

**ZONING BOARD OF APPEALS**  
**Minutes of Meeting**

DATE: February 12<sup>th</sup>, 2008  
TIME: 6:30 pm  
LOCATION: Butterick Municipal Building

**Board Members Present:**

Richard Hautaniemi, William Bird, Joseph Curtin, Deanna Batstone

**Alternate Members Present:**

Jeffrey Donaldson

**Agenda:**

6:30 pm Roll Call  
6:45pm Continuance-MHOC  
7:00pm Stonegate Village Relief from Conditions  
7:15 pm Continuance- Case # 571 Geosearch Inc.-*Appeal*  
7:45pm ZBA Business

**Proceedings:**

- 6:30pm Mr. Bill Bird opened the meeting with a discussion of the submitted minutes of January 8<sup>th</sup> 2008.
- 6:33pm *Mrs. Deanna Batstone* moved to approve the minutes of January 8<sup>th</sup>, 2008. Motion Seconded By *Mr. Joseph Curtin*. Motion carried. All in favor, Yeas: 5 (*Richard Hautaniemi, William Bird, Jeffrey Donaldson, Deanna Batstone, Joseph Curtin*) Nays: 0
- Board members discussed the next town meeting and its articles.
- Mr. Ken Williams, Planning Board, brought up the issue of accessory apartments which is something that needs to be visited in the town by laws.
- Mr. Russell Philpot, 72 Heywood Road, asked if the Board was thinking of tweaking the accessory apartment by laws.
- Mr. Bird said that the town boards are looking to make sure that they are consistent with their policies.
- Mr. Philpot noted that he strongly supported this issue, and suggested that the Board puts a limitation on size.
- Mr. Philpot added that by taking the economy into consideration and how many people are pressured to live in town, it makes the possibility of adding accessory apartments as part of our affordable housing advantageous to the town.

**ZBA Business**

- 6:45pm Mr. Bill Bird mentioned that MHOC is requesting release of their funds and he has checked out the accounts and found that there were no outstanding bills. There was only a tax bill and has been paid.
- 6:47pm *Mrs. Deanna Batstone* moved to release MHOC escrow funds so as not to exceed \$3400.00. Motion Seconded by *Mr. Richard Hautaniemi*. Motion carried. All in favor,

Yeas: 5 (*Richard Hautaniemi, William Bird, Jeffrey Donaldson, Deanna Batstone, Joseph Curtin*). Nays: 0

- Mr. Bill Bird opened the discussion of the aquifer land-some Board members were going to be affected
- Mr. Jeffrey Donaldson discussed the accessory apartment by laws and mentioned that it needs clarifying.
- Mr. Bird said that the ZBA cares about it and needed guidance on it.
- Mr. Joseph Curtin stated that the Board had a case last year in which the applicants were going to build an accessory apartment that was really big.
- Mr. Bird added that there are also tax issues/implications involved.
- Mr. Philpot noted that he talked with Mr. Stan Weinberg a while ago and the confusion was in the wording “incidental and subordinate” to the main structure. That is why it was left up to the ZBA members to define what was incidental and subordinate.
- Mr. Ken Williams stated that they thought in the Planning Board to limit the building to the main buildings.
- Mr. Philpot added that there are towns that have very clear definitions of accessory apartment laws.
- Mr. Donaldson thought that the ZBA needed to have that issue really defined.
- Mr. Tony Zahariadas said that we had several cases.
- Mr. Neil Fossile noted that he built accessory apartments in other towns but they had to be attached to the main building and sometimes limited to a size of 1500 square feet.
  
- 7:03 Mr. Bill Bird opened the discussion for Stonegate Village request to rent units.
- Mr. Fossile stated that it is a tough market and they have tried to do everything including lowering the prices and their men are out of work now. They just need something to be happening for them. He added that unites 5A, 5B, and 6B are the ones they need to rent out.
- Mr. Bird noted that the master deed said that it could be rented out for a minimum of 6 months.
- Mrs. Fossile said that they would rent them out for more than the minimum required months.
- Mr. Curtin asked if that they are looking to rent 3 of the 4 unites.
- Mr. Fossile replied that they want to sell them but for the time being at least be able to pay the taxes and other costs.
- Mrs. Deanna Batstone commented that they needed to bring people into the compound so as not to look uninhabited.
- Mr. Hautaniemi added that the question remains if the Board can grant them permission.
- 7:15pm *Mrs. Deanna Batstone* moved to approve their request. Motion seconded by *Mr. Richard Hautaniemi*. Motion carried. All in favor, Yeas: 5 (*Richard Hautaniemi, William Bird, Jeffrey Donaldson, Deanna Batstone, Joseph Curtin*). Nays: 0
  
- 7:16pm Mr. Bill Bird opened the continuation of case#571 Geosearch Inc.
- Mr. Bird read a letter from the applicant’s attorney that they are intending to withdraw.
- Mr. Zahariadas commented that they would be ceasing to store any sludge on the property.
- 7:18pm *Mr. Joseph Curtin* moved to continue the hearing to the next meeting. Motion seconded by *Mrs. Deanna Batstone*. Motion carried. All in favor, Yeas:5 (*Richard Hautaniemi, William Bird, Jeffrey Donaldson, Deanna Batstone, Joseph Curtin* ). Nays: 0
- 7:20pm *Mrs. Deanna Batstone* moved to adjourn. Motion seconded by *Mr. Joseph Curtin*. Motion carried. All in favor, Yeas:5 (*Richard Hautaniemi, William Bird, Jeffrey Donaldson, Deanna Batstone, Joseph Curtin* ). Nays: 0

