

**Lee Planning Board**

**32 Main Street**

**Lee, Massachusetts 01238**

**January 12, 2015**

**Present:** Chairman, David Durante, Buck Donovan, Thomas Wickham, Janette Cimini. Associate Member and Donald Torrico, Building Commissioner

This meeting was called to order at 6:15

**Jeffrey Fairfield/Site Plan/Special Permit**

Jeffrey Fairfield is requesting approval of a Special Permit under Section 199-6.1 Non-conforming structures, uses and lots for the construction of a staircase off the second story deck as second means of egress as required by the Building Commissioner. The property is located at 170 High Street in the R-20 zoning district. It is a required second means of egress by building code requires a two family to have another means of egress. The finished staircase would be located 9 feet from the property line.

The Chairman informed the applicant that he would need a super majority vote because only 4 members were present. The applicant chose to proceed with the four members present. The Chairman stated that the board should have an engineered drawing for the project. The Board requested that the staircase and exit be used as emergency exit only.

Tom stated that there is sufficient information to conduct site plan.

Tom made a motion to waive strict site plan requirements and accept the site plan as presented. This motion was seconded by Buck and the final vote was 3-0.

The Board made the following findings under Section 199-6.1 (B):

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

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.

The project is for the construction of a staircase required by the building code to provide a second means of egress and has minimal impact on the neighborhood.

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The Board made the following findings under Section 199-13.4(D) 1-5:

The project is in 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. It is required by building code to provide a second means of egress.

The project will not be detrimental to adjacent uses or to the established or future character of the neighborhood. The addition will have minimal impact on the neighborhood.

The project will not create undue traffic congestion or unduly impair pedestrian safety. The project will have no impact at all on traffic or pedestrian safety.

The project will not overload any public water, drainage or sewer system or any other municipal facility. The project will have no impact at all on municipal facilities.

Tom made a motion to make these findings. This motion was seconded by Buck and was unanimously approved, 4-0.

The Chairman stated that approval of the Special Permit is subject to the following condition:

Staircase will be used as emergency egress only with downcast lighting not to exceed 100 watts.

Tom made a motion to award special permit. This motion was seconded by Buck and was unanimously approved, 4-0.

### **Via Maria/Preliminary Plan Submission**

Russ Sackett, Sackett Surveyor Services submitted a preliminary plan for a one lot subdivision at the end of Via Maria. The Board reviewed the submission for its completeness. The proposal is to extend the road to achieve one additional building lot. They are requesting waivers from subdivision regulations.

Tom made a motion that the submission is complete and that the plans should be distributed to the other boards. This motion was seconded by Buck and was unanimously approved, 3-0.

### **Other business**

Tom made a motion to adjourn this meeting at 8:00 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