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TOWN OF MILLBURY

Board of Appeals

Meeting Minutes

Wednesday, May 28, 2014

7:00 pm - Conference Room

Millbury Town Hall, 127 Elm Street, Millbury, MA 01527

Board Members

Richard Valentino, Chairperson

Paul Nigosian, Vice Chairperson

Harold Proodian

Glenn Hand

Robert Simmarano

Anna Lewandowski (Alternate)

Ken Perro (Alternate)

Board of Appeals Members Present:

Richard Valentino

Paul Nigosian

Robert Simmarano

Harold Proodian

Glenn Hand

Anna Lewandowski (Alternate)

Ken Perro (Alternate)

Staff Attending: Scott Barbato, Inspector of Buildings/Zoning Enforcement Officer

Guest Present: Leonard Mort, Earth Removal Board Vice Chairperson/ Redevelopment Authority
Chairperson

I. Call to Order: Having complied with the provisions of Chapter 40A of the General Laws of the Commonwealth of Massachusetts, relative to advertising and notifying abutters, the Meeting was declared open by Chairman Richard Valentino at 7:04 pm.

II. Approval of Meeting Minutes:

Upon a motion by Anna Lewandowski, and seconded by Robert Simmarano, the Board voted unanimously to approve the minutes of the April 30, 2014 meeting, as amended.

III. Public Hearing:

1. Behind Gilbert Way (map # 82 lot # 2, Suburban 1)

Petitioner: Jessica E. Belsito

Petition Purpose: Construct a single family residence and/or a farm

Scott Fenton, Esq., was present on behalf of Jessica E. Belsito to seek 200 feet frontage variance for the stated property. The intention of seeking the frontage variance is to build a driveway. He expressed that if the variance is approved, it will increase the value of both the property and the land. No substantial impact on the neighbors is observed due to the single family residential usage.

Scott Barbato, Inspector of Buildings/Zoning Enforcement Officer, confirmed that the land is not APR.

Leo Sharron of 41 South Oxford Road was present and wanted to know whether the Backstrad Road would be a public or private way.

Mr. Fenton said that they already have an easement from Pearson to access designated portion of their land. Thus, if the Backstrad Road is private, the easement will serve as an effective legal document; otherwise there should be no concern whether they can access this road.

Daniel Bolivar, on behalf of his mother in law Margaret Bartczak of parcel 31 on Backstrad Road, wanted to know whether Backstrad Road is a public way or not; and whether there will be horse riding, motorcycle, mountain bikes, etc. associate with the intended usage.

Mr. Fenton understood that it is difficult to decide whether Backstrad Road is public way or not; and he stressed that it was not his intention to discuss that issue because we do not have the authority to do so at this public hearing.

Upon a motion by Robert Simmarano, and seconded by Paul Nigosian, the Board voted unanimously to close the public hearing.

A motion was made by Paul Nigosian, and seconded by Robert Simmarano, to grant the requested 200 foot frontage variance on Backstrad Road map 82 lot: 2 as in Section 23.3 for the construction of a single family home.

Board members voted 5-0 to approve the requested Variance.

Chairman Valentino explained that there are 20 days waiting period for anyone to appeal the decision before John Parsekian can file the Special Building Permit at Worcester Registry of Deed.

2. 279 Riverlin Street (lot # 12, Industrial 1)

Petitioner: Roger B. Richard

Petition Purpose: Obtain Special Permit for Hobby Kennel License

Roger B Richard said that he recently got 4 dogs and was informed that he needed to apply for Hobby Kennel License so that he could keep the 4 dogs.

Alice Chesitis of 281 Rivelin Street wanted to know the responsibility of the license holder, and the limit number of dogs the license holder can have, because she wanted to make sure that no retailing or heavy traffic is expected.

Richard Valentino, Chairperson responded that it vary based on the state and town rules.

Anna Lewandowski expressed that it depends on how many we grant.

Upon a motion by Paul Nigosian, and seconded by Harold Proodian, the Board voted unanimously to close the public hearing.

A motion was made by Paul Nigosian, and seconded by Harold Proodian, to grant the requested Hobby Kennel License for Roger B. Richard of 279 Rivelin Street as in Section 23.2 with the following conditions: 4 dogs only, no puppy mill, all dogs should be licensed.

Board members voted 5-0 to approve the requested Hobby Kennel License.

Chairman Valentino explained that there are 20 days waiting period for anyone to appeal the decision before Roger B. Richard can file the Special Building Permit at Worcester Registry of Deed.

IV. Reorganization of Board of Appeals

Richard Valentino, Chairperson said that he will step down from his position as Chairman as of June 30, 2014. He also wished to not be reappointed.

Richard Valentino asked Leonard Mort, Earth Removal Board Vice Chairperson/Redevelopment Authority Chairperson, to do roll call for new Board.

Leonard Mort congratulated Richard Valentino for his service to town of Millbury.

Leonard Mort called for nominations for Chairperson. Harold Proodian nominated Paul Nigosian, seconded by Robert Simmarano. The Board unanimously voted to elect Paul Nigosian as Chairperson.

Leonard Mort called for nominations for Vice Chairperson. Harold Proodian nominated Glenn Hand, seconded by Robert Simmarano. The Board unanimously voted to elect Glenn Hand as Vice Chairperson.

Leonard Mort called for nominations for Clerk. Harold Proodian nominated Robert Simmarano, seconded by Glenn Hand. The Board unanimously voted to elect Robert Simmarano as Clerk.

Richard Valentino, Chairperson said that the new alternate member is Ken Perro.

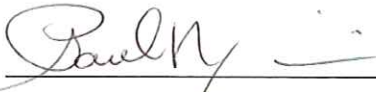
V. Approve Ann's time card

VI. Adjournment

Motion to adjourn by Anna Lewandowski at 9:25 pm, motion carried unanimously.

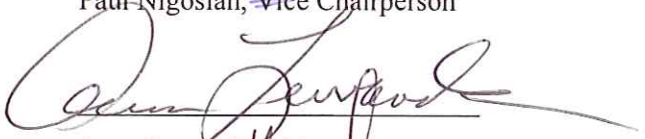
Respectfully submitted by Ann Tong, submitted to Town Clerk on : _____

Richard Valentino, Chairman

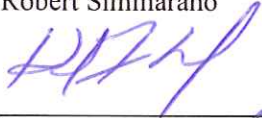


Paul Nigosian, Vice Chairperson

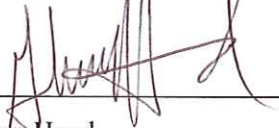
Robert Simmarano



Anna Lewandowski



Harold Proodian, Clerk



Glenn Hand