

## Davis, Debbie

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**From:** Buck, Michelle  
**Sent:** Wednesday, March 18, 2020 10:34 AM  
**To:** Davis, Debbie  
**Cc:** Genereux, David  
**Subject:** RE: Request  
**Attachments:** Appeal of B.I. Enf. Ord. Decision.pdf

Deb,

This decision was a denial of an appeal of a decision of the Building Inspector (scanned copy attached). It was filed with your office on October 31, 2016.

Michelle

Michelle R. Buck, AICP  
Leicester Town Planner/Director of Inspectional Services  
508-892-7007  
[buckm@leicesterma.org](mailto:buckm@leicesterma.org)  
*Please note that Leicester Town Hall is closed on Fridays.*

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**From:** Davis, Debbie <[Davisd@leicesterma.org](mailto:Davisd@leicesterma.org)>  
**Sent:** Tuesday, March 17, 2020 6:21 PM  
**To:** Buck, Michelle <[BuckM@leicesterma.org](mailto:BuckM@leicesterma.org)>; Genereux, David <[genereuxd@leicesterma.org](mailto:genereuxd@leicesterma.org)>  
**Subject:** FW: Request

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**From:** Mike Shivick <[michael.shivick@live.com](mailto:michael.shivick@live.com)>  
**Sent:** Tuesday, March 17, 2020 5:56 PM  
**To:** Davis, Debbie <[Davisd@leicesterma.org](mailto:Davisd@leicesterma.org)>  
**Subject:** Request

TC Davis,

I am by this writing requesting a certified copy of the Leicester ZBA decision regarding 1001 Stafford Street, stemming from the October 2016 ZBA hearing.

I have a copy but need a certified one. If it comes from another Department can you please procure the same and let me know what the cost is for the same.

Thank you and remain safe at all costs please.

Sincerely,

Michael J. Shivick, Esq.  
Attorney at Law



**TOWN OF LEICESTER  
ZONING BOARD OF APPEALS**

**LEICESTER, MA 01524-1333**

**Phone: 508-892-7007 Fax: 508-892-7070**

**www.leicesterma.org**

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TOWN CLERK'S OFFICE  
LEICESTER, MASS.

**Certificate of Decision  
Appeal from Zoning Administrator's Decision**

Approval Date: *October 26, 2016*  
Project Name: *N/A*  
Location of Project: *1001 Stafford Street, Rochdale*  
Assessors Reference: *Map 46D / Parcel B1*  
Deed Reference: *Book/Page 33866/88*  
Total Acreage: *3.4-acres*  
Type of Use: *Appeal Building Inspector's Enforcement Order*  
Building Area: *N/A*  
Applicant: *Paul Thibeault*  
*1001 Stafford Street*  
*Rochdale, Ma. 01542*  
  
Owners: *Same*  
Plans Prepared by: *N/A*  
Plans Dated: *N/A*  
Application Date: *September 27, 2016*  
Public Hearing: *October 26, 2016 duly noticed and posted in accordance with the provisions of the Zoning Act, MGL c.40A and the Open Meeting Law, MGL c. 39, §23A - §23C*  
  
ZBA Members: *David Kirwan, Chair; Vaughn Hathaway, David Orth, Jim Buckley, Clerk; Mary Moore-Alternate*  
  
**ZBA Action: DENIED**

**A TRUE COPY ATTEST**

*Rebecca K. Davis*

**TOWN CLERK**

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**Summary Description of Application:**

The applicants seek approval to appeal the Building Inspector's Enforcement Order to Cease & Desist operation of a firewood sales business on the property. The property is located in the Business Residential-2 Zoning District & Industrial Zoning District. The applicants request an Appeal of Decision by Inspector of Buildings under Section 15 of M.G.L. Chapter 40A & Section 6.4 of the Leicester Zoning Bylaws.

**Findings:** After the public hearing duly noticed and held on October 26, 2016, the Leicester Zoning Board of Appeals made the following findings as required by M.G.L. Chapter 40A, Section 15 and Section 6.4 of the Leicester Zoning Bylaws:

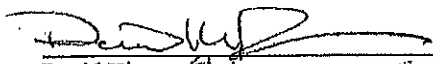
1. Based on review of the record and testimony at the public hearing, the Board voted to uphold the Building Inspector's Enforcement Order to Cease and Desist operation of a firewood sales business on the property.


Based on these findings, the Leicester Zoning Board of Appeals, as the Appeal Granting Authority, pursuant to Section 6.4 of the Leicester Zoning Bylaws, voted 4 in favor/ 1 opposed (Mary Moore) to disapprove the Appeal for Paul Thibeault for property located at 1001 Stafford Street, as herein described.

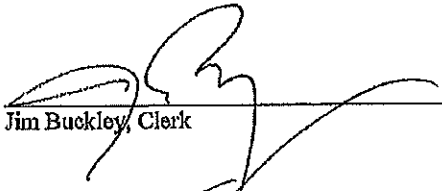
**Conditions:**

1. None

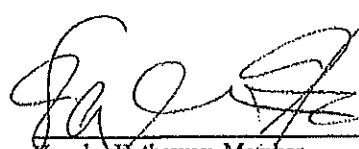
Leicester Zoning Board of Appeals:

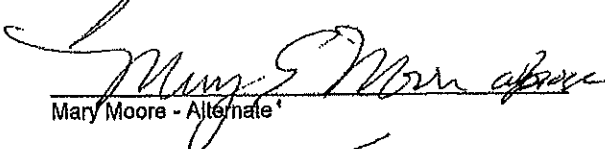
  
David Kirwan, Chairman

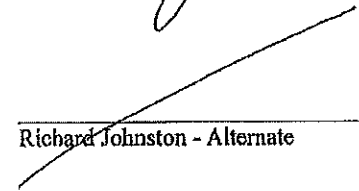
  
David Orth, Vice Chairman

  
Jim Buckley, Clerk

  
Paul Schold - Member

  
Vaughn Hathaway, Member

  
Mary Moore - Alternate

  
Richard Johnston - Alternate

  
James Reinke - Alternate

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LEICESTER, MASS

This Appeal shall not take effect until a copy is recorded hereof with the Worcester District Registry of Deeds Pursuant to General Laws, Chapter 40A, Section 11, as amended; and further that said recording shall be accomplished not later than six months from the date of this Decision; and further that any construction hereunder must commence no later than one year from the said recording.

It was ordered by the Board that persons notified of the hearing be notified of the forgoing Decision.

Any appeal to this Decision must be made to the Superior Court within 20-days after the filing of this Decision with the Town Clerk, in accordance with Section 17 of Chapter 40A of the Massachusetts General Laws.

Filed with the Town Clerk on the 31 day of October, 2016.



  
Deborah K Davis  
Town Clerk