

BERLIN ZONING BOARD OF APPEALS MEETING ADMINISTRATIVE MINUTES

MEETING DATE/LOCATION: Wednesday, January 11, 2017, Room 227, Town Hall Building, 23 Linden Street, Berlin, MA 01503

MEMBERS SITTING/PRESENT:

R/A		Green Acres
R	Jeanne Survell, Chair	S
R	Lynn Ryan	A
R	Dennis Bartlett	S
R	Kevin Diggins	S
R	Patricia Jackson	S
A	Jim Royer	S
A	open	
A	open	

Regular/Alternate

Sitting/Present/Absent

TOWN OFFICIALS (& OTHERS) PRESENT:

Mark Rhodes, Adam Conley, Ashley Conley, Thomas Andrew, BOS; Tim Wheeler, Planning Board; David Lichwell, Fire Captain; Paul Zbikowski, Fire Chief
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The meeting was called to order at 7:30pm.

Green Acres Development Group regarding property and cistern:

The Public Hearing was opened with Chairman Survell reading into record the Continuation Notice for Green Acres. Chairman Survell then read aloud for the record written responses received from the Fire Department, Planning Board and Housing Partnership in regards to petitioners request for an Amendment to the Comprehensive Permit.

As Board member Lynn Ryan was not present and was a sitting member of previous meetings regarding this Public Hearing, the Petitioner, Mark Rhodes, was asked if he would like to continue his hearing until the February meeting or agree to allow Pat Jackson to sit in for Lynn Ryan noting that although Pat was not a sitting member at previous meetings, she was in attendance and is knowledgeable in regards to this hearing. The Petitioner agreed to allow Pat Jackson to sit in for Lynn Ryan.

The Petitioner stated that things have been moving forward noting that the cistern has been signed off with an inspection done and found in compliance, inspections on smoke detectors are scheduled for Friday, and Petitioner is awaiting approval of an address change.

The Petitioner made a request to close the Public Hearing with the Board rendering their decision. Chairman Survell asked if any Board members had comments or questions. Board member Kevin Diggins expressed concern over lot change modifications and concern for the shared septic and pumping requirements. The Petitioner stated that the changes were made to comply with State Title V regulations and were approved by the Board of Health.

Board member Dennis Bartlett expressed concern regarding the Fire Department's letter stating that roads have been shortened and turnarounds deleted. The Petitioner stated that the development has T intersections allowing large vehicles to turnaround and exit the development. Petitioner also noted roads under 150 feet do not require a turnaround. Recorded site plan indicates roads are 140 feet.

The hearing was opened to the public for comments/questions at 7:51 pm. Thomas Andrew of the Board of Selectmen expressed concern regarding the change in roadways and asked what is the procedural place regarding this issue. Chairman Survell explained that the Public Hearing tonight pertains to the cistern and the Petitioner's request that the Comprehensive Permit be modified. Issues regarding the roads should be worked out between the Petitioner and the Fire Department.

Fire Captain, Dave Lichwell, stated that he was awaiting a letter from the Building Department in order to move forward with the Petitioner's request for an address change.

A motion was made by Board member Dennis Bartlett to close the Public Hearing. Motion was seconded by Jim Royer. Motion passed 5-0 and the Public Hearing was closed at 7:59pm.

Board discussion ensued. Board member Kevin Diggins expressed his desire to have documentation from other town boards, committees, and departments instead of verbal discussion. Chairman Survell agreed that this would be an ideal practice.

Board member Dennis Bartlett expressed concern regarding the changes in roadways. Tim Wheeler of the Planning Board stated that it was within the realm of responsibility for the Board to provide modifications to roadways for future Comprehensive Permits.

Petitioner, Mark Rhodes, agreed to make changes to roadways, acting in good faith to resume harmony with all involved. Chairman Survell asked the Petitioner to put his offer in writing.

Motion was made by Board member Dennis Bartlett to deny the application to amend the Comprehensive Permit as submitted. The motion was seconded by Jim Royer. The motion passed 5-0. Chairman Survell will write the Decision for review and signature by the Board at the February 8, 2017 meeting.

Administrative matters:

Motion was made by Chairman Survell to accept the minutes for December as written. Motion was seconded by Dennis Bartlett. Motion passed 5-0.

Chairman Survell asked if Board members had a chance to review the draft Town Report sent by email. Chairman Survell made note that the Petitioner's name for 32 Brigham Road (Greg Tremelling) needed to be added in addition to a sentence welcoming Jim Royer to the Board. Motion was made by Pat Jackson to approve the town report with minor changes. Motion was seconded by Dennis Bartlett. Motion passed 5-0.

Chairman Survell made the Board aware of another potential 40B project on South Street – 6 acres of land with 12 potential homes.

Application to the Board of Appeals was received for 245 River Road West. Chairman Survell will write a Public Hearing Notice for 7:30pm on February 8, 2017.

Motion was made by Dennis Bartlett to adjourn the meeting. Motion was seconded by Jim Royer. Motion passed 5-0. Meeting was adjourned at 8:35pm.

Respectfully submitted by: _____

Liane Leahy, Clerk for Berlin Zoning Board of Appeals