

CARVER ZONING BOARD OF APPEALS

December 12, 2013

MINUTES

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The Carver Zoning Board of Appeals held a public hearing on Thursday, December 12, 2013, at 7:00 p.m. at the Carver Town Hall.

IN ATTENDANCE: Stephen Gray, Chairman; Sharon Clarke, Vice Chairperson; James F. Nauen; Walter Collins; Fran Mello

ABSENT: Steven Maynard

ALSO PRESENT: Deborah Carlino, Clerk; members of the public

Approval of Minutes:

Chairman Gray noted that after the completion of the Belbin vs. Town of Carver court matter, the executive session minutes concerning said matter are ready to be approved by the Board and filed with the Town Clerk's office.

Executive Session Minutes: May 23, 2011; October 13, 2011; November 17, 2011; December 15, 2011; January 26, 2012; September 8, 2012; September 14, 2013;

MOTION: by Mr. Collins to approve the Executive Session minutes of May 23, 2011; October 13, 2011; November 17, 2011; December 15, 2011; January 26, 2012; September 8, 2012; September 14, 2013 (with an amendment of adjourning time from 11:45 p.m. to 11:45 a.m.)

SECOND: by Mr. Nauen
UNANIMOUSLY VOTED

New Business:

The Board will discuss renewal of the special permit in **Case No. 07-875:** Bonnie Fistel re: 153 Main Street, Carver, Massachusetts, wherein a three year extension of the Special Permit (approved 10/2007; 1/2011) is being requested relative to a commercial kennel at said address.

Ms. Fistel advised that nothing has changed. She has fewer dogs (9 dogs); no construction or changes to the house. No complaints or issues.

MOTION: by Ms. Clarke to approve the request for a three year extension of the special permit as originally approved in October, 2007, renewed in January, 2011; as presented

SECOND: by Mr. Nauen
UNANIMOUSLY VOTED

APPROVED

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Chairman Gray noted that this was the end of the open session and asked to go into Executive Session at this time.

MOTION: by Mr. Gray to go into Executive Session at 7:35 p.m. pursuant to M.G.L. c. 30A, s. 21(a)(3), to discuss pending litigation with respect to Rocky Meadow Development Corp. et al v. Zoning Board of Appeals of the Town of Carver, Land Court Civil Action No. 13 MISC 480508; it is necessary to go into Executive Session at this time as it will be detrimental to the Town's litigation position and strategy relating thereto to discuss this matter in open session; and then return to open session only to adjourn

SECOND: by Mr. Nauen

ROLL CALL VOTE: yes – Gray; yes – Clarke; yes - Nauen; yes - Mueller; yes - Collins; yes - Mello

Respectfully submitted,
Deborah Carlino, Clerk