

Town of Otis

Board of Appeals

Town of Otis, Massachusetts
ZONING BOARD OF APPEALS – Meeting Minutes August 4, 2025

Meeting held via Zoom 7:07 pm – 7:47pm

ZBA Members (Present):

- Travis Ward, Chairperson
- Wayne Woczyna, Member
- Jim Kauffman, Member
- Terry Gould, Member
- RoseAnn DeRupo, Member
- Gordon Middleton, Alternate

ZBA Members (Absent):

- All Present

Lisa Crozier, ZBA Clerk
Larry Gould, Town of Otis Building Inspector

Public Attendees:

George Martin – 1010 Reservoir Road, Otis, MA 01253
Robert Albertson – did not speak
Susan Albertson – did not speak
Robert Levesque – R. Levesque Associates for the Albertsons
Walter Tomala – Contractor for the Albertson's
Scott Kerr – Abutter to Albertson's
Patrick Patterson – did not speak
Karen Godard – did not speak

Agenda item #1: Open Meeting/Introductions

Travis Ward, Chairperson, opened the meeting at 7:07pm, due to an issue with the Zoom link. He discussed the process and had the Board introduce themselves. Travis welcomed George Martin, Robert & Susan Albertson and all Public Attendees.

A) *A continuation from July 7, 2025 meeting-* Updated plans were required. The subject of said hearing will be the application of George Martin for a Zoning By-Law Special Permit under Sec. 3.3.5 of the Otis zoning by-laws. The proposed work is to demolish the existing house and construct a new house, driveway, upgrade septic system and segmental block retaining walls. The existing building setback from the reservoir is approximately 10 feet and the closest point of the proposed house construction to the reservoir is approximately 15 feet. The proposed front, rear, and West setbacks are slightly greater than the existing. The project site is very limited and will need to be sequenced to get the lakefront area improvements

completed prior to the house construction and septic. The lot is listed in the Otis Assessor's records as Lot 45 on Map 15; located at 1010 Reservoir Road, Otis, MA.

B) Applicants Barbara P., Robert D., and Susan J. Albertson request a Special Permit from the Zoning Board of Appeals in accordance with Section 3.3.5 of the Town of Otis Zoning Bylaw for the reconstruction of an existing nonconforming single-family residential structure. The lot is listed in the Otis Assessor's records as Lot 28 on Map 17C; located at 57 North Gate Island, Otis, MA.

Agenda item #2:

A) George Martin Continuation from July 7, 2025

Travis confirmed with Lisa that the Continuance was posted on the Town of Otis website, as part of the August 4, 2025 Agenda.

George Martin – Explained that the plans have been updated to be a 3 bedroom home with a 3 bedroom septic system dated 7/23/25. He is hoping for the Board's approval tonight.

Travis – Confirmed that the plans we have were the correct plans. He opened the discussion up to the Board for discussion.

Wayne – inquired about the new boundary lines on the drawings that Larry Gould, Building Inspector, sent out the day after the July 7th meeting.

Larry – explained that Mr. Martin has been through the process, the Land Court, to have the elevation lines recognized by the Court, The State, The Registry of Deeds, and The Town. The parcel lines in question have been taken care of and it is all his property now.

Travis – asked for any additional questions before going to the Public. None. Travis opened the meeting to the Public and asked all that want to speak, to state their name and address for the record.

Immediate Abutters – none. Entire town of Otis – none. Travis asked Lisa is there was any written communication.

Lisa – read an email dated July 6, 2025 from Robin Peterson (Putnam) *"I am an abutter of George Martin at 1029 Reservoir Road. I reviewed his application and I support it."*

Travis – asked for any other comments from the Public – none.

Motion to close the Public Hearing: Terry Gould

Seconded: Jim Kauffman

All voted Aye (5-0-0)

Travis – asked for any other comments from the Board.

Terry – expressed concern about the new property lines which are outlining the house, with very little setback. She feels it's going to be very cozy there so we need to keep in mind how much ground that will cover. She is not, not in favor, she just knows that historically as we have changed setbacks they are from the property line and the house is drawn right to the edge.

Travis – For the record, the application does have current and proposed setbacks so if we approve, that is what we are approving. He feels George is aware of that and the engineer will stick to that.

The application of Mr. George Martin at 1010 Reservoir Road, as presented without any changes-

Motion to Approve: Wayne Woczyna

Seconded: Jim Kauffman

Lisa did a roll call – **All voted Aye (5-0-0)**

Travis thanked George Martin and wished him luck with his project which has been a long time coming for him.

Travis read, *“This permit will sit in abeyance for 20 days with the Town Clerk. The applicant can pick up the Notice of Decision and Notice for Filing on the 21st day. The applicant needs to file the permit with the Registry of Deeds in Pittsfield. Thereafter, bring proof of filing to the Building Inspector who will then issue the Building Permit. Failure to file or act upon the permit within two years will render the Special Permit null and void.”*

B) Barbara P., Robert D., and Susan J. Albertson

Travis – noted that Robert Levesque was representing the Albertson’s.

Robert Levesque started his presentation. They are proposing to use the existing footprint of the home. The existing structure is approximately 26’x40’ for the main house. The rear elevation is almost the same other than a slightly different peak to the roof. The total height will be 20’5” from grade. The current structure is 12’5”. The finished floor is proposed to be the same at 1432 square feet. They have received an Order of Conditions from the Conservation Commission for the proposed work. After the meeting this evening, they will move forward with a detailed septic design for the new structure. The decks are slightly different – a little bigger towards the water.

Travis asked Lisa to verify that the Public Hearing was advertised – Ads ran in the Berkshire Eagle on July 22nd and July 26th.

Travis asked for questions from The Board.

Wayne – Current setbacks on the application for the front of the house, the right rear, says it’s 5’4” from the property line and the proposed is 6’5” but on site plan EX-1 it says it’s 5’4” but then site plan S-1 says 3’8”.

Robert – Plan dated 5/19/25 with 3’9”. He believes the original plan was clarified and adjusted.

Wayne – current measurement is 5’4” and asked if they are shrinking that setback?

Robert – his understanding is that it’s the same footprint; 3’9” so are reducing that setback.

Travis – clarified that the application setbacks show 5’4” and asked for confirmation on the correct number.

Robert – 3’9” is the proposed.

Terry – it looks like they’ve skewed the building slightly and it’s on the road side that it will be at 3’9” at an angle but not running along the property line. We would need to amend the wording in the motion to approve. The presented plan was 3’9”

Walt - There’s an existing 26’x20’ foundation under the house that they would like to save and use since Saloomey Construction just did that in the late 90’s. With that, they want to stay within the dimensions in the house and just move some of the house forward to create the bathroom space.

Travis – so by bringing the house forward a touch, and by being at an angle, they are creeping towards the side yard.

Walt – said that Larry stopped by to look and there’s no doubt they are coming closer to the side lot because the house is not parallel with the property line but he doesn’t know if it will come to the 3’9” but are better off asking for that.

Travis – noticed that the abutter on the side, their house is further away with more land than less. Although it is a straight forward application, it doesn’t agree with the plans so it causes the ZBA some concern. He asked for comments from other Board members.

Wayne – said we’ll wait and see if any abutters have comments.

Travis – asked for comments from Immediate Abutters. None. Anyone in general public? Yes, Scott Kerr was recognized by the Chair.

Scott Kerr – 130 Kibbe Road. They live across the cove from the Albertsons. He is coming to speak in favor of this application. They’ve been long time neighbors and very excited about this investment in their property. He is 100% in favor of this proposal. His backyard looks at their backyard.

Travis – asked for any other comments. None. He asked Lisa if there was written correspondence – none. He asked for a motion to close this part of the Public Hearing

Motion to close the Public Hearing: Terry Gould

Seconded: RoseAnn DeRupo

All voted Aye (5-0-0)

Travis asked for any further comments or questions from The Board.

Terry – asked if it is 3’9” on one side now, will that make it 25’9” on the other side? Does it increase the side setback?

Walt – there’s a couple dimensions on the proposed plan. Specifically we’ll call it the North Gate Island Road side – Back SW Corner is 19’2” as proposed and 15’4” at the Front.

Travis – called for a motion to approve, being very clear about the measurements that we are seeking.

Motion to accept the application, using Hand-Out S-1, which gives proper setback dimensions for the side – 3’9” feet on one side and whatever the compensation will be on the other side.

Motion to Approve: Terry Gould

Seconded: RoseAnn DeRupo

Lisa did a roll call – **All voted Aye (5-0-0)**

Travis thanked Robert Levesque and Walt Tomala for being here to support the Albertsons. He thanked the Albertsons for investing in their property.

Travis read, *“This permit will sit in abeyance for 20 days with the Town Clerk. The applicant can pick up the Notice of Decision and Notice for Filing on the 21st day. The applicant needs to file the permit with the Registry of Deeds in Pittsfield. Thereafter, bring proof of filing to the Building Inspector who will then issue the Building Permit. Failure to file or act upon the permit within two years will render the Special Permit null and void.”*

Agenda item #3: Approve minutes from June 2, 2025

Motion to Approve: Jim Kauffman

Seconded: Wayne Woczyna

All voted Aye (5-0-0)

Agenda item #4: Old Business and New Business, Items unanticipated by the Chair

Travis discussed the Alternate Board Member opening and introduced Michele Zalot who is a resident on Tolland Road. She has completed the application and is going before the Selectboard for consideration on August 12, 2025. He will update the ZBA Board as information is given by the Selectboard.

Gordon brought up moving meetings to in-person and asked for opinions.

Travis said that currently we can go in-person or Zoom or a combination of both. Planning Board is doing all so the technology is available in the Town Hall.

RoseAnn is in favor of a hybrid.

Terry – Selectboard meeting has stayed hybrid, only hold in-person meetings when there's no one to manage Zoom meeting for them. Planning uses the same room for hybrid meetings. However, the Board has to have a quorum in the room.

RoseAnn – feels that having to have a quorum in the room puts more pressure on the Board and getting volunteers.

Jim – fine with hybrid but wants clarification about quorum.

Gordon – feels in-person is better for the public and Travis agrees.

Travis – will clarify if the quorum must be in the room before a decision is made.

Agenda item #5: Update from the Building Inspector

There is nothing on the horizon for the September meeting.

Agenda item #6: Next Meeting: **Tuesday**, September 2, 2025

Agenda item #7:

Adjournment -

Motion to Adjourn: Terry Gould

Seconded: Jim Kauffman

Meeting adjourned: 7:47pm