

ZONING BOARD OF APPEALS MINUTES

DATE: April 18, 2017

TIME: 6:00 pm

LOCATION: Butterick Municipal Building, Room 205

6:03 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, Matthew Campobasso, Patrick Fox. Chairman William Bird was absent.

6:05pm- Special Permit: Kloczkowski, Daniel 14 Myrtle Ave, Sterling, MA: Acting Chairman, Joseph Curtin reads first agenda item regarding an application for a Special Permit for purposes of constructing a new single family home at property located at 14 Myrtle Ave, Sterling, MA, shown in Assessors Map No. 175, Lot No. 22 and asks the applicant to state full names and intentions.

The applicant Daniel Kloczkowski introduces himself and states he would like to build a new home on the site where a prior structure was demolished. He is approved by the Waushacum Village Homeowners Association to go forth with new home. *Exhibit A: See attached plan.*

6:12pm- Acting Chairman Joseph Curtin opens discussion to public. No discussion

6:13 pm- Acting Chairman closes public hearing

6:14pm- Motion to grant new single family home on 14 Myrtle Ave was made by Matthew Campobasso and seconded by Richard Hautaniemi. Vote 5-0, All in Favor, Motion Granted.

6:15pm-Special Permit: Jackson, Angela 9 Johnson Road, Sterling, MA: Acting Chairman, Joseph Curtin reads second agenda item regarding an application for a Special Permit for purposes of a Commercial Kennel at property located at 9 Johnson Road, Sterling, MA, shown in Assessors Map No. 101, Lot No. 10 and asks the applicant to state full names and intentions. The applicant Angela Jackson introduces herself and states she would like to foster care for senior and disabled dogs. She has 4 dogs now and looking to have 5 or more. Her intent is to foster them for the remainder of their lives.

6:18pm- Acting Chairman Joseph Curtin opens discussion to public.

One abutter voiced concern of noise. Angela states she works evenings and someone is always home to keep things in order. Another concern was if she was going to build a structure and fence for the dogs. She states they are trying now to get yard fenced in and the dogs she has now are pretty low energy dogs.

6:23pm- Acting Chairman closes public hearing

6:25pm- Motion to grant Commercial Kennel Application was made by Matthew Campobasso and seconded by Richard Hautaniemi. Vote: 4-1: Joseph Curtin, Richard Hautaniemi, Jerry Siver, Matthew Campobasso, in favor, Patrick Fox against. Motion granted to allow Commercial Kennel with the following stipulations:

- 1. Special Permit issued will allow up to seven (7) dogs owned by Angela Jackson.**
- 2. Provide a fenced in area sufficient to contain dogs from entering into street or abutters property in back yard.**

6:32 pm- Variance: Ansin, Robert, 65 Swett Hill Road, CONTINUANCE

Acting Chairman Joseph Curtin reads third agenda item regarding the continuance for the purpose of constructing a new single family home at property located at 65 Swett Hill Road, Sterling, MA , shown on Assessors Map No. 150, Lot No. 16.

The attorney for the applicant refreshes the facts about the case on hand and states there was no luck in entering a settlement with the abutter regarding the frontage issue. A malpractice suit was considered against the attorney who translated the deed, which caused the scriveners error, but realized the litigation would be too long and complicated.

6:40 pm- Acting Chairman opens discussion to public.

An abutters concern is that the scriveners' error was a self created hardship. The deed was signed by the current owner, even if it was unintentional. Another abutter states they have lived in this town for 25 years to be out in the country and to leave this lot well enough alone.

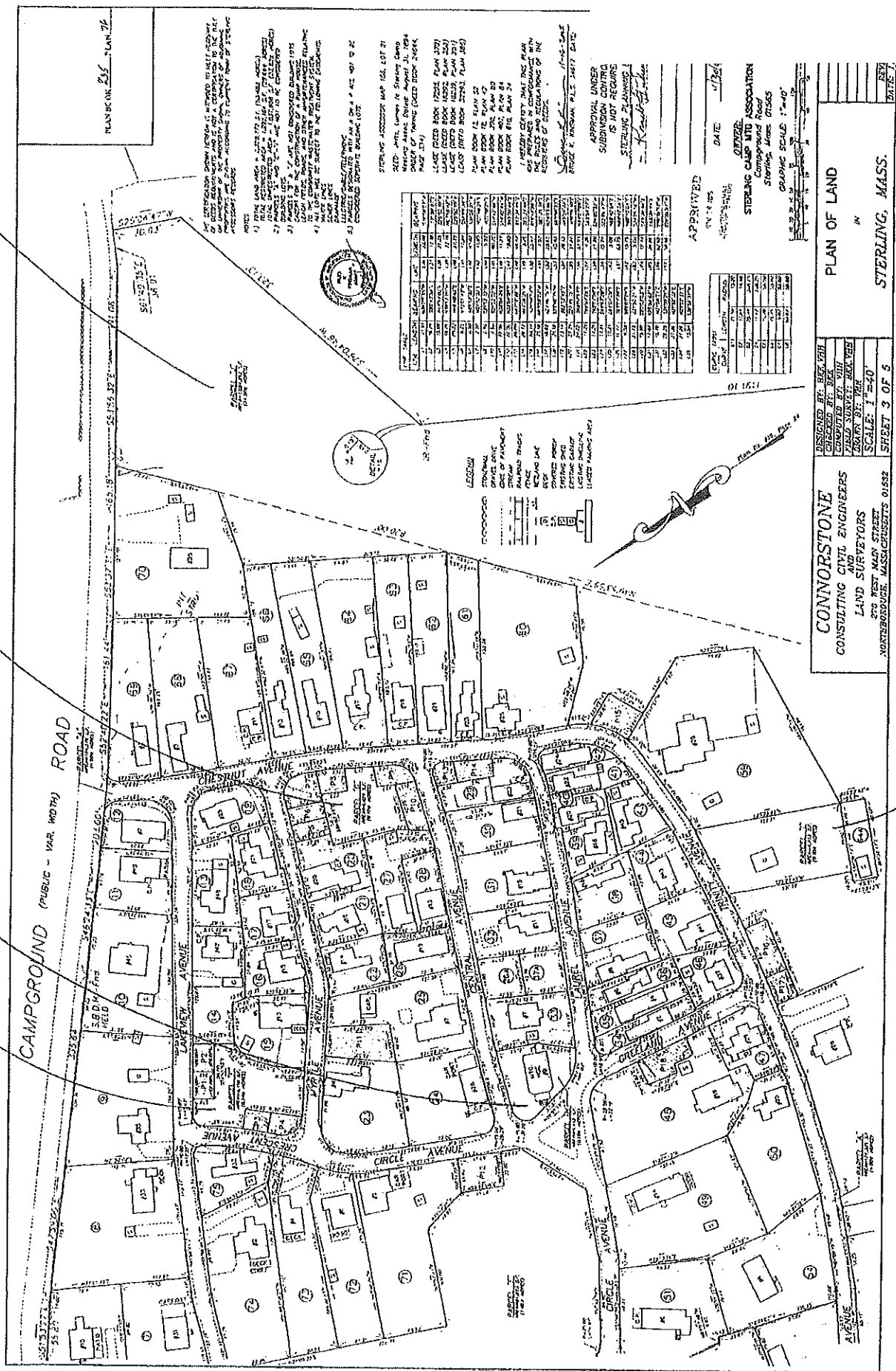
6:50pm- Acting Chairman closes public hearing.

6:51pm- Motion to Deny Variance was made by Patrick Fox, Richard Hautaniemi seconded. Vote: 5-0, All in favor to Deny Variance. Motion granted.

6:52 pm- Acting Chairman Joseph Curtin calls forth next agenda item: Tambolleo, Anthony wants to discuss with the Board a prior Variance regarding land on Campground Road. Ron Pichierri comes forth and states that he is representing Anthony Tambolleo. He state that he has been trying for years to get this issue rectified regarding a Variance that was granted in 1975 on this piece of land. *Exhibit B see attached vote.* Ron states that a Variance should go with the land forever. The Board states, if the rights authorized by a variance are not exercised within one year of the date of granting such variance rights shall lapse; provided, however that the permit granting authority in its discretion and upon written application by the grantee of such rights may extend the time for exercise of such rights for a period not to exceed six months. The Board states he would have to re file and to somehow work with the DEP to gain frontage on the property.

7:00pm- Review of Minutes: Two changes to be made to Minutes. **Motion to approve Minutes as amended by Jerry Siver, Matthew Campobasso seconded. Vote 5-0 All in favor. Motion granted.**

7:10pm- Motion to Adjourn meeting made by Matthew Campobasso, Richard Hautaniemi seconded, Vote 5-0 All in Favor. Meeting Adjourned.



NOTES:

- 1) THIS PLAN WAS PREPARED FOR THE SUBMITTER'S USE ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE.
- 2) THE SUBMITTER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
- 3) THE SUBMITTER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY EASEMENTS AND RIGHTS-OF-WAY FROM THE APPROPRIATE OWNERS.
- 4) THE SUBMITTER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY SETBACKS AND EASEMENTS FROM THE APPROPRIATE AGENCIES.
- 5) THE SUBMITTER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY EASEMENTS AND RIGHTS-OF-WAY FROM THE APPROPRIATE OWNERS.
- 6) THE SUBMITTER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY SETBACKS AND EASEMENTS FROM THE APPROPRIATE AGENCIES.
- 7) THE SUBMITTER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY EASEMENTS AND RIGHTS-OF-WAY FROM THE APPROPRIATE OWNERS.
- 8) THE SUBMITTER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY SETBACKS AND EASEMENTS FROM THE APPROPRIATE AGENCIES.
- 9) THE SUBMITTER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY EASEMENTS AND RIGHTS-OF-WAY FROM THE APPROPRIATE OWNERS.
- 10) THE SUBMITTER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY SETBACKS AND EASEMENTS FROM THE APPROPRIATE AGENCIES.

NO.	DESCRIPTION	AREA	REMARKS
1	LAUREL AVENUE	100.00	100.00
2	CIRCLE AVENUE	100.00	100.00
3	CAMPGROUND ROAD	100.00	100.00
4	LAUREL AVENUE	100.00	100.00
5	CIRCLE AVENUE	100.00	100.00
6	CAMPGROUND ROAD	100.00	100.00
7	LAUREL AVENUE	100.00	100.00
8	CIRCLE AVENUE	100.00	100.00
9	CAMPGROUND ROAD	100.00	100.00
10	LAUREL AVENUE	100.00	100.00
11	CIRCLE AVENUE	100.00	100.00
12	CAMPGROUND ROAD	100.00	100.00
13	LAUREL AVENUE	100.00	100.00
14	CIRCLE AVENUE	100.00	100.00
15	CAMPGROUND ROAD	100.00	100.00
16	LAUREL AVENUE	100.00	100.00
17	CIRCLE AVENUE	100.00	100.00
18	CAMPGROUND ROAD	100.00	100.00
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93	CAMPGROUND ROAD	100.00	100.00
94	LAUREL AVENUE	100.00	100.00
95	CIRCLE AVENUE	100.00	100.00
96	CAMPGROUND ROAD	100.00	100.00
97	LAUREL AVENUE	100.00	100.00
98	CIRCLE AVENUE	100.00	100.00
99	CAMPGROUND ROAD	100.00	100.00
100	LAUREL AVENUE	100.00	100.00

APPROVED: _____
DATE: 1/26/24
OFFICE: STERLING CLARKE ASSOCIATION
Campground Road
Sterling, Mass. 01565
GRAPHIC SCALE: 1"=40'

CONORSTONE
CONSULTING CIVIL ENGINEERS
AND
LAND SURVEYORS
270 WEST MAIN STREET
NORFOLK, MASSACHUSETTS 01552
DESIGNED BY: BOB VEH
CHECKED BY: BOB VEH
COMPUTED BY: BOB VEH
FIELD SURVEY: BOB VEH
SCALE: 1"=40'
SHEET 3 OF 5

PLAN OF LAND
IN
STERLING, MASS.

Board of Appeals
Town of Sterling

October 25, 1975

Notice is hereby given that the Board of Appeals of the Town of Sterling, after holding a public meeting and hearing on the petition of Cunningham J. Noel, Jr. for a Variance so as to enable him to build a single family residence on land owned by him and having been previously shown required by the Town By-Laws, has:

Voted: To grant the requested Variance

Further: That this Variance shall not take effect until the petitioner records at his own expense a Notice of Variance with the Worcester District Registry of Deeds, pursuant to G.L. Chapter 40A, Section 18, as amended; and further that said recording shall be accomplished not later than 60 days from date of this decision; and further that said construction must commence no later than six months from the said recording; and further if this Variance is litigated, all time periods for recording and construction shall not commence to toll until a final, favorable decision of the Honorable Court is rendered.

Board of Appeals

by Nelson E. Nathan
Nelson E. Nathan, Jr. Chairman