

Minutes of the Zoning Board of Appeal Meeting

March 10, 2015

Mr. Roman, Vice Chairman, called the meeting to order at 7:30PM.

The agenda consisted of two public hearings and routine administrative matters.

Mr. Roman noted that two associate members were present. Mr. Butensky was representing Mr. Skenderian; Mr. Coppola was representing Mr. Koufopoulos. The three members present constituted a quorum.

Police Station Site Review

Mr. Roman opened the hearing at 7:35PM.

The applicant was represented by Mr. Wayne Klocko, Chairman of the Permanent Building Committee. Also in attendance were:

Ilana Quirk, Town Counsel
Jim Jackson, CDR/McGuire
Kevin Witzell, CDR/McGuire
William Murray, Places Associates, Inc.
Tom Heyner, Sovereign Consulting Inc.
Chris Smith, Board of Selectmen
Brian Main, Town of Millis, Project Manager/Clerk of the Works

The application for a special permit, variances and related findings included two additional documents: a site plan for the proposed police station and a detailed submission including supporting documentation prepared by Places Associates dated January 23, 2015.

Mr. Klocko described the overall project. He was assisted in his presentation by other members of the team who addressed various technical issues related to the development of the site as raised by Board members.

Ilana Quirk provided a detailed explanation of the relief being sought.

No abutters were present at the hearing; no one spoke in opposition to the application.

No additional correspondence had been received. No comments were received from other Town officials or Boards. Since the thirty-five (35) day comment period specified in the by-law had passed, the Board was able to vote on the application.

In the absence of further comments or questions, Mr. Roman moved to close the public hearing. The motion was seconded by Mr. Coppolla. The motion passed with Mr. Roman, Mr. Butensky and Mr. Coppolla voting in the affirmative.

Appeal of the Building Commissioner's Decision Regarding 41 Bullard Lane

Mr. Roman opened the hearing at 8:15PM.

Present at the hearing were the applicant, Mr. Sgourakes , Ilana Quirk, Town Counsel, Michael Giampietro, Building Commissioner and several abutters.

Mr. Roman recognized Ilana Quirk. Ms. Quirk stated that she had reviewed the Building Commissioner's decision and the documentation on file relating to this issue. Ms. Quirk noted that the Board lacked jurisdiction in this matter. Under provisions of Massachusetts General Laws, Chapter 40A, Sections 8 and 15, any person aggrieved by his ability to obtain enforcement action may appeal to a permit granting authority within thirty (30) days from the date of the decision. An appeal must be submitted to the Town Clerk within the thirty (30) day appeal period. This requirement was included in the Building Commissioner's decision. Ms. Quirk further noted that the decision by the Building Commission was dated December 19, 2014. Making allowances for weekends and holidays, the appeal period ended on January 20, 2015. The appeal was not received in the Town Clerk's Office until January 28, 2015.

Due to a lack of jurisdiction, the Board was unable to hear the appeal.

Mr. Sgourakes was disappointed with this determination. He felt that he was given incorrect information which led to him missing the deadline.

Mr. Roman moved to close the public hearing. The motion was seconded by Mr. Coppolla. The motion was passed with Mr. Roman, Mr. Coppolla and Mr. Butensky voting in the affirmative.

Board Actions

The board voted unanimously to approve the requested relief by the Town of Millis/Permanent Building Committee relating to the new Police Station. Complete details are included in the decision.

The board voted unanimously to decline to hear the appeal by George Sgourakes due to the Board's lack of jurisdiction under provisions of Massachusetts General Laws, Chapter 40A, Sections 8 and 15.

The board voted unanimously to approve bills for payment and the secretary's payroll.

Approval of meeting minutes was deferred until the next meeting.

The Board voted unanimously to adjourn at 8:45PM.

Approved at the May 19, 2015 meeting.