

**Zoning Board of Appeals
Lakeville, Massachusetts
Minutes of Meeting
April 17, 2014**

Members present:

Donald Foster, Chair; David Curtis, Vice-Chair; John Olivieri, Jr., Member; Joseph Urbanski, Associate Member; Janice Swanson, Associate Member; Jim Gouveia, Associate Member

Regular Meeting:

Mr. Foster opened the regular meeting at 7:10 p.m.

Roll called. Mr. Foster advised that in accordance with the Open Meeting Law he was announcing publicly that he was making an audio recording of the meeting.

LeBaron Residential LLC hearing, M26-B3-L10:

Mr. Foster opened the LeBaron Residential LLC continued hearing at 7:15. He read aloud the April 15, 2014, letter from Mr. Robert Mather, representing LeBaron. Mr. Mather asked that the ZBA continue the LeBaron hearing to the May 15th meeting.

Members discussed the consequences of this hearing being delayed another month or multiple months and the frustration of appearing at a ZBA meeting only to learn that the hearing was once again continued.

Mr. Olivieri asked what would happen if not enough ZBA members appeared at a meeting to legally vote on a continuance. Would the existing continued hearing remain in effect to the next meeting? Mr. Foster said he did not know but would research and answer the question.

Mr. Foster also pointed out that if the ZBA allowed a petition to remain unresolved beyond a specified length of time, then the petition would automatically be granted in favor of the petitioner, a so-called “constructive grant.”

Mr. Olivieri made a motion to continue the LeBaron hearing to May 15, 2014, seconded by Mr. Curtis. There was no further discussion. The **vote** was **unanimous for**.

The hearing closed at 7:35.

Mr. Foster adjourned the meeting at 7:35.