Zoning Board of Appeals – Minutes

December 10, 2024

Location: Town Hall, Moitoza-Pettey Hearing Room

Time: 6:00pm to 8:00pm

Board Member Attendees: Meghan Connolly- Chairman, Antonio Carmo Vice-Chairman,

Marc Oliveira Member, & Sal Botelho Alt Member.

Board Member Out: None- The board had a quorum.

Attendees: Dawn Cunha- Delphic Assoc. & Carl Malloch- Malloch Construction, & Atty. Adam Costa

Topic	Discussion:
Mail & Minutes:	6:08pm- M. Connolly opened up the meeting, introduced herself and the Board members that were present.
	T. Carmo made a motion to move the Mtg. Mins., Bills, & Correspondence out of order on the agenda. M. Oliveira seconded.
	Meeting Minutes: The meeting minutes from 11/19/24 were reviewed by the Board. T. Carmo made a motion to accept the minutes as read. M. Oliveira seconded.
	Bills: 9/25/24- Fees-Atty. Adam Costa \$1139.50 for SKAL Beverage 131 Padelford St. Map 20 Lot 22
	9/25/24- Fees Atty. Adam Costa \$1,295.00 for Barwick 11 Babbitt Way Map 3 Lot 11
	10/8/24- Holmes 3 Christine Ct. Map 3 Lot 63-1- Fees Atty. Adam Costa \$ 357.75 & Escrow Balance paid to Holmes \$205.49
	10/22/24- Fagan 515 Berkley St. Map 1 Lot 3- Local IQ \$472.56 newspaper ad ran 9/9/24 & 9/16/24 & Escrow Balance paid to Fagan \$527.44 on 11/20/24.
	Correspondence: None
	No other New Business came in front of the Board at this time.
	A. Carmo asked Atty. Adam Costa about voting in regards to Comprehensive Permits. Atty. Adam Costa stated subsequent action on permits, only simple majority is needed, further explained.

6:08pm- Atty. Adam Costa explained to the Board about the two letters from Delphic Assoc. for changes to the Comprehensive Permit for Berkley Meadows, LLC. The Board needs to decide if they are insubstantial or substantial changes. Explained the letters: 1.) Metropolitan area needs to be modified, this is important to determine income for cost of affordable units. 2.) Local Preference- This is for the affordable units, ability to make available to keep in the community. 18yrs ago it was ok with the state for the town to have local preference, now not the same, this is used when it is time to conduct the lottery for the affordable units. Local Preference needs to be eliminated due to needing ethnic diversity, Berkley would need to justify the need for local preference. All further discussed. T. Carmo made a motion that the Board has determined that both requests are insubstantial changes and the Board accepted the changes. M. Oliveira seconded. The Board signed both requests. C. Malloch asked Atty Adam Costa if the signed modifications needed to be recorded. Atty. Adam Costa if the signed modifications, keeps everything in order. M. Connolly thanked everyone for all of their input and explanations. Atty. Adam Costa explained to the Board the incentives the town receives for the sale of the market priced units from the developer. This Comprehensive Permit states the Senior Center gets \$1,250.00 for the sale per each market unit. This money would be paid when a building permit is requested from the Building Inspector for the units, so a total of \$2,500.00 per building. The Town Accountant will need to open a gift account. The Secretary will speak to the Building Inspector and Town Accountant once things start getting closer. The Board further thanked Atty. Adam Costa for coming out and explaining 40B projects further to them. T. Carmo asked about certified mailings and all other mailings the Board is responsible for, Atty Adam Costa also further discussed with the Board the Board's fees, and the new ADUs.
All Motioned the next meeting date- To Be Determined
Motion to adjourn was made by M. Oliveira @ 7:30pm
Meghan a Connolly 2. Molano Carmo