

TOWN OF STERLING  
ZONING BOARD OF APPEALS MINUTES  
Butterick Municipal Building, Room 205 6:00 p.m.  
June 12, 2018

MEETING:	Chairman Fox called the Zoning Board of Appeals to order at 6:00pm. Present were members Diana Baldarelli, Rich Lane, Pat Fox and Joe Curtin. Absent were: Jerry Siver and Matt Campobasso.
Minutes Approval	Joseph Curtin moved to approve the minutes of April 10, 2018 with the words "Joe Curtin" removed in the second paragraph of the second page and replaced with "earth removal working group." Diana Baldarelli seconded. Pat Fox - aye, Rich Lane - aye. All in favor.
Special Permit Heywood Road Parcel ID 43-17.1	<p>Petitioners Michael J. Spillane, Charles A Pillsbury and Patricia A. Pillsbury submitted an application for a Special Permit for the purposes of renovating a pre-existing, non-conforming barn and convert it into a single family residence.</p> <p>Mr. Spillane has a contract to purchase the property with several contingencies including, but not limited to, a favorable perc test and locating well water within setbacks. Abutter Ken Spaulding of 206 Tuttle Road spoke in favor of the renovation.</p> <p>Joe Curtin made a motion to grant a Special Permit for the purposes of renovating a pre-existing, non-conforming barn into a single family residence for the property located on Heywood Road, Parcel ID 43-17.1 as presented, subject to the following conditions:</p> <ol style="list-style-type: none"><li>1. Compliance with section 2.2.4 "Non-conforming Uses and Structures" of the Sterling Protective Bylaws.</li><li>2. Compliance with section 6.3 "Special Permits" of the Sterling Protective Bylaws.</li><li>3. Parking of vehicles will not be permitted between the side of the converted structure facing Heywood Road and Heywood Road.</li></ol> <p>Diana Baldarelli seconded, all in favor. Vote 4 in favor 0 in opposition.</p>
Earth Removal	Consensus is to keep this process moving forward. There are two formats currently in the works; one drafted by the ZBA/Earth Removal working group and Rich Lane/Board of Selectmen. The goal is to revise the Earth Removal Bylaw which would eliminate the Earth Removal Board resulting in Earth Removal decisions being made by the ZBA/Planning Board or the Board of Selectmen/Planning Board. The Board of Selectmen have yet to have this as an agenda item. Due to pending litigation, it is felt that involving the Town Administrator/Town Counsel is advisable to be sure of no adverse impact of a new Bylaw.
Variance 18 Legate Hill Rd. Parcel ID 24-15	<p>Petitioners Jason Wentworth and David Sadowski of Sadowski Engineering submitted an application for a Variance for the purposes of moving a property line which would make an existing warehouse non-compliant for rear setback requirements. At this time, the warehouse has the existing property line running through it. Abutter Mark Zork was present for the hearing, but did not oppose the Variance.</p> <p>Although this could be considered a self-created hardship, the applicant inherited this problem and there was a permit for the warehouse when it was built with the property line running through it. Granting the Variance will only shift a property line on a property that is already subdivided into two lots.</p>

Variance  
18 Legate Hill Rd.  
Parcel ID 24-15  
(Continued)

Joe Curtin made a motion to grant the Variance allowing applicant to move property line subject to the following conditions:

1. Double-wide trailer to be moved such that it would comply with the setbacks required in section 2.5.1 of the Sterling Protective Bylaws.
2. The applicant follows all applicable provisions of the Sterling Protective Bylaw moving forward.

Diana Baldarelli seconded, all in favor. Vote 4 in favor 0 in opposition.

Adjourn

Joe Curtin made a motion to adjourn at 7:00 p.m. Diana Baldarelli second. All in favor.

Materials: No additional materials.