

**Minutes
Topsfield Zoning Board of Appeals
Town Library Meeting Room
November 22, 2016**

Chairman Moriarty called the meeting to order at 8:08PM. Board members present, in addition to Chairman Bob Moriarty, were Gregor Smith, Dave Moniz, David Merrill. Jody Clineff was absent. Donna Rich, Community Development Coordinator, was also present. Other persons present during all or part of the meeting included, and residents Dick Gandt, Andrew Mulholland, Nancy Luther, Rob Martin.

Public Hearing

8:08PM: 221 Washington Street: Clerk David Merrill read the Legal Notice to open the Hearing. Chairman Moriarty stated that Mr. Galka was appealing the Building Inspector's decision of a Notices of Violation dated September 13, 2016 and March 31, 2016 ordering the applicant to immediately cease and desist the use of the property at 215 Washington St for commercial purposes and to remove all equipment, storage trailers/containers and construction materials not being specifically used for authorized/permitted work at the location of 215 Washington St. Mr. Galka represented himself and repeatedly explained to the Board that there was not commercial equipment stored at the property and the contents of the storage unit were a generator and furniture. Mr. Galka expressed the reason for the commercial equipment was to assist with the building of a garage and the storage container held items that did not fit into his family's home. Chairman Moriarty explained that the Building Inspector's allegations were serious and nothing presented to the Board provided evidence to turn the Building Inspectors decisions around. Therefore, the decision of the Building Inspector would remain. Member Dave Merrill made a motion to close the Hearing, seconded by Member Dave Moniz; so voted: 4-0. Chairman Moriarty made the motion to affirm the decision of the Topsfield Inspector of Buildings dated September 13, 2016 and March 31, 2016, seconded by Member David Moniz; so voted 4-0.

General business

New:

2017 Meeting Schedule: Member Dave Moniz made a motion to approve the 2017 ZBA Meeting Schedule as presented; seconded by Member Gregor Smith; so voted: 4-0.

Old:

Topsfield Animal Shelter, Inc., et al. v. Robert Moriarty, et al. v. The Hydrant Regency Corp., et al – Donna Rich, Community Development Coordinator updated the Board that the owners, Marc & April Bernhardt have moved their dogs and business out of Topsfield and are presently residing in Rowley, MA.

Minutes:

Member Gregor Smith made a motion to accept the minutes of February 23, 2016 as written, seconded by Member Dave Moniz; so voted: 4-0.

At 9:53PM, Chairman Moriarty made a motion to adjourn and Member Gregor Smith seconded the motion; so voted: 4-0.

Respectfully submitted,

Donna C. Rich
Community Development Coordinator

Per the Open Meeting Law, the documents that were either distributed to the Zoning Board of Appeals before the meeting in a packet, or at the meeting were:

1. Agenda
2. Application appealing the Building Inspector decision
3. Mr. Galka submitted pictures of his property
4. Mr. Martin, abutter, letters dated November 16 & 21, 2016

Approved as written at the January 24, 2017 Zoning Board of Appeals meeting.

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| <p>Pursuant to the 'Open Meeting Law,' G.L. 39, § 23B, the approval of these minutes by the Committee constitutes a certification of the date, time and place of the meeting, the members present and absent, and the actions taken at the meeting. Any other description of statements made by any person, or the summary of the discussion of any matter, is included for the purpose of context only, and no certification, express or implied, is made by the Committee as to the completeness or accuracy of such statements.</p> |
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