



Town of Barnstable Zoning Board of Appeals Minutes February 27, 2013

Laura Shufelt - Chair	Present
William Newton – Vice Chair	Present
Craig Larson	Present
Alex Rodolakis	Present
Brian Florence	Absent
George Zevitas	Present

Also present were Elizabeth Jenkins – Planner and Carol Puckett – Administrative Assistant.

Introduction of Board Members – Members present introduce themselves.

Approval of Minutes from February 13, 2013

Motion is made by William Newton and seconded by Craig Larson to approve the minutes as submitted.

Vote:

AYE: William Newton, Craig Larson, Alex Rodolakis, George Zevitas

NAY: None

ABSTAIN: Laura Shufelt as she was not present at the meeting.

7:00 PM	Comprehensive Permit No. 2005-082	Cotuit Equitable Housing, LLC
	Minor Modification	"Cotuit Meadows"

Cotuit Equitable Housing, LLC has submitted a request for a minor modification of Comprehensive Permit No. 2005-082 Cotuit Meadows. The request is to change the location of affordable lots in "Phase II" of the subdivision. Currently, eight lots (4, 8, 104, 108, 110, 115, 119, 124) are designated for affordable units in Phase II. With this request, the Applicant would like to designate seven lots for affordable units in Phase II (1, 2, 8, 108, 110, 121, 123).

Lots in Phase II of the subdivision are located on Pheasant Hill Circle and Dovetail Lane, Cotuit, MA as shown on Assessor's Map 002 as Parcels 002-001 through 002-009 and Parcels 002-103 through 002-024.

Representative: Attorney John Kenney

Members assigned tonight Craig Larson, Alex Rodolakis, George Zevitas, William Newton, Laura Shufelt

Attorney John Kenney indicates that they are seeking to change the designations of several lots in Phase II which is not a comprehensive type phase but a marketing phase. He hands the members a map outlining the presently designated affordable units versus ones that will not change and then the newly proposed affordable lots.

Attorney Kenney indicates that Lots 9 and 103 were originally proposed to be part of Phase II in the marketing plan. However, the reason they went from 30 lots to 28 lots and why they removed Lots 9 and 103 was because those lots need to be tied into the septic pumping station they have yet to build and which were removed from

Phase II to Phase III. They are proposing to change the designations of the affordable lots from the existing plan which includes: 4, 8, 104, 108, 110, 115, 119 & 124 to lots 1, 2, 8, 108, 110, 121 & 123. He handed in a copy of the marketing plan and explains the legend to the plan. (Cotuit Meadows-Exhibit A)

William Newton asks if the change from 30 to 28 lots requires action. Attorney Kenney indicates that nothing within the comprehensive permit deals with phases. William Newton then comments that the affordable units look like they have been pushed down into the "V" part of the phase close to Route 28 and would prefer to see them spread out more and not pushing them into one area. Attorney Kenney indicates that because of the recession it has been a difficult market and that people purchasing the market rate homes would prefer not to spend the money to build a home closer to Route 28. He also indicates that he believes that they have done more for the building of affordable homes than any other private developer in the town and feels this is a true neighborhood with a great mix.

Bryan Dacey, the manager of Cotuit Equitable Housing, LLC., speaks and in reference to moving everything near Route 28, that one of the original affordables, which was deemed to be one of our worst lots, was Lot 124. He indicates that at the last meeting in August or September it was designated as affordable and that they had tried to sell as an affordable and have since turned it into a market home. He indicates that they had a lottery in September in which 50 people had applied, only six qualified and that it came down to three people in November for which they had two houses. He indicates it turned out that the applicants did not qualify and that they had to keep trying to find someone for the affordable home. They did find one application for a first-time home buyer to move into Lot 8 and asked permission to change Lot 124 back to a market which they now use as a model home.

Ales Rodolakis refers to the letter from the Housing Committee giving their approval of the new proposed affordable lots and feel he would defer to that. (Cotuit Meadows-Exhibit B)

Laura Shufelt indicates that moving them towards the entrance that these lots are less desirable and the intent of 40B is to have the affordable units integrated with the market lots and finds that this newly proposed scenario is stretching it a bit. She indicates that this development would not be possible if not for the 40B component and that they would not be able to have 124 lots in this development without it. She indicates that she was negotiation team of the Housing Committee when this was originally proposed and thinks that this is pushing the envelope.

Attorney Kenney indicates that he believes they are not clustered in one area, clearly meet the guidelines and that Mr. Dacey has built beautiful homes in beautiful neighborhoods.

Brian Dacey speaks and indicates that he has built and moved 15 families into this neighborhood in a very tough market and that currently if someone was to buy a market house, people would prefer not being close to Route 28.

Laura Shufelt asks if they could go back to look at the affordable designations in Phase III. Attorney Kenney and Laura Shufelt agree that they would like to look at Phase 3 but that they don't have that information tonight. Attorney Kenney indicates that the road into Phase III hasn't been started as of yet and was asked five years ago to designate the lots on a 50 acre parcel of land without the land being cleared which has been difficult. He also indicates that because of the economy they have also had to adjust to the market conditions. The members and Attorney Kenney discuss switching lots. Laura Shufelt suggests that when contemplating Phase III, that they submit and explain the layout of the lot designations for the affordable and market homes. Brian Dacey clarifies that he could switch Lot 2 for Lot 119. They discuss perhaps having the board members touring the property at that time.

Attorney Kenney clarifies what the new designations will be for the affordable and market rate lots.

A motion is made by William Newton that Appeal No. 2005-082, request for minor modification, that we find that the change in terms of reconfiguration of the affordable units is insubstantial and that they agree that lots 1, 8, 108, 110, 119, 121 & 123 will be affordable and that lots 1, 121 and 123 are the new affordables and that lots 4, 104, 115 and 124 would be returned to market.

Vote:

AYE: Craig Larson, Alex Rodolakis, George Zevitas, William Newton, Laura Shufelt

NAY: None

At 7:32, Laura calls the Ruggiero appeal and reads it into the record:

7:00 PM Appeal No. 2012-049 – Cont'd

Ruggiero

Daniel and Mindi Ruggiero have petitioned for a Special Permit pursuant to Section 240-91(H)(3) Demolition and Rebuilding on Nonconforming Lots. The Petitioners are proposing to raze an existing dwelling on a 7,500 square foot lot and rebuild a new 2,106 sq.ft dwelling in conformance with the setback requirements. The subject property is located at 93 Circuit Avenue, Hyannis, MA as shown on Assessor's Map 324 as Parcel 052. It is in the Residence B Zoning District.

Opened September 26, 2012 - no members assigned. Continued to November 14, 2012 – no members assigned. Continued to January 9, 2013 and February 27, 2013.

Members assigned: George Zevitas, Brian Florence, Craig Larson, William Newton, Laura Shufelt

Members present: George Zevitas, Brian Florence, Craig Larson, William Newton, Laura Shufelt, Alex Rodolakis

Members assigned tonight: Craig Larson, Alex Rodolakis, George Zevitas, William Newton, Laura Shufelt

Brian Grady from GAF Engineering is here representing the applicants. He indicates that he had previously asked for a continuance in order to address the on-site parking concern as there is an order of conditions from the Conservation Commission on the property. He indicates that they are providing more gravel than what was green space to compensate making it a one to one trade-off for the gravel being created. Also, in the interim, he indicates that he was asked by Elizabeth Jenkins to clarify the outside kitchen area. He indicates that Mary LeBlanc, the landscaping architect, had discussed the layout of the outdoor kitchen with the Building Commissioner – Tom Perry, who did not have a problem with the built-in gas grill, built-refrigerator and no sinks or concerns about the outdoor kitchen.

Laura Shufelt asks what utilities will be necessary for the outside kitchen. Mr. Grady indicates that there will be electricity and a gas hookup for the barbecue.

William Newton clarifies that there will be parking for two cars on the graveled drive. Craig Larson and William Newton agree that they are okay with this.

Elizabeth Jenkins informs the members that there is an updated and revised staff report (Ruggiero-Exhibit A) which was made available to them tonight. Mr. Grady indicates that he has no objections to the conditions of the staff report and has seen it previous to this hearing.

Laura Shufelt comments that she feels that this is an over intensification of use, that the house is too big for a small lot and that the outdoor kitchen sitting on a coastal bank is not appropriate and will be voting no.

William Newton does findings:

On Special Permit 2012-049 for the demolition and rebuilding on a nonconforming lot:

- The application falls within a category specifically excepted in the ordinance for a grant of a special permit:

- Section 240-91(H) applies to preexisting legal nonconforming lots less than 10,000 square feet improved with a single-family residence which conformed to all provisions of the zoning ordinance in effect at the time of construction. This Section allows for the complete demolition of the old residence and reconstruction of a new residence with grant of a Special Permit.
- Site Plan Review is not required for single-family residential dwellings.
- After an evaluation of all the evidence presented, the proposal fulfills the spirit and intent of the Zoning Ordinance and would not represent a substantial detriment to the public good or the neighborhood affected.
- The proposed dwelling is in compliance with the current setback requirements or that the proposed structure does not increase an existing setback nonconformity.
- The proposed lot coverage shall not exceed 20% or the existing lot coverage, whichever is greater. The proposed lot coverage is 17.3% of the lot's upland area.
- The floor area ratio shall not exceed 0.30 or the existing floor area ratio of the structure being demolished and rebuilt, whichever is greater. The proposed floor area ratio is 29.9%.
- The building height, in feet, shall not exceed 30 feet to the highest plate and shall contain no more than 2 ½ stories. The building height, in feet, shall be defined as the vertical distance from the average grade plane to plate. The proposed height is 24 feet.
- The proposed new dwelling would not be substantially more detrimental to the neighborhood than the existing dwelling.

Vote:

AYE: Alex Rodolakis, Craig Larson, William Newton

NAY: George Zevitas, Laura Shufelt

A motion is made by William Newton to grant the relief being requested with the conditions as outlined in the updated staff report dated February 27, 2013: (Ruggiero-Exhibit B)

1. Special Permit 2012-049 is granted to Daniel and Mindi Ruggiero for the demolition of an existing residence and rebuilding of a 2,074 square foot dwelling at 93 Circuit Avenue in Hyannis.
2. The dwelling shall be reconstructed in substantial conformance with the site plan entitled "Plan to Accompany Special Permit Application – 93 Circuit Avenue Hyannis MA", last revised 2/8/13, drawn and stamped by GAF Engineering, Inc. and the elevations and floor plans drawn by Westchester Modular Homes, Inc.
3. Prior to issuance of a certificate of occupancy, a certified as-built plan prepared by an independent party shall be submitted to the Building Commissioner to confirm that the floor area ratio of the dwelling conforms to code requirements.
4. All mechanical equipment associated with the dwelling (air conditioners, electric generators, etc.) shall be located so as to conform to the required setbacks for the district and screened from neighboring homes and the public right-of-way.
5. The proposed redevelopment shall represent full build-out of the lot. Further expansion of the dwelling is prohibited without prior approval from the Board. The construction of additional accessory structures or impervious areas is prohibited.
6. The dwelling shall be connected to public sanitary sewer.
7. The decision shall be recorded at the Barnstable County Registry of Deeds and copies of the recorded decision shall be submitted to the Zoning Board of Appeals Office and the Building Division prior to issuance building permit. The rights authorized by this special permit must be exercised within two years, unless extended.

Seconded by Alex Rodolakis.

VOTE:

AYE: Alex Rodolakis, Craig Larson, William Newton

NAY: George Zevitas, Laura Shufelt

Motion does not carry

NOT GRANTED

AT 7:43, Laura calls the Morin appeal and reads it into the record:

7:05 PM Appeal No. 2012-061 – Cont'd

Morin

Jacques N. Morin has applied for a Variance from Section 240-11.E Bulk Regulations – Minimum Lot Area, Minimum Lot Width and the Minimum 100-foot setback required from Route 28 and from Section 240-36, the two-acre minimum lot area requirement of the Resource Protection Overlay District. The applicant seeks to develop the .28 acre lot with a three-bedroom single-family dwelling set back approximately 45 feet from the front property line on Route 28. The property is addressed 1358 Falmouth Road (Route 28), Centerville, MA, and is shown on Assessor's Map 229 as Parcel 099. It is in a Residence D-1 Zoning District and the Resource Protection Overlay District.

Continued from December 12, 2012 to January 9, 2013 and February 27, 2013

Members assigned: George Zevitas, Craig Larson, Brian Florence, William Newton, Laura Shufelt.

Members present: George Zevitas, Craig Larson, Brian Florence, William Newton, Laura Shufelt, Alex Rodolakis (Alex Rodolakis recuses himself)

Members assigned: Craig Larson, George Zevitas, William Newton, Laura Shufelt (Alex Rodolakis recuses himself)

Laura Shufelt indicates that there is a letter (Morin-Exhibit A) which has been submitted by the applicant's attorney, Michael Ford asking to withdraw without prejudice.

Elizabeth Jenkins explains that under the permit extension act, that the applicant had pulled a foundation permit which the Building Commissioner – Tom Perry, had reviewed in regards to the permit extension act and determined that the permit was exercised and therefore the permit had been exercised.

A motion is made by Laura Shufelt and seconded by William Newton to withdraw this application without prejudice.

Vote:

AYE: Craig Larson, George Zevitas, William Newton, Laura Shufelt

NAY: None

WITHDRAWN WITHOUT PREJUDICE

7:10 PM Appeal No. 2013-006 - New

Tolliver

Roy Tolliver has petitioned for a Special Permit in accordance with Section 240-91(H)(3) Developed lot protection; demolition and rebuilding on nonconforming lots. The petitioner is proposing to completely demolish an existing dwelling and rebuild a new dwelling. The new dwelling is proposed within the required 30 foot front yard setback, but the proposed yard setbacks shall be greater than the yard setbacks of the existing building. The subject property is located at 106 Rosa Lane, Marstons Mills, MA as shown on Assessor's Map 061 as Parcel 011. It is located in the Residence F Zoning District.

Members assigned tonight: Alex Rodolakis, George Zevitas, William Newton, Laura Shufelt

Craig Larson recuses himself. Laura Shufelt informs Mr. Tolliver that only four members are sitting on this and that he would need an unanimous to be approved and has the option of either continuing or going forward. Mr. Tolliver indicates that it has been explained to him and that he agrees to go forward.

Representative: Roy Tolliver is the contractor/purchaser for this lot and wants to build his own house here. He explains that Rosa Lane, by determination of the Town Attorney, is a way which doesn't go anywhere and abuts up to land trust land. He indicates that Rosa Lane seems to be a mystery as it is not designated or claimed by the town. He points out Rosa Lane on an aerial plan to the board members. (Tolliver-Exhibit A) He points out his lot and Rosa Lane. He shows the boundary of his land and the land trust land. He indicates that in his research at the Barnstable Land Trust that they have asked people to park on Flume Road instead of Rosa Lane when they have people doing projects on their site such as clean-ups. He indicates that he had received approval from the historic board in demolishing the existing house in order to build a new house. The existing house was built in 1790 and he would like to incorporate parts of the existing house into the new house. Currently, the existing house is 5.6 feet from Rosa Lane and the new house would be 17 feet from Rosa Lane. He shows a 3D model of the house and indicates that it will be approximately 2200 sf. He also believes that the design will be in keeping with the neighborhood.

Elizabeth Jenkins wants to clarify that the town has never made a formal determination about this way. She indicates that it is not a town/public road and that in the staff report there is significant evidence to suggest that it is what is classified as a way in existence, meaning in existence prior to the subdivision control law. She indicates that there was a revised an updated staff report that outlines what the classification of ways are. She also indicates that the revised staff report, the applicant did recently submit specific plans and elevations which resulted in changing some numbers that were in the original staff report. Laura Shufelt asks if there was a site plan. Mr. Tolliver shows the house on a plan which Laura passes to the board members.

William Newton asks if this is a single lane dirt road. Mr. Tolliver indicates that it is like a driveway to his house that nobody maintains. He indicates that his attorney has assured him that he has a legal right of way.

Alex Rodolakis asks about the existing garage. Mr. Tolliver would like to leave the garage as it is in good shape.

Laura Shufelt asks if there is anyone from the public who would like to speak. No one speaks.

Alex Rodolakis does findings:

Roy Tolliver has petitioned for a Special Permit in accordance with Section 240-91(H)(3) Developed lot protection; demolition and rebuilding on nonconforming lots. The petitioner is proposing to completely demolish an existing dwelling and rebuild a new dwelling. The new dwelling is proposed within the required 30 foot front yard setback, but the proposed yard setbacks shall be greater than the yard setbacks of the existing building. The subject property is located at 106 Rosa Lane, Marstons Mills, MA as shown on Assessor's Map 061 as Parcel 011. It is located in the Residence F Zoning District

- The application falls within a category specifically excepted in the ordinance for a grant of a special permit:
Section 240-91(H) applies to pre-existing legal nonconforming lots that contain a minimum of 10,000 square feet of contiguous upland, improved with a single-family residence which conformed to all provisions of the zoning ordinance in effect at the time of construction. Section 240-91(H)(3)(a) allows for the complete demolition of the old residence and construction of a new residence where the proposed dwelling does not comply with all current setback requirements, but the proposed yard setbacks are equal or greater than the yard setbacks of the existing building.
- Site Plan Review is not required for single-family residential dwellings.

- After an evaluation of all the evidence presented, the proposal fulfills the spirit and intent of the Zoning Ordinance and would not represent a substantial detriment to the public good or the neighborhood affected.
- The proposed dwelling does not increase an existing setback nonconformity.
- The proposed lot coverage is 8.25% of the lot's upland area and the proposed floor area ratio is approximately 8 percent. The proposed height of the structure is approximately 21 feet to the plate.
- The proposed new dwelling would not be substantially more detrimental to the neighborhood than the existing dwelling.

Vote:

AYE: Alex Rodolakis, George Zevitas, William Newton, Laura Shufelt

NAY: None

Motion is made by Alex Rodolakis to grant the relief being requested subject to the conditions as outlined in the revised staff report dated February 26, 2013 which are as follows: (Tolliver-Exhibit B)

1. Special Permit 2013-006 is granted for the demolition of an existing residence and rebuilding of a new single-family dwelling at 106 Rosa Lane in Marstons Mills.
2. The dwelling shall be reconstructed in substantial conformance with the site plan entitled "Site Plan of 106 Rosa Lane, Marstons Mills", last revised January 29, 2013, drawn and stamped by Down Cape Engineering, Inc and the elevations and floor plans entitled "Tolliver Residence" dated (received) February 25, 2013.
3. Any future additions or new accessory structures shall maintain a minimum setback of 17 feet from Rosa Lane and shall not exceed the standards for demolition and rebuilding in Section 240-91(H)(3).
4. Demolition of the existing dwelling shall be in compliance with the Barnstable Historical Commission Decision dated December 27, 2012.
5. The decision shall be recorded at the Barnstable County Registry of Deeds and copies of the recorded decision shall be submitted to the Zoning Board of Appeals Office and the Building Division prior to issuance building permit. The rights authorized by this special permit must be exercised within two years, unless extended.

Seconded by William Newton.

Vote:

AYE: Alex Rodolakis, George Zevitas, William Newton, Laura Shufelt

NAY: None

GRANTED WITH CONDITIONS

At 8:05, Laura reads the Baljon appeal into the record:

Craig Larson returns to the dais. Alex Rodolakis recuses himself and leaves.

7:15 PM Appeal No. 2013-007 – New

Baljon

Kristin A. Baljon, Trustee of the John R. Berry, Jr. Revocable Trust has applied for a variance to Section 240-13.E Bulk Regulations. The Applicant is requesting a bulk variance from the minimum lot area and minimum lot width requirements of the RF-1 District to make the lot a legally buildable lot for a single-family residence. The subject property is located at 27 Lake Avenue, Hyannis (Hyannis Port), MA, as shown on Assessor's Map 287 as Parcel 026. It is located in the Residence F-1 Zoning District.

Representative: Attorney Peter Freeman

Members assigned tonight: Craig Larson, George Zevitas, William Newton, Laura Shufelt

Laura Shufelt informs the applicant and the applicant's attorney, Peter Freeman, that Alex Rodolakis has recused himself and that they would need a unanimous vote of the 4 members sitting on this in order to get approved.

Attorney Freeman consults with his clients.

Attorney Freeman indicates that they will go forward.

George Zevitas comments to Attorney Freeman that he would think it would be appropriate for a full complement of the board. Attorney Freeman asks for another minute to consult with his client.

Kristen Baljon speaks and explains her personal reasons for why she is here and is not sure why Alex Rodolakis had to recuse himself. Laura Shufelt explains that a full complement of the board would be better as with four members it would have to be unanimous to be granted. She also explains that she is not sure as to why Alex Rodolakis needed to recuse himself. Ms. Baljon asks about future meetings. They discuss when a full board would be available.

Attorney Freeman indicates that they will go forward.

Attorney Peter Freeman indicates that this property has been in the same family for many years. He refers to Tab C "Plan of Seashore Lots" dated 1872 of his memo. There were 9 lots that were created by the Andersons. He indicates that in 1953 there were 3 lots and refers to Tab H. He indicates that in 1974 two of the lots were conveyed out leaving one lot in question. He indicates that the lots were in common ownership at the time of the zoning change which changed the minimum lot area to 15000 square feet. He indicates that there is a plan that he has that he would like to pass out to the board members which wasn't with his application. He notes that another variance was given to another Anderson relative in the 80's and that there is a precedent in this area for this type of relief.

He indicates that this is a unique situation and area. He indicates that it is not in the Wellhead Protection Area, not in Zone 2, not in an historic district, not in an estuary and not on the ocean. He indicates that the only reason it does not comply is because it is less than the required one acre and that this lot can accommodate a house and meets the lot shape factor. As for the topographical features of the property, he indicates that it is steep, there is some slope and it regards to findings as to the detriment to the neighborhood, which he doesn't believe exist, it would actually be a better situation to control runoff or treat runoff by grading it for a house which his client would like to keep natural. He has ten letters of support from Nick & Susan Scioli of Hyannis Port, Ruth A. Barry, Charles A. Powers of Hyannis Port, Robert, David & Richard Powers, Vincent G. O'Neill of Hyannis Port, Gregg A. Anderson, Maye Anderson & Francis D. Brogan, Megan Adley of Milton, MA, Glenn W. Anderson of 45 Lake Avenue, Hyannis Port, and Richard J. Gallagher of Hyannis Port, MA. (Baljon-Exhibit A thru L)

Attorney Freeman reiterates that, as to the three prong test, that there is a slope in the topography and the hardship is the situation of surprise to the family and to the owners in particular who had thought that this lot could be used and built upon and because of the nature of the area of where there are homes built and not much more could be built there, this would be an aesthetic improvement and a plus to the area.

Questions from the Board:

George Zevitas asks Attorney Freeman how this would be in reference to the ordinance regarding derogation of the zoning ordinance. Attorney Freeman indicates that the area hasn't changed all that much in that time, the purpose of the spirit and bylaw, one doesn't have to and have to look at a case by case basis and in this case it is not environmentally sensitive, its all upland, not in a 2 acre zone, it fits in with the neighborhood and was part of an old subdivision. He thinks that it would be legitimate to make a finding that it is not derogate substantially and that the intent is to protect the neighbors and the letters of support shows the spirit of the bylaw being complied with.

Craig Larson asks questions about Lake Drive, how it is maintained and if it could accommodate a fire truck traversing it. Attorney Freeman indicates that it is a private dirt road, plowed by the town and that a fire truck would fit. Kristin Baljon confirms that it is plowed, is one lane and is a private road for public use.

Craig Larson asks Attorney Freeman if he is aware that the Assessor's office called it unbuildable. They discuss.

William Newton is concerned about the transactions in the past regarding some of the lot transfers.

Attorney Freeman talks about what the argument would be for the three prong test.

Laura Shufelt asks if there is anyone here from the public who would like to speak either in favor or in opposition.

Megan Adley, a cousin, with an address of 60 Massachusetts Avenue, Hyannis, speaks and is in support of this request.

Uncle Charlie speaks and is in support of this. He gives family history. They gave these lots so that the family could have them.

Greg Anderson, of 26 Lake Avenue, a cousin, speaks in support of this request.

The board discusses.

George Zevitas isn't sure it meets the test for hardship and that he traversed the road which he found difficult. Craig would agree somewhat with George as these lots were created in 1953 prior to bulk regulations and zoning which took place in this town and that in 1956 zoning rendered these lots unbuildable and nonconforming. Also, according to Title V this house could only be a one bedroom dwelling.

Laura Shufelt indicates that she would have a hard time saying yes to this.

Attorney Freeman asks if he could withdraw without prejudice.

A motion is made by Laura Shufelt and seconded by William Newton to withdraw without prejudice

George Zevitas notes that he would vote against that motion

Vote:

AYE: Craig Larson, William Newton, Laura Shufelt

NAY: George Zevitas

WITHDRAWN WITHOUT PREJUDICE.

Open: Chairman's Discussion

Next Regularly Scheduled Meetings is March 27,2013.

Motion is made by Craig Larson and seconded by William Newton to adjourn.

Vote:

All in favor.

Exhibits

Cotuit Meadows -Exhibit A

- Letter dated 02/26/13 – Housing Committee approval to Shufelt on Cotuit Meadows

Ruggiero – Exhibit A

- Staff Report dated 02/02/12 for Ruggiero

Morin – Exhibit A

- Letter dated 02/26/13 - Attorney Michael Ford requesting withdrawal without prejudice

Tolliver – Exhibit A

- Staff Report dated 02/26/13 – Tolliver (Revised and Reissued)

Baljon – Exhibit

- A = Fax dated 02/26/13 – Robert, David & Richard Powers to ZBA in support of Baljon appeal
- B = Letter dated 02/27/13 – Robert & Tamara Anderson to ZBA in opposition to Baljon appeal
- C = Email dated February 25, 2013 to Gregg Anderson from Glenn Anderson in support of Baljon appeal*
- D = Letter dated February 25, 2013 from Richard J. Gallagher in support of Baljon appeal*
- E = Letter dated February 25, 2013 from Susan Scioli in support of Baljon appeal*
- F = Letter dated February 27, 2013 from Ruth A. Barry in support of Baljon appeal*
- G = Letter dated February 27, 2013 from Charles A. Power in support of Baljon appeal*
- H = Letter dated February 26, 2013 from Robert, David and Richard Powers in support of Baljon appeal*
- I = Letter dated February 25, 2013 from Vincent O'Neill in support of Baljon appeal*
- J = Letter dated February 26, 2013 from Gregg A. Anderson in support of Baljon appeal*
- K = Letter dated February 27, 2013 from Maye Anderson Brogan & Francis D. Brogan in support of Baljon appeal*
- L = Letter dated February 27, 2013 from Megan Adley in support of Baljon appeal*

* = Submitted to the ZBA by Attorney Freeman the night of the hearing, February 27, 2013.