

ZONING BOARD OF APPEALS
Minutes of Meeting

DATE: December 11th, 2007
TIME: 6:30 pm
LOCATION: Butterick Municipal Building

Board Members Present:

Richard Hautaniemi, William Bird, Joseph Curtin, Renee Perry

Alternate Members Present:

Agenda:

6:30 pm ZBA Discussion of Minutes
6:35pm Case # 569 Steven Morgan- Special Permit
7:05pm ZBA Business
→MHOC

Proceedings:

- 6:34m Mr. William Bird opened the meeting with a discussion on the submitted minutes of November 13, 2007.
- 6:36pm *Mr. Joseph Curtin* moved to accept the minutes of November 13, 200 as submitted. Motion seconded by *Mrs. Renee Finn*. Motion carried. All in favor, Yeas:4 (*Richard Hautaniemi, William Bird, Joseph Curtin ,Renee Perry,*) Nays: 0
- Mr. Bill Bird noted that he has spoken with Mr. Simpson and mentioned to him the requests of Mrs. Claire Fisher, and Mr. Simpson indicated to Mr. Bird that the work requested was done.
- Mrs. Claire Fisher thanked the board for their involvement in her problem with Mr. Jim Simpson.
- Mr. Bird noted on his meeting with Stan Weinberg, Town Counsel. about accessory apartments.

- 6:40pm Mr. Bill Bird opened the hearing for Steven Morgan and read the published legal advertisement.
- Mr. Morgan noted that the letter sent to abutters were sent to the same person and then distributed among the abutters and the mailing costs were really high.
- Mr. Bird replied that the Board has to send notification as per the addresses on the abutters list.
- Mr. Ken Williams commented that this is a case of non conforming lots.
- Mr. Richard Hautaniemi asked about the size of the house and the non conforming sides.
- Mr. Morgan noted that in about 9 months things will change for the owners in the campground. He added that now they are installing fire proof fences on the sides.
- Mr. Ken Williams commented that in the application that Mr. Morgan mentioned that the zoning was Residential and it is Neighborhood Residential. Also he mentioned the book and deed information wrong in the application in two instances.

- 7:02pm *Mrs. Renee Finn* moved to approve the application as amended pending the correction of deed and book information as well as adding Neighborhood Residential. Motion seconded by *Mr. Joseph Curtin*. Motion carried. All in favor, Yeas:4 (*Richard Hautaniemi, William Bird, Joseph Curtin ,Renee Perry,*) Nays: 0
- Mr. Curtin asked Mr. Tony Zahariadas the Building Inspector why he can't make a decision about those non conforming lots.
- Mr. Zahariadas replied that as per recommendations of Town Counsel, he can defer the decision to the Zoning Board.

ZBA Business

- 7:13pm Mr. Bird opened the meeting for MHOC's request to release the bond money remaining funds as they have finished the required work. They seemed to have done all the work requested from them and they have received a letter from Haley & Ward dated November 28th saying that MHOC has done their work.
- Mr. Bill Bird noted that the remaining funds in the escrow funds were about \$29,850.00
- 7:23pm *Mr. Richard Hautaniemi* made a motion that the balance in the site work escrow of about \$29,850 be released subject to the following (below). Motion seconded by *Mr. Joseph Curtin*. . Motion carried. All in favor, Yeas:4 (*Richard Hautaniemi, William Bird, Joseph Curtin ,Renee Perry*) Nays: 0
- Stipulation was: That balance remaining in the site infrastructure escrow account in the total amount of \$29, 850.26, be returned to Mass Housing Opportunities Corp., subject to MHOC's providing assurance satisfactory to the Town Administrator that MHOC will satisfy its design obligations under PAR. 26, ABEND Associates, Subparagraphs D, E, and F of the comprehensive permit dated November 9, 2004.
- Mr. Mike Ivas stated that they have fulfilled their obligations and what might be remaining in the peer review fund can be used to pay for Scott Miller's bill and then the rest could be returned to them. Mr. Ivas added that that the ZBA can pay all outstanding bills and then they can release the funds.
- Mr. Ken Williams suggested that the ZBA can make sure from town accountant and from Scott Miller about any outstanding bills.
- Mr. Bird thanked the ZBA members on their efforts and dedication to the town issues throughout the year.
- Mr. Bird also noted he will be working on a budget to submit for town overall budget.
- 7:30pm Meeting adjourned.