

TOWN OF STERLING
ZONING BOARD OF APPEALS

Draft Minutes of Meeting

DATE: March 11, 2014

Time: 6:30 PM

LOCATION: Butterick Municipal Bldg., Room 205

Board Members Present: Joseph Curtin, Richard Hautaniemi, Jeffrey Donaldson

Alternate Board Member Present: Jerry Siver

Board Member Absent: William Bird; David Lozier

Alternate Absent: Matthew Campobasso

Agenda:

6:30 pm – Discussion of Minutes

6:35 pm – Case #631 – Jim Simpson – Special Permit

(Special Permit for purposes of construction of a new multi-family dwelling development at 5 43 Redstone Hill Road in Sterling)

7:05 pm – ZBA Business

- Review of correspondence re 43 Redstone Hill Road
- Review Answer from Town Counsel re 228 Leominster Road
- Review of Eight Point Sportsmen's Club correspondence re renewal of special permit to maintain mobile home
- Administrative matters: Pending signatures; Subsidized Housing Inventory

Proceedings:

6:30 pm – Sterling Zoning Board of Appeals was called to order by Acting Chairman, Joseph Curtin.

6:30 pm – Discussion of Minutes: There being no discussion, Mr. Donaldson made a motion to accept the minutes of February 11, 2014 as written. Mr. Hautaniemi seconded. **Vote** to accept Minutes: 4 Ayes 0 Nays. Motion carried.

6:35 pm – Mr. Curtin opened the hearing for Case #631 – Special Permit application for Sterling Real Estate Development, Inc. for purposes of construction of a new multi-family dwelling development at 43 Redstone Hill Road in Sterling. Due to the ZBA quorum of only 4 members, Mr. Simpson requested the Board grant a continuance to the next meeting when a majority vote, rather than a unanimous vote, would be applicable for the approval of the permit. Mr. Donaldson made a motion to continue the hearing to the next regularly scheduled ZBA meeting at the applicant's request due to having only four (4) board members present. Mr. Siver seconded. No discussion. **Vote:** 4 Ayes 0 Nays. Motion carried.

6:48 pm – ZBA Business

- Administrative matters:
 1. Review of subsidized housing inventory;
 2. Review of agreement for secretary's time sheet approval;
 3. Notice of CPTC conference;
 4. Acknowledgment of Notices from other local boards;
- Mr. Donaldson raised the question of whether a conference call may be utilized to create a quorum. Town Counsel, Brian Winner, noted that only in the case of an emergency or unexpected event may this occur.
- Mr. Curtin announced that Mr. Lozier will be relocating to another state and will be resigning from the ZBA. After receiving the written resignation of Mr. Lozier, the Board will notify the Selectmen and request an additional alternate member be appointed. An alternate member currently serving on the Board will be promoted to permanent member status.
- 6:58 pm - Mr. Donaldson volunteered to revise the Kennel License Application Form C to clarify the requirement of the Zoning Enforcement Officer's signature. (See Attachment A). ***“(signature not required for license renewal unless applicant has moved or purpose of maintaining the kennel has changed)”*** There being no discussion re the change, Mr. Hautaniemi made a motion to accept the changes to the kennel license application form as revised. Mr. Siver seconded. Vote: 4 Ayes 0 Nays. Motion carried.
- Mr. Curtin reviewed the recent correspondence from the *Eight Point Sportsmen's Club* regarding the reapplication requirement for the special permit to maintain a mobile home on the property. Background information was also reviewed. Mr. Donaldson noted the current Special Permit expires in July and it will be necessary for the Sportsmen's Club to proceed with the process of obtaining a new Special Permit. Mr. Curtin suggested the Board inform the organization that they need to produce the original Special Permit application. This will identify the rationale for granting the initial permit.
- Review the Answer filed in Land Court re 228 Leominster Road: Town Counsel, Brian Winner reviewed the position taken and current status of the pending case. A joint case management hearing is scheduled to take place soon. Mr. Winner will send the Board a copy of the statement from the hearing when it has been finalized and filed. Unless the case takes a different course, Town Counsel will continue to monitor and report. Maureen Robinson of 8 North Row Road inquired whether the role of Town Counsel was to defend the boards of the town or to equally represent residents of the town. Response was Town Counsel represents our town government and not individual citizens.

7:20 pm – There being no further discussion, Mr. Donaldson made a motion to adjourn. Mr. Siver seconded. Vote: 4 Ayes; 0 Nays. Meeting Adjourned.