

**TOWN OF MIDDLEFIELD
ZONING BOARD OF APPEALS
March 20, 2014
MIDDLEFIELD TOWN HALL
MINUTES**

Board Members Present: Terry Crean, Mitch Feldmesser, Judy Hoag

Meeting was called to order at 6:05PM.

Minutes:

The Board reviewed March 13, 2014 minutes. Amendments were discussed.

Judy Hoag made a motion to accept the draft of March 13, 2014 minutes with amendments.

Judy seconded the motion. All were in favor. 0 opposed.

Mail:

Attorney Mark Tanner sent correspondence that was requested from the public hearing concerning hardship. The Board will review the information before the Public Hearing.

Town Counsel:

Terry faxed the application to Town Counsel. In response, Attorney Jonathan Silverstein recommended that the Board adopt the Review Fee Rule. The Rule attaches the review fees to the application. Even at this late date, the Board has the authority to apply the rule to the application. Failure of the applicant to pay a review fee promptly upon request by the Board shall be grounds for denial of the application. Town Counsel suggested that the Board agree to adopt the review fee rule then phone the applicant's Attorney and ask for a review fee of \$2,500 which will be placed in an escrow account.

The Board debated whether or not the Attorney would be needed at the public hearing. The Board decided that it wasn't necessary. It was agreed to confer with Town Counsel further if necessary.

Mitch made a motion to adopt the Review Fee Rule for expert consultants in accordance to Mass General Law /Part 1, TitleVII /Chapter44 /Section53G. Judy seconded the motion. All were in favor. 0 opposed. Terry will relay to Town Counsel, the adoption of the Review Fee Rule.

Mitch made a motion to approve Terry to further communicate with Town Counsel regarding procedures going forward. Judy seconded the motion. All were in favor. 0 opposed.

Public Hearing:

The Board will meet at the March 27, 2014 Public Hearing at 6:00 P.M.

Informational Items:

Excerpt from Professor Bobrowski's book defining "Hardship"

Adjournment:

Mitch made a motion to adjourn at 8:00 P.M. Judy seconded the motion. All were in favor.

Respectfully submitted,

Suzanne C. Lemieux
Recording Secretary

