

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

DATE: June 12<sup>th</sup>, 2012  
TIME: 6:30 pm  
LOCATION: Butterick Municipal Building

**Board Members Present:**

William Bird, Joseph Curtin, Jeffrey Donaldson,

**Alternate Members Present:**

Matthew Campobasso, Jerry Siver

**Agenda**

- 6:30 pm Discussion Of Minutes
- 6:35 pm ZBA Business
  - Eight Point Sportsman Club Renewal (vote/discussion)  
[Request for renewal of mobile home permit issued on July 6, 1982]
  - The Sterling Inn  
[240 Worcester Road-Zoning issues and discussion]
  - Follow Up on Kennel issue in 30 School Street

[Also other issues to be discussed may include: Budget-Bills-Administrative Issues-Memos-Comments From the Public]

**Proceedings:**

- 6:30 pm Mr. Bill Bird opened the meeting with a roll call attendance.
- Board discussed the presented minutes of May 8<sup>th</sup>, 2012.
- 6:34pm *Mr. Joseph Curtin* moved to accept the minutes of May 8<sup>th</sup>, 2012 as presented. Motion seconded by *Mr. Jerry Siver*. Motion carried. All in favor, Yeas: 5 ( *Joseph Curtin, Bill Bird, Jeffrey Donaldson, Matthew Campobasso, and Jerry Siver*) Nays: 0.
- Mr. Bird opened the discussion on the Eight Point Sportsman's Club. Mr. Bird noted that from the last meeting, he went and talked with Mr. Mark Brodeur, the Building Inspector. Mr. Brodeur asserted that this property has never been inspected, but a caveat for granting the renewal could be to condition it on a satisfactory inspection by the Building Inspector.
- Mr. Bird added that maybe the Board could vote on adding that as a condition for renewal and adding that they provide the Board with a Building Inspector report within 90 days or so. The Sportsman's Club seems to be an issue that has been deliberated by previous ZBA Boards.
- Mr. Jeffrey Donaldson stated that they did not know that Sterling would allow people to live in mobile homes-or maybe it was allowed under previous bylaws.
- Mr. Joseph Curtin said that there was something mentioned about temporary mobile home occupancy. There are businesses that have trailers stacked in their yards.
- Mr. Donaldson replied that he did not find that they are allowed in the bylaws. Mobile homes are not a dwelling.

- Mr. Curtin acknowledged that it is difficult to go back in time for the records from 25 years ago but probably just have to follow the same path of previous ZBA Boards.
  - Mr. Matthew Campobasso asked about the records that the ZBA has on the permit.
  - Mr. Curtin replied that the ZBA has only past renewal decisions maybe going back to 1998 but no record of the original case.
  - Mr. Donaldson suggested that the Board may renew the permit for only 1 year.
  - Mr. Jerry Siver said that he has not seen it.
  - Mr. Bird said that apparently one time the Chief of Police noted something about wetlands near the property and he felt that the Building Inspector should inspect it.
  - Mr. Bird pointed out that it is kind of a murky situation to go into the past.
  - Mr. Curtin said that maybe the ZBA could have them attend the next meeting to explain to the Board the history of the case.
  - Mr. Bird said that he could talk to Mr. Ronald Rana and have him attend the next meeting.
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- Mr. Bird opened discussion on the Sterling Inn.
  - Mrs. Pam Clemens and Mr. Peter Clemens said that they are interested in purchasing the Sterling Inn but there were several issues they needed clarification on.
  - Mrs. Clemens expressed their intent to save the building's historical value and restore it to its previous grandeur. They also would like to have a tea room for functions. Mrs. Clemens added that that they found that it had a problem with its septic. Also the building has been operating as a commercial entity even though it is located at a residential zoning.
  - Mr. Bird asked if the owners kept its liquor license.
  - Mrs. Clemens said that she believed that the owners did not keep it because they went bankrupt. Mrs. Clemens pointed out that they would like to know where they stand with regards to using the property for what they plan before they purchase it.
  - Mr. Curtin recommended that they might need a variance because the property was on the side of the street which is residential even though around it is Town Center zoning.
  - Mr. Donaldson said that this property seems like a case for re-zoning.
  - Mr. Bird asked if the Board could entertain a variance.
  - Mr. Campobasso asked about the zoning.
  - Mr. Donaldson replied that it is Neighborhood Residential.
  - Mr. Curtin said that we had the Sterling Inn predating zoning bylaws.
  - Mr. Donaldson reiterated that a use variance was not allowed.
  - Mr. Curtin asked about when the last meal was served there.
  - Mrs. Clemens replied that it was probably served three years ago.
  - Mr. Donaldson said that it could benefit the town if the property was re-zoned.
  - Mr. Curtin noted that he could check with the Planning Board.
  - Mr. Bird said that he could do that.
  - Mr. Campobasso said that they can have a Bed & Breakfast with a special permit.
  - Mrs. Clemens asked if they could have functions and pub in it.
  - Mr. Siver replied that they could read the definition of accessory use and it could possible fall into that.
  - Mrs. Clemens said that they could start with 3 bedrooms until they get a rezoning. She added that they would need to a lot of renovations and fixes.
  - Mr. Donaldson said that this might be allowed with a special permit and suggested they consult with their lawyer.
  - Mr. Campobasso read the bylaws with regards to parking/grandfathered properties. He recommended that they consult with their lawyer as well to find a way by which they can execute their project.

- Mr. Donaldson said that he would not imagine that a town meeting could turn down re-zoning of this property since the town residents would like to preserve its previous historical value.
- Mr. Curtin said that he does not know the exact procedure for having that issue at the town meeting but there is probably a special town meeting coming up around the fall.
- Mr. Bird said that he will talk with the Planning Board, but he felt that most people would be in favor of having this property back in business. It also seems structurally sound.
- Mrs. Clemens agreed and added that they have already experience in restoration with property in Billerica. They have restored it to a nice Victorian style and would like to do that same for the Sterling Inn.
- Mr. Bird noted that they would let the Clemens know what the Planning Board thinks.
- Mr. Bird opened discussion on 30School Street Kennel issue.
- Mr. Donaldson said that it seems that they are operating a business from that residence since they already refer to it in a website. There is a non-profit set up with that address. He noted that he is concerned that those owners are not abiding by the by laws and this sends out the wrong message in town.
- Mr. Curtin asked if Mr. Bird could check with Town Administrator about what Town Counsel thought, since that last contact with him he said that the ZBA should just wait to see what the next step would be.
- Mr. Donaldson asserted that if anyone from the Town would need to enforce the law they would have to have a police escort there because the last time someone from the town went there, the owner came out to him with an axe.
- 7:20pm *Mr. Matthew Campobasso* moved to adjourn. Motion seconded by *Mr. Jerry Siver*. Motion carried. All in favor, Yeas: 5 ( *William Bird, Joseph Curtin, Matthew Campobasso, Jeffrey Donaldson, and Jerry Siver*) Nays: 0.