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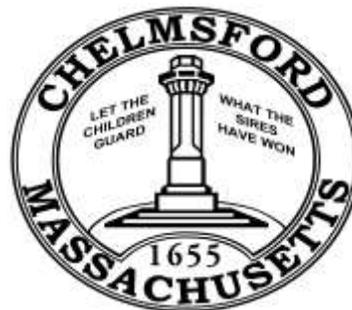
11:35 AM

TOWN OF CHELMSFORD

PATRICIA E. DZURIS

TOWN CLERK

**Chelmsford  
Board of Appeals  
Town Offices  
50 Billerica Road  
Chelmsford, MA 01824  
Phone: 978-250-5231**



**Meeting Minutes**  
**Thursday, February 5, 2021**

**Hearings for Special Permits & Variances Begin at 6:00 P.M.**

**Members Present:** Brian Reidy, Mark Carota, Steve Mendez, Erin Drew, Peter Casserly  
**Members Absent:** Charlie Wojtas, Jamie Outland-Brown  
**Others Present:** Colleen Stansfield, Department Assistant, Shaun Shanahan, Building Commissioner

**Continued Public Hearing:**

**125 Graniteville Road, Ronald Couture, for Administrative Appeal** to the Chelmsford Zoning Board of Appeals. Applicant seeks to appeal the October 9, 2020, Building Inspector's determination of compliance for Home Occupations.

<https://www.chelmsfordma.gov/DocumentCenter/View/11814/CoutureRonald-appeal-125-Graniteville>  
<https://www.chelmsfordma.gov/DocumentCenter/View/11811/10-9-2020-letter-MAllen>

The Chair opened the meeting and gave a short history of the appeal. Ronald Couture read a brief outline of the 'scenario' as he sees things. Mr. Shields stated that everything that Mr. Couture stated has been addressed and he has not submitted any new information that shows any violation. He stated that is all he wants to stay. The Building Commissioner stated that he has not been able to make a determination that there is a violation occurring. A board member asked to speak with Mr. Shields. Mr. Shields stated that the appeal is about the October 9<sup>th</sup> letter and not things that happened a year ago. The Chair stated that Town Counsel said that if there was new information submitted, that the Board could consider it. Mr. Shields agreed that they could consider new information from October 9<sup>th</sup> going forward. Carota asked Shields if he could ask a few questions and Mr. Shields responded that he will not answer any questions and that Mr. Couture is making a lot of assumptions and has 24/7 surveillance and he has the burden of proof. Drew made a motion to close the public hearing, seconded by Carota, unanimous. Mr. Couture stated that he did want to say something so Drew made a motion to reopen the public hearing, seconded by Carota, unanimous. Mr. Couture stated the trucks were oversized and that is a violation. The Chair stated that only actions after October 9<sup>th</sup> can be considered. There was a back and forth about what is to be considered. It was also stated that just because a person wears a company sweatshirt does not necessarily mean they work for that company. There were no more questions from the board or the public. Carota made a motion to close the public hearing, seconded by Casserly, unanimous. Carota wanted to make a comment that it does look like there is business activity that could exceed what is allowed, however there is no firm proof of that

and does not see how the Board could overturn the Commissioners determination. Drew stated that there is no other determination the Commissioner could possibly make. Mendez made a motion to overturn the determination of the Building Inspector's letter of October 9, 2020, seconded by Casserly, unanimous. 5-0.

**Next meeting**                      **March 4, 2021**

**Adjournment**

Mendez made a motion to adjourn, seconded by Carota, unanimous.