



Approved 3-24-09

**Zoning Board of Appeals
Meeting Minutes
February 24, 2009**

Members present: Richard Rand, Chairman; Mark Rutan, Clerk; Dan Ginsberg, Alternate; Gerry Benson, Alternate

Members excused: Richard Kane; Sandra Landau, Alternate

Others present: Kathy Joubert, Town Planner; Bill Farnsworth, Building Inspector; Elaine Rowe, Board Secretary

Chairman Rand called the meeting to order at 7:00PM.

Chairman Rand appointed Gerry Benson as the third voting member for tonight's meeting.

Dunia Gardens - Ms. Joubert explained that, as was briefly discussed at the last meeting, Mass Housing has requested some changes in the decision and in how the regulatory agreement is written for this project, and those changes affect five of the conditions in the decision. She stated that Town Counsel has reviewed the changes and found them to be insubstantial. Ms. Joubert noted that Town Counsel had questioned the change to condition #10, which covers profitability of the project, and has received confirmation that the maximum profit limit is in line with what the board had originally approved. Ms. Joubert stated that the board needs to take a vote on the proposed changes to conditions 2,6,7,9 and 10.

Mark Rutan made a motion to rule that the changes to conditions 2,6,7, 9 and 10, as outlined in an email from Mass Housing dated 01/27/09 are insubstantial. Gerry Benson seconded, vote unanimous.

March meeting – Ms. Joubert informed the board members that there have been no submittals for the March meeting as yet, so there may be no need to meet.

Review Minutes of the Meeting of January 27, 2009 – Ms. Joubert noted a couple of typographical errors that were corrected. Mark Rutan made a motion to approve the Minutes of the Meeting of January 27, 2009 as amended. Gerry Benson seconded, vote unanimous.

Zoning changes – Ms. Joubert referenced an email that was sent out earlier today in which it was suggested that the Planning Board and ZBA hold one final joint meeting a week from tonight. Copies of the draft, including the most recent corrections, will be distributed to the members of both boards for review and any final comments. Ms. Joubert stated that she needs final approval on March 3rd as the warrant closes on March 9th and the information becomes public on March 10th. Ms. Joubert also discussed public informational meetings that will be held over the next two months in preparation for Town Meeting.

Board composition – Ms. Joubert explained that Chairman Rand went before the Board of Selectmen to change the composition of the Zoning Board to five members and two alternates, and it was unanimously approved. She confirmed that a warrant article has been submitted for this change.

Adjourned at 7:15PM.

Respectfully submitted,

Elaine Rowe
Board Secretary