

# **BERLIN ZONING BOARD OF APPEALS MEETING ADMINISTRATIVE MINUTES**

**MEETING DATE/LOCATION:** Wednesday, April 8, 2020, via Zoom Webinar 228 892 225

## **TOWN OFFICIALS (& OTHERS) PRESENT:**

## **MEMBERS SITTING/PRESENT:**

R/A		The Capes of Berlin	180 River Rd West
R	Lynn Ryan, Chair	S	S
R	Dennis Bartlett	S	S
R	Pat Jackson	S	S
R	Jim Royer	S	S
R	Ginny Zukatynski	S	S
A	Sue Roberts	P	P
A	Keith Soucy	P	P

Regular/Alternate

Sitting/Present/Absent

978-838-9485 (presumed to be Dennis Minnich),  
AJ Moses via Zoom

## **The Capes of Berlin – substantial modification to a comprehensive permit**

The hearing was opened by Chairman Ryan at 6:33pm with a roll call of Board members in attendance. It was noted someone was in attendance by phone (presumed to be Mr. Minnich). Chairman Ryan informed the Board she had suggested to the petitioner a continuance until June and requested a signed ninety-day addition to the timeframe. A request for continuance until the Board's May meeting was received from Christopher Alphen, Esq, counsel for the petitioner, dated March 31, 2020. Associate Board Member Soucy read the letter into record. It was noted that no one representing the petitioner was present. On Town Counsel's advice no testimony was received this evening. Town Counsel informed Chairman Ryan when the petitioner re-opened the hearing on February 5, 2020, the clock started over with 180 days to close the hearing.

Motion made by Board Member Royer to continue the public hearing, at the petitioner's request, until May 13, 2020 at 6:30pm. The motion was seconded by Board Member Bartlett, and the motion passed by roll call vote 5-0 (Ryan, Royer, Bartlett, Jackson, Zukatynski).

Motion made by Board Member Zukatynski to end the hearing. The motion was seconded by Board Member Bartlett, and the motion passed by roll call vote 5-0 (Ryan, Royer, Bartlett, Jackson, Zukatynski). The hearing ended at 6:39pm.

## **Administrative**

Chairman Ryan informed the Board a letter, as voted at last month's meeting, was sent to the residents of Whitney Estates on March 24, 2020, in response to the request for guidance on how the reduced condominium fees for affordable units should be applied. A copy of the letter is available to any Board member wishing to have one. Associate Board Member Roberts requested a copy.

Chairman Ryan informed the Board that with the loss of revenues to the Town due to the epidemic all boards, committees, and departments are being asked to review their budgets for the remainder of the fiscal year to see what could potentially be freed up and made available to the Town. Board Member Bartlett reported there remains \$544.67 in the expense line and \$78.47 left in wages for the Land Use Boards Clerk. After a brief discussion it was agreed to make available to the Town \$450 from the Board's expense line item leaving a balance of \$94.67 for the remainder of the fiscal year.

Motion made by Board Member Bartlett to avail to the Town \$450 from the expense budget line of the Zoning Board of Appeals. The motion was seconded by Board Member Zukatynski, and the motion passed by roll call vote 5-0 (Ryan, Royer, Bartlett, Jackson, Zukatynski).

It was noted that A.J. Moses joined the meeting at 6:50pm as an attendee.

Chairman Ryan informed the Board she has asked the Town Clerk to please inform the Board of any new applications received, as Land Use Boards Clerk, Liane Leahy, is working from home and unable to monitor the ZBA box.

Chairman Ryan informed the Board she is sharing information with Vice-Chair Royer in the event she should become incapacitated.

Board Member Bartlett reported \$224.50 in wages for the month of March was approved for Land Use Boards Clerk, Liane Leahy, in addition to \$11.90 for postage reimbursement.

Motion made by Board Member Royer to approve meeting minutes of March 11, 2020, as written. The motion was seconded by Board Member Zukatynski, and the motion passed by roll call vote 7-0 (Ryan, Royer, Bartlett, Jackson, Zukatynski, Roberts, Soucy).

Brief discussion regarding the Cybersecurity Training Assignment due May 1. Board Member Royer to complete the assignment.

**180 River Road West – special permit and site plan approval for a residential care facility**

Chairman Ryan opened the hearing at 7:00pm with a roll call of Board members in attendance. Chairman Ryan informed the Board a request dated April 8, 2020, from John Grenier on behalf of Casa Investments requesting a withdrawal of the application, without prejudice, had been received. Associate Board Member Soucy read the letter into record. It was noted that no one representing the petitioner was present.

Motion made by Alternate Board Member Roberts to accept the written request from the petitioner to withdraw without prejudice their application for special permit and site plan approval for a residential care facility. The motion was seconded by Board Member Zukatynski, and the motion passed by roll call vote 5-0 (Ryan, Royer, Bartlett Jackson, Zukatynski).

Motion made by Board Member Zukatynski to close the public hearing. The motion was seconded by Board Member Royer, and the motion passed by roll call vote 5-0 (Ryan, Royer, Bartlett Jackson, Zukatynski). The public hearing was closed at 7:07pm.

Motion was made by Board Member Zukatynski to adjourn the meeting. The motion was seconded by Board Member Jackson, and the motion passed by roll call vote 7-0 (Ryan, Royer, Bartlett, Jackson, Zukatynski, Roberts, Soucy). The meeting was adjourned at 7:23pm.

***Respectfully submitted by: \_\_\_\_\_***

***Liane Leahy, Clerk for Berlin Zoning Board of Appeals***