

**TOWN OF MIDDLEFIELD
ZONING BOARD OF APPEALS
September 16, 2015
MIDDLEFIELD TOWN HALL
MINUTES**

Board Members present:

Chairman, Mitch Feldmesser, Bob Costa, Terry Crean and alternate Jay Swift

Present: Appellant: Joseph Dussault

The Chair opened the meeting at 6:06 P.M.

Minutes: Terry reviewed the June 6 minutes and accepted them as written. August 31 minutes were reviewed and edited. The amended minutes will be returned for approval.

The Chair announced that the meeting was being recorded.

Cone Rd. Appeal:

The Board reviewed Information supplied from the Building Inspector Bill Gerard. It included an application for an electrical permit that was submitted by the Preserve. The Electrical Inspector refused to sign off.

There was a discussion on allowing an accessory use without a primary residence. The 1996 bylaws on trailers were submitted for reference. The Board will review the material. Abutter Bob Costa was recused.

Alan Vint stated that The Selectboard strongly urged the Board to have Town Counsel involved in the Cone Rd. appeal. Pursuant to general law chapter 44 section 53G and the ZBA regulation adopted thereunder, the applicants for zoning relief may be required to pay for use of counsel. A refusal of the applicant to pay may be the basis for denial of relief.

Discussion: 1) Do we want town Counsel? 2) Do we want to institute the Review Fee Rule? Terry made a motion to have Town Counsel present. Jay seconded. Motion passed unanimously. Alan Vint was in attendance when this vote was taken and will communicate the vote to Town Counsel.

Skyline Trail Appeal: Abutter Terry Crean recused himself. Bob Costa returned to join the Board. Applicant Joseph Dussault made his position known. Discussion on use of Town Counsel ensued. Bob made a motion to use Town Counsel if recommended at the hearing. Jay seconded the motion. The Chair, Terry and Bob voted in favor. Jay voted nay. Motion passed. Cam McNeill wanted it noted that you can build an accessory building for agricultural use.

Burke Hearing: Terry has rejoined the Board. Terry asked the Board to review an email that he sent to Stephen Burke. Terry will post a meeting after the hearing concerning Burke's application. The Chair will let the Board know the results of his communication with Town Counsel.

Adjournment: Bob made a motion to adjourn at 7:20 P.M. Jay seconded. Motion passed unanimously.

Respectfully submitted,

Suzanne C. Lemieux
Recording Secretary

