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ZONING BOARD OF APPEALS**

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2013 SEP 23 A 10:15

MINUTES

Meeting of February 11, 2013

I. Call to Order

The February 11, 2013 scheduled meeting of the Zoning Board of Appeals was called to order at 7:50 pm by Tom Noel, Chairman with the following members Nitin Choksi, & Frank Reynolds (alternate member).

Tom Noel stated that the the ZBA had received a request for an extension for the Bay Road Heights LLC 40B Comprehensive permit issued in 2007 and modified on February 28, 2012 in an email dated January 28, 2013 from Paul Cusson, Delphic Associates. He noted that on February 6, 2013 an email was received from Paul Cusson requesting to withdraw the request made on January 28, 2013 and to consider his request dated February 6, 2013.

Nitin Choksi made a motion, seconded by Frank Reynolds, to remove from the table for discussion the extension request made by Paul Cusson for the Bay Road Heights, LLC 40B Comprehensive Permit project. All in favor, Approved.

Nitin Choksi made a motion, seconded by Frank Reynolds, to accept the withdrawal of the request for an extension received on January 28, 2013. All in favor. Approved.

Nitin Choksi made a motion, seconded by Frank Reynolds, to accept the request for an extension replacing the request made on January 28, 2013 received on February 6, 2013. All in favor. Approved.

Tom Noel stated that along with a letter, he would draft a revised decision extending all the dates on the modified decision by **one-year** of February 28, 2012. He said that he included the history of the permit and its modifications to date. He noted that notice would have to be given to the permit holder immediately as to the board's decision this evening as to whether or not the extension request is a **substantial** modification or a **non-substantial** modification. Tom Noel suggested that all new conditions that were added to

the modified decision dated February 28, 2013 be added to the extended decision to be included with the letter accepting the extension. He suggested extending all dates on the modified decision dated February 28, 2012 by **one year**. He also suggested to require the extended-modified decision be recorded at the Registry of Deeds. Nitin Choksi made a motion, seconded by Frank Reynolds, to include the new conditions in the modified decision dated February 28, 2012 included with the extension letter and to extend all dates on the modified decision dated February 28, 2012 by **one year** and to also require the extended modified decision be recorded. He noted that the changes will be non-substantial. All in favor. Approved.

Nitin Choksi made a motion, seconded by Frank Reynolds, to deem that the request for an extension to the 40B Comprehensive modified permit issued on February 28, 2012 dated February 6, 2013 is non-substantial. All in favor. Approved.

Nitin Choksi made a motion, seconded by Frank Reynolds, to adjourn the public hearing at 8:10 pm. All in favor. Approved.

Minutes Approved by Committee on: September 8, 2014

Respectfully submitted,



Thomas R. Noel, Chairman
Norton Zoning Board of Appeals