

**Lee Planning Board  
32 Main Street  
Lee, Massachusetts 01238, 2012**

**July 22, 2013**

**Present:** Chairman, David Durante, Thomas Wickham, Shaun Hall, Buck Donovan, and Harold Sherman

This meeting was called to order at 6:15

**Ralph Sorley/Site Plan Review/Special Permit**

Mr. Sorley is seeking approval of a site plan review and a special permit under Section 199-6.1(B) (Nonconforming structures, uses and lots) for the replacement of a dilapidated fire damaged mobile home #13. The property is located at 331 Bradley Street.

Tom made a motion to waive strict site plan requirements. This motion was seconded by Buck and was unanimously approved, 5-0.

Tom made a motion to accept the site plan as presented. This motion was seconded by Sherman and was unanimously approved, 5-0.

Sherman made a motion to make the following findings under Section 199-6.1(B)

That such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use to the neighborhood.

That such extended altered or reconstructed structure or changed use shall not be in greater nonconformity with open space, yard and off-street parking requirements of this chapter.

This motion was seconded by Tom and was unanimously approved, 5-0.

Tom made a motion to make the following findings under Section 199-13.4(D).

The project is compliance with all provisions and requirements of this chapter and in harmony with its general intent and purpose.

The project is essential or desirable to the public convenience or welfare at the proposed location.

The project will not be detrimental to adjacent uses or to the established or future character of the neighborhood.

The project will not create undue traffic congestion or unduly impair pedestrian safety.

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The project will not overload any public water, drainage or sewer system or any other municipal facility to such an extent that the proposed use or any existing use in the immediate area or in any other area of the town will be unduly subjected to the hazards affecting public health, safety or general welfare.

This motion was seconded by Tom and was unanimously approved, 5-0.

Tom made a motion to award the special permit to Ralph Sorely. This motion was seconded by Sherman and was unanimously approved, 5-0.

### **Cafua Realty/Sign Permits**

Tom made a motion to table the two sign permits because they were incomplete. This motion was seconded by Buck and it was unanimously approved, 5-0.

### **Cafua Realty/Site Plan Review/Special Permit**

Matthew Putnam, SK Design Group represented Cafua Realty in a request to amend a Special Permit under Section 199-4.2(G)/199-6.1(B).

The proposed works consists of the removal of the existing glass enclosure and replace with new windows; awning replacement on drive through service area; new awning at entrance; repaint entire building and signage replacement. The property is located at 200 Housatonic Street in the CBC zoning district.

Sherman made a motion to waive strict site plan requirements and accept the site plan as presented. This motion was seconded by Tom and was unanimously approved, 5-0.

Tom made a motion to make the following findings under Section 199-6.1(B)

That such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use to the neighborhood.

That such extended altered or reconstructed structure or changed use shall not be in greater nonconformity with open space, yard and off-street parking requirements of this chapter.

This motion was seconded by Buck and was unanimously approved, 5-0.

Tom made a motion to make the following findings under Section 199-13.4(D).

The project is compliance with all provisions and requirements of this chapter and in harmony with its general intent and purpose.

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The project is essential or desirable to the public convenience or welfare at the proposed location.

The project will not be detrimental to adjacent uses or to the established or future character of the neighborhood.

The project will not create undue traffic congestion or unduly impair pedestrian safety.

The project will not overload any public water, drainage or sewer system or any other municipal facility to such an extent that the proposed use or any existing use in the immediate area or in any other area of the town will be unduly subjected to the hazards affecting public health, safety or general welfare.

This motion was seconded by Buck and was unanimously approved, 5-0.

The Board discussed that following condition that the south and east side of the awning at the drive-through should be painted a neutral color. There was some discussion regarding if the Board wanted to waive conditions 4 and 7 of the original special permit. They determined not to waive the conditions.

Tom made a motion to award the Special Permit with the condition that the south and east side of the awning at the drive-through would be painted a neutral color. This motion was seconded by Buck and was unanimously approved, 5-0.

### **Other business**

Tom made a motion to approve the minutes of April 22<sup>nd</sup> as amended. This motion was seconded. This motion was seconded by Buck and the final vote was 4-0. Sherman abstained.

Tom made a motion to approve the minutes of July 8<sup>th</sup> as amended. This motion was seconded by Buck and the final vote was 4-0. Sherman abstained.

Tom made a motion to adjourn this meeting at 8:30 P.M.

Respectfully submitted,

Jaimy Messana  
Land Use Administrative Assistant

CC: Board of Health  
Principal Assessor  
Board of Public Works  
Town Administrator  
Board of Selectmen

Town Clerk  
Historical Commission  
Conservation Commission  
Building Inspector  
Town Counsel