

ASHFIELD ZONING BOARD OF APPEALS

**Public Hearing**

Thursday, October 29, 2015

7:00 p.m.

Town Hall, Ashfield

**M I N U T E S**

Case # 2015-4: Ashfield Historical Society, Inc.

**CASE# 2015-4**

Application filed by Ashfield Historical Society president Alden Gray on September 21, 2015 for Special Permit to extend a pre-existing non-conforming structure for the purpose of enclosing a required access ramp and steps at the Society's property (building known as the Plain Schoolhouse) at 29 Baptist Corner Road (Map 7-2, Lots 32 and 32A), recorded in Franklin County Registry of Deeds in Book 5957, Page 168.

**Present:** ZBA members: Mollie Babize, Chair; Kit Nysten; Anne Yuryan; Michael Melcher, Associate Stuart Harris, carpenter and builder  
Joanne Ostrowsky, newly elected Ashfield Historical Society president.

**Supporting documents:**

Signed application for Special Permit

Copy of Town of Ashfield tax map 7-2

Drawings of south and west elevations of proposed enclosed accessible ramp and stairs.

Scale: 1/4-inch to 1 foot.

Drawing of floor plan of proposed enclosed accessible ramp and stairs. Scale: 1/2-inch to 1 foot.

April 22, 2012 survey (scale: 1 inch = 30 feet) by professional land surveyor Edward Muszynski and modified by Stuart Harris September 20, 2015. Drawing shows the AHS building on Main Street, the old school house and gravel parking lot owned by the Society on Baptist Corner Road, and abutting properties.

Meeting called to order at 7 p.m.

Public hearing opened at 7:01 p.m.

**Background and Presentation:**

On October 13, 2015, notice of public hearing was posted online at ashfield.org and at Town Hall, and mailed to abutters, the building inspector, and planning boards of neighboring towns.

ZBA member Anne Yuryan serves on the board of the Ashfield Historical Society. She came to the hearing to explain that she is recusing herself from this case to avoid any conflict of interest. She then left. Michael Melcher is serving as the third voting member of the board for this hearing.

The Ashfield Historical Society (AHS) purchased the Plain Schoolhouse at 29 Baptist Corner Road with the intent of using it for exhibits and events open to the public. The Americans with Disabilities Act (ADA) requires the addition of handicap access to the building. Stuart Harris is builder/carpenter for the project. He has excavated for a ramp and stairs attached to the west elevation of the building to comply with ADA requirements, and has installed footings and piers for the ramp. The Society wants to enclose and roof the ramp and stairs to make it easier to maintain, particularly in inclement winter weather, and to ensure the safety and comfort of people using this entrance.

The building is a non-conforming grandfathered structure. The northwest corner of the building is approximately six

feet from a property pin. A shed that was attached to the building has been removed. The proposed addition will be 10 feet from the north and 11 feet from the west property lines at the closest points.

The ramp is allowed by right, no matter how close it is to the boundary of the lot, but the building commissioner doesn't think the ADA rules pertain to the enclosure, so he denied the permit.

The only public comment was a phone call from abutter Beverly Duncan to Mollie; she has no objection to the enclosure, but would appreciate having some plants put in for screening. There were no comments from any other abutters.

Public Hearing closed at 7:18.

**Board's Discussion:**

In order to grant a Special Permit, the ZBA must consider the activity, traffic, site plan, and building plan and find all the following general conditions to be fulfilled:

1. the proposal will not overload any public water, drainage, or sewer system or any other municipal services to such an extent that the town will be unduly subjected to hazards affecting health, safety, or general welfare;
2. the impact on adjoining premises of sound, light, odor, noise, and other disturbances is avoided or minimized;
3. the proposal will avoid or minimize topographic change, unnecessary removal of mature trees, shrubs, or other botanical assets, erosion or siltation, storm water runoff, or displacement of rare or natural wildlife habitats;
4. the proposal will not cause surface or groundwater pollution, surface or subsurface drainage detrimental to abutting properties, or other adverse effects upon the natural environment in the area where the use is located;
5. there is adequate traffic safety at entrances to public ways;
6. the proposal is compatible with the neighborhood character;
7. additional requirements listed under General Regulations for alterations, off-premises signs, and driveways and under Use Regulations for residential uses and for cottage industries and home occupations are met

The Board determined that the proposed enclosure will not extend the non-conformity. The proposed enclosure has no effect on public water, drainage, or sewer system; it will produce no sound, light, odor, noise, or other disturbance; it will cause no topographic change, no removal of trees or plants, will cause no erosion or siltation, will not displace wildlife habitats; it will not cause groundwater pollution, and the roof is pitched so that runoff will affect only the AHS' own property; there will be no changes to traffic safety or entrances to public ways; it is at the rear of the building, away from the road, and is compatible with neighborhood character; and it meets all additional requirements under General and Use Regulations.

A motion was made and seconded to grant the Ashfield Historical Society, Inc. a Special Permit to enclose a ramp and stairs on the Plain Schoolhouse on their property at 29 Baptist Corner Road. Construction must commence within a year of the issuance of the permit.

The motion was approved unanimously, and the Special Permit was granted.

Deliberation was closed at 7:28.

Meeting adjourned at 7:30.

Respectfully submitted,

Kit Nysten