that the that the new structure will be 28 ft in height

(26 ft from roadside grade) and is well within the 25 ft lakeside set back as established in the present ZBA Bylaw. He noted that an additional letter of support had been submitted by Joseph Gorey, an immediate abutter at 16 Lake Dr, subsequent to the announcement of this meeting.

Andrew McCallum presented a diagram of the present and proposed layout, showing:

- 1) the proposed structure will encroach further on the lakeside by 3'2" to 75" from the high-water mark, well within the 25' required in the present by-law,
- 2) the height of the proposed structure (28', 26' from roadside grade) will be higher than that of the present structure, but in keeping with height of neighboring structures on the lake, and within the present by-law height limit of 28' for a new structure in the Lake Wyola (LW) district.
- 3) the side setbacks will be shifted away from the closest neighbor on the right, toward the neighbor on the left (view: facing the lake); with the side-to-side measurement of the proposed foundation unchanged from that of the present structure; thus, creating a more "open space" to the lake on the nearest-neighbor side on the right; also, shifting the proposed structure to comply with the present by-law side setback of 15' on both sides.

Lacy posed a question regarding space for live-in health aide as indicated in the application documents, noting that this space needs to be within the confines of the proposed dwelling. McCallum confirmed that it would be and it is only a theoretical consideration for the future.

Gilmore commented that 40+ abutters are within 300 ft of the property and that 11 letters in support of the project were submitted, most notably from the closest abutters and those whose views to the lake could have been potentially most affected.

Lacy was particularly pleased that the proposed structure will continue to use the existing tight tank septic system. He thought the proposed structure was well thought out taking into account its lakeside location and that the design is esthetically pleasing

DiMare and Gilmore agreed with Lacy and all three ZBA members unanimously support the project as presented. Vote will be taken at next meeting.

- It was unanimously approved by all 3 members that the Special Permit/Variance Application Fee be increased to \$600 on 7/2/2022 from the present \$500.
- DiMare announced farewell to the Chair (himself) and active member Gilmore who have both officially announced their resignations as of 7/2/2022.
- Jeff Lacy was unanimously elected by all 3 members by voice vote to the positions of both Chairman and Clerk for the Shutesbury ZBA effective 7/2/2022. Lacy is actively recruiting new ZBA members.
- Next Meeting of ZBA scheduled for 6/15/2022, 7PM
- Meeting adjourned by unanimous voice vote

Minutes unanimously approved 6/15/2022