

## ZONING BOARD OF APPEALS MINUTES

**DATE:** December 8, 2015

**TIME:** 6:35 pm

**LOCATION:** Butterick Municipal Building, Room 205

**6:35 pm** – Sterling Zoning Board of Appeals was *called to order* by Acting Chairman, Joseph Curtin. Roll call taken. ***Sitting as a Board:*** Joseph Curtin, Richard Hautaniemi, Jerry Siver, Patrick Fox and Matthew Campobasso. William Bird and Jeffrey Donaldson were absent.

There being no discussion regarding the proposed Minutes of November 10, 2015,  
***Mr. Fox moved to accept the Minutes as presented. Matthew Campobasso seconded.***  
***Vote: 5-0 in favor. Motion carried.***

**6:45 pm- Special Permit- Richard and Stephanie Herrick, 27 Albright Road, build an in-law apartment on residential property:** Joseph Curtin opens discussion by reading the hearing notice and asked said parties to state their full names and the purpose of requesting a Special Permit.

Richard Herrick states his name and intentions to add an apartment for mother to live. It would consist of a 20' x 24' room, small kitchen, bathroom and bedroom.

Richard Hautaniemi concerned if all set backs were met. Mr. Herrick confirms they are.

Patrick Fox concerned about Board of Health issue. Joseph Curtin explains that a Deed Restriction was issued by the Board of Health and the homeowners must comply to four bedrooms in the current resident.

***Joseph Curtin opened the hearing for public comments and questions.*** None heard.

**6:50 pm- Patrick Fox moved to grant the Variance. Jerry Siver Seconded. No Discussion.**  
***Voted: 5-0. All in Favor. Motion Carried. SPECIAL PERMIT GRANTED.***

**6:55 pm- Variance- Celia S. Hyde, 6 Circle Ave, build a new house :**

Joseph Curtin opens discussion by reading said hearing notice and asked party to state full name and the purpose of requesting a Variance.

Celia Hyde states name and explains she has demolished current house and is looking to build a new home on said property.

Joseph Curtin states this will improve the front of home and Ms. Hyde fully confirms. Mr. Curtin states many houses have been approved in said area by this process.

Patrick Fox asks if the Association has approved said building plan and Ms. Hyde confirms yes.

**6:59 pm- Joseph Curtin opened the hearing for public comments and questions.** None heard.

**6:59 pm- Patrick Fox moved to grant the Variance. Richard Hautenaniemi seconded. No Discussion. Voted: 5-0. All in Favor. Motion Carried. VARIANCE GRANTED.**

**7:06 pm – Discussion:** To start Zoning Board of Appeals Meeting promptly at 6:00 P.M., second Tuesday of every month. All members agree on new time requested.

**7:10 pm: Variance-Cutler Brothers, LLC, 96-102 Leominster Road, earth removal:** Joseph Curtin opens the discussion and asked the party to state full name and the purpose of requesting a Variance.

Robert Cutler states name and explains he would like to remove excess material from said site and needs said Variance to do so.

Joe Curtin has no issue with the earth removal being done on said property, but questions the by-laws and conflict between Earth Removal By-Laws and Zoning By-Laws and would like to discuss the possible conflict of said two with Town Counsel.

**Joseph Curtin opened the hearing for public comments and questions.** Brian Foley states his concerns and needs more clarity on the Earth Removal and Zoning Boards Variance process and specifies he would like the Board to come up with a clarification between the two.

The Board Members state they will look into the process of the Earth Removal and Joseph Curtin will follow through with Town Counsel and/or Town Administrator.

**7:30 pm Joseph Curtin closes public hearing and with continuation of closed discussion among board members.**

**7:45 pm Patrick Fox made a Motion to Approve Variance, Matthew Campobasso seconded. Voted 5-0. All in Favor. Motion Carried. VARIANCE GRANTED.**

**7:45 pm Discussion:** Board discusses possible questions to ask Town Counsel and Town Administrator regarding the possible conflict of Zoning Board By-Laws and Earth-Removal By-Laws and to have answers by next meeting.

**7:55 pm Matthew Campobasso made motion to Adjourn, Jerry Siver seconded, No Discussion, Vote:5-0 All In Favor. Meeting Adjourned.**