



TOWN OF STERLING
ZONING BOARD OF APPEALS MINUTES
Butterick Municipal Building, Room 205 6:00 p.m.
July 12, 2022

MEETING:

Chairman Patrick Fox called the meeting of the ZBA to order at 6:00 pm. Present were members Diana Baldarelli, Joseph Curtin, Patrick Fox, Matthew CampoBasso and Gail Bergeron.

Also present was Paul Haverty of Blatman, Bobrowski, Haverty & Silverstein, LLC as the technical review consultant to the Zoning Board of Appeals.

Agenda

- 6:00 pm – Comprehensive Permit Modification** - J. Whitney Development, Inc. has applied for a Comprehensive Permit Modification pursuant to 760 CMR 56.05(11) and 56.07(4)(a). The applicant has requested a waiver in building permit fees. The Board has determined that this modification is Substantial in nature. The property is located "off" Leominster Road, Sterling, MA, Parcel ID 23-18 and located in Rural Residential & Farming zoning district.
- 6:20 pm** – Discussion and possible vote regarding the Accessory Dwelling Unit Bylaw.
- 6:25 pm** – Minutes - Review minutes from June 7, 2022.

Northgate
Meadows –
Request for
permit fee
reduction

Chairman Fox opened up the public hearing at 6 pm. Mr. James Whitney of Whitney Companies and his attorney, Thomas Bovenzi were present at the hearing to present their request. Attorney Bovenzi is requesting a waiver of the calculation of the permit fees that was adopted after the project was underway. Chairman Fox asked Attorney Bovenzi to clarify what it is that he is looking for. He responded that he wants the fee calculated on the actual cost of materials and labor which would be approximately \$6 to \$7 million.

After some discussion, and upon mutual agreement, the hearing will be continued to the August 9, 2022 meeting to allow Attorney Haverty an opportunity to discuss the fee schedule with the Building Commissioner. Before meeting in August, the Board has requested that the petitioner provide a breakdown of the actual cost of materials for the project.

No one from the public had comments, questions or concerns.

Discussion and
possible vote
on ADUs

Chairman Fox opened the discussion and commented that the new detached accessory dwelling (ADU) bylaw has some unattended consequences. Chairman Fox and Ms. Baldarelli were part of an affordable housing committee (Housing Initiatives Committee) that drove this revised bylaw with the intention of providing affordable housing. After some discussion, Mr. Curtin made a motion to recommend to the Select Board that the ADU Bylaw be revised to delete detached units from the bylaw after review by Town Counsel. Mr. CampoBasso seconded, all in favor, 5-0.

Minutes

Mr. Curtin made a motion to approve the minutes, Ms. Baldarelli seconded. Vote was 3 in favor, 0 opposed, with members Ms. Bergeron and Mr. CampoBasso abstaining as they were not at the meeting.

Adjournment

Mr. Curtin made a motion to adjourn, Ms. Baldarelli seconded, all in favor, 5-0.

Minutes were approved at a meeting held on 8/9/2022, P. Page.