

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

DATE: April 14<sup>th</sup>, 2009  
TIME: 6:30 pm  
LOCATION: Butterick Municipal Building

**Board Members Present:**

Richard Hautaniemi, Joe Curtin, Renee Perry, Jeffrey Donaldson

**Alternates Present:**

David Lozier

**Agenda:**

- 6:30pm Discussion of Minutes
- 6:35pm ZBA Business

**Proceedings:**

- 6:35pm Mr. Richard Hautaniemi opened the meeting and called it to order.
- Board members discussed the submitted minutes of March.
- 6:38pm *Mr. Joseph Curtin* moved to accept the minutes as presented. Motion seconded by *Mrs. Renee Perry*. Motion carried. All in favor, Yeas: 5 (*Richard Hautaniemi, Joseph Curtin, Jeffrey Donaldson, Renee Perry and David Lozier*) Nays: 0.

**ZBA Business**

- Board members discussed the proposed accessory apartment by law change which will be discussed at town meeting.
- Members discussed questions and replies from town counsel with regards to the 55 Lakeshore Drive administrative appeal.
- Mr. Jeffrey Donaldson said that the filings by Attorney Luke Tashjian are deficient and some of the exhibits seem to be missing.
- Other issues were the new cases scheduled for the month of May and discussed suggested dates.
- Mrs. Doris Bennett, 179 Upper North Row Road, requested a revision for an estimated cost for acquiring draft meeting minutes and copies of meeting tapes.
- Mrs. Doris Bennett said that she sent a request for public record keeping-the law said that the public should not be paying for researching of public information if it has not been kept well organized. In addition, she also noted that she should not pay for someone to be sitting while she listens to the tapes.
- Mr. Hautaniemi noted for the Board members that a meeting was done and a drafting of the estimate was made for 11 draft meetings.
- Mr. Donaldson asked about who was responsible in the Town to enforce the Freedom of Information Act legislation.
- Mr. Ken Williams, Planning Board, thought that the Town did not have a designated person but maybe the Town Clerk would be that person.

- Mrs. Doris Bennett agreed with Mr. Williams about the town Clerk who could be the keeper of records since the Town needs someone knowledgeable about the Boards and Committees.
- Mrs. Renee Perry thought that Mrs. Naglaa Elshamy (ZBA Administrative Assistant) is the keeper of records of the ZBA but the town needs someone who is knowledgeable about the Freedom of Information Act laws.
- Mr. Joseph Curtin suggested that the town should have some sort of a system on how to handle requests. He agreed that the estimate for Mrs. Bennett seems a bit high.
- Mr. Hautaniemi concurred that this is an issue that should be discussed in ZBA agenda. The ZBA could set up a procedure.
- Mr. Donaldson agreed that it is fair to discuss this procedure.
- Mr. Ken Williams suggested that the draft minutes should be marked clearly as Draft.
- Mr. Doris Bennett said it could be market unofficial.
- Mr. Curtin argued that it should not be a painful process but should be straight forward.
- Mr. Ken Williams stated that some people in town do not know that most town officials are volunteers.
- Mr. Donaldson asked that maybe town counsel should be consulted on this issue.
- Mr. David Lozier agreed.
- Mr. Donaldson suggested that it should be done electronically.
- Mr. Donaldson asked about how to move to an executive session and if the town has rules on how to do that.
- Mrs. Doris Bennett replied that she could send something with this regards.
- Mr. Donaldson said that he would like to do it properly. The Board was referred to an outline prepared by Kopelman and Paige with respect to convening an executive session pursuant to MGL CH.39, §23B.
- 7:26pm *Mr. Jeffrey Donaldson* moved to go into executive session to discuss procedure for Administrative Appeal for 55 Lakeshore Drive. Motion Seconded by Mrs. Renee Perry. Motion carried. All in favor, by a recorded roll call Yeas: 5 (*Richard Hautaniemi, Joseph Curtin, Jeffrey Donaldson, Renee Perry and David Lozier*) Nays: 0.
- 8:18pm *Mr. Joseph Curtin* moved to close the executive session and come back to public session. Motion seconded by *Mr. David Lozier* Motion carried. All in favor, Yeas: 5 (*Richard Hautaniemi, Joseph Curtin, Renee Perry and David Lozier*) Nays: 0.
- 8:20pm *Mr. Joseph Curtin* moved to adjourn. Motion seconded by *Mrs. Renee Perry*. Motion carried. All in favor, Yeas: 5 (*Richard Hautaniemi, Joseph Curtin, Renee Perry Jeffrey Donaldson, and David Lozier*) Nays: 0.