

Becket ZBA Meeting Minutes
Tuesday, April 5th, 2016
Town Hall, 557 Main Street, Becket Ma.01223

Board Members present: Karen Karlberg, Jeffrey Wilkinson, George Roberts, Al Blake, Victoria Bleier, Joy Lennartz.

Board Members absent: None

Public Present: Ray Michanczyk, Mark Volk, Betsy Farrell Garcia.

Meeting is opened at 7:03 PM.

Approval of Meeting Minutes of February 2nd, 2016- Ms. Bleier makes a motion to approve the meeting minutes as presented, Mr. Roberts seconds the motion; Mr. Blake abstains, Minutes are approved.

7:06- Public Hearing Continuation for Raymond and Terri Michanczyk, 133 Mystic Isle Way: Chairman, Ms. Karen Karlberg opens the meeting and introduces the Board members present to the public. She advises that the Board will proceed with the continuation of the Public Hearing for 133 Mystic Isle Way. Ms. Karlberg explains that the Town's Attorney took a while to get back to the Board with an opinion and that a letter was just received a few hours ago. Ms. Karlberg reads aloud the letter from the Attorney aloud for all to hear. Mr. Roberts asks Mr. Michanczyk when the shed on the property was built. Mr. Michanczyk advises that he does not have an exact date. Mr. Michanczyk advises the Board members present that he would like to go ahead and change his request for a variance to a request for a dimensional special permit. At this time, Mr. Roberts advises that he is hesitant to try and interpret the letter from Attorney Joel Bard as it has many gray areas. Zoning Board members re-read the letter submitted, and try to determine which sections of the bylaw may apply. Ms. Bleier agrees with Mr. Roberts, stating that the letter is ambiguous. Ms. Karlberg asks Mr. Michanczyk if it is his intention to change his request for a variance to a request of a dimensional special permit; Mr. Michanczyk states that yes, he would like to move forward with a request for a dimensional permit. Mr. Roberts makes a motion to consider the applicant's request to move forward to a dimensional special permit rather than the request for a variance that was initially submitted, based on paragraph #2 from attorney Joel Bard as well as the advice of Joel Bard as written in his letter dated April 5, 2016. Mr. Wilkinson seconds the

motion. Board members discuss. Mr. Roberts advises that as it is stated in the Attorney's letter, it is in the right of the ZBA to consider as a dimensional special permit. Ms. Karlberg calls for a vote; Unanimous approval.

Mr. Michanczyk asks for a copy of the letter from the attorney, the secretary gives him a copy of the letter. Mr. Roberts restates his concerns for the setback incursion and states that the applicant may build a similar structure by right. Mr. Michanczyk states that in order to build his garage by right, it will have to be put right in front of the house and that would look terrible. Ms. Karlberg states that the ZBA will need to see new plans, as the proposal has changed a bit and that it is very difficult to judge what the distance from the deck and to the stairs is from the proposed garage. Mr. Wilkinson states that section 4.3.1 of the bylaws does apply to new structures rather than existing structures. Mr. Wilkinson asks if the standards if the neighborhood would be diminished; Karen advises that the ZBA currently has 13 letters stating that the garage would adversely affect the neighborhood.

Ms. Karlberg advises Mr. Michanczyk that there are still some things that they will need to see: Septic system identified on the plans, any septic information available in the Board of Health Septic file, any information to find out if the existing shed pre-existed zoning. Mr. Roberts also requests that a site visit be made, to accurately produce final measurements. Mr. Roberts and Mr. Wilkinson get permission from the applicant as well as from the Chairperson, to do a site visit, measure all distances to be discussed and will then email findings to the secretary.

Mr. Roberts makes a motion to continue the public hearing until May 3rd, Mr. Wilkinson seconds the motion; Unanimous Approval.

Public Input- Mr. Mark Volk, representing Jacob's ladder introduces himself to the Zoning Board members, explaining that he has submitted an application on behalf of the Pillow that he will be presenting in the month of May. Ms. Karlberg advises that she is employed by Jacob's Pillow and therefor will be recusing herself. Mr. Alvin Blake advises that he was also employed by Jacob's Pillow, however he is not receiving any financial compensation at this time and feels that he would not have any problem participating in a public hearing. Mr. Volk advises that he would not have any objections to Mr. Blake participating in the public hearing.

Mr. Volk briefly explains that Jacob's Pillow would like to request a Dimensional Special Permit as well as a site plan review. He shows plans that he has prepared, explaining that the proposed building would be put up into the front setback. Mr.

Roberts asks if the Pillow would consider putting the building on the other side of the road and approximately 40 feet back from the Road. Ms. Betsy Farrell Garcia explains that the location is very important to the Pillow as this way it is in line with all of the other buildings.

Mr. Roberts also asks how many bathrooms will be in the building; Mr. Volk advises there will be three bathrooms with a capacity of 104. Mr. Volk goes on to explain the septic system as well as the pumping chamber to the ZBA members.

Mr. Wilkinson asks if he can see something with the heights of the buildings. Mr. Roberts additionally asks for a master plan, a plan for the drainage, a more detailed plan with the proposed building along with the water systems shown. Mr. Roberts also advises that he would like to see a map of the entire property that the Pillow owns as well as documentation of all the buildings that exist. Mr. Roberts asks for specifics having to do with the National Historic plan.

Board members briefly discuss the scheduling of a site plan visit. Members present agree that Tuesday May 3rd at 6:15 PM, just before the meeting would be a good time, Mr. Mark Volk agrees to that time as well. The Site visit is scheduled for May 3, 2016 at 6:15 PM.

Budget-Read and Reviewed

Correspondence- Read and Reviewed.

Mr. Roberts makes a motion to adjourn the meeting, Mr. Blake seconds the motion; Meeting is adjourned at 8:38 PM.

Schedule next meeting for May 3rd, 2016.

Respectfully Submitted,

Heather Hunt

Karen Karlberg

Date

Jeffrey Wilkinson	Date
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Victoria Bleier	Date
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Joy Lennartz	Date
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George Roberts	Date
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