

**Town of Bourne  
Zoning Board of Appeals  
Meeting Minutes  
February 7th, 2024**

**PRESENT:** Chris Pine (Vice-Chair), John O'Brien, Wade Keene, Elza Bystrom, Steve Kahain.

**EXCUSED:** Chairman James Beyer, Ken Murphy (Building Inspector).

**STAFF:** None.

**PUBLIC:** Steve Lassman, John Canty.

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Vice-Chair Pine called the meeting to order via Zoom at approximately 7:00pm.

1. **Minutes:** 1.17.24

Ms. Bystrom Makes a Motion to Approve the Minutes as Presented. Mr. O'Brien Seconds the Motion.

Roll Call Vote As Follows:

Mr. Keene – ABSTAIN. Ms. Bystrom – YES. Mr. Kahain – ABSTAIN. Mr. O'Brien – YES. Mr. Pine – YES.

The Motion Passes.

2. **Public Hearing for Special Permit #2023-SP23:** Cont'd from 1.17.24. 9 Wallace Point Rd, Buzzards Bay. Padraig and Fiona Duncan. To construct a non-conforming deck on a pre-existing non-conforming lot – ***Request to withdraw without prejudice.***

Mr. Keene Makes a Motion to Approve the Withdrawal of Application for Special Permit #2023-SP23 Without Prejudice. Mr. Kahain Seconds the Motion.

Roll Call Vote as Follows:

Mr. Keene – YES. Mr. O'Brien – YES. Ms. Bystrom – YES. Mr. Kahain – YES. Mr. Pine – YES.

The Motion Passes.

3. **Public Hearing for Special Permit #2023-SP21.** Cont'd from 1.17.24. 2R Arlington Dr. Buzzards Bay. Steven and Clara Lassman. Request for an accessory dwelling for father.

Steve Lassman introduces himself as the applicant. Mr. Pine states that after the last meeting, they just needed confirmation that everything has been cleared up with the Board of Health. Since then, they have received a memo from the Health Department stating that everything has been resolved. The name of the occupant for this accessory dwelling is Joseph Cecchinelli.

Mr. O'Brien Makes a Motion to Close the Public Hearing. Mr. Keene Seconds the Motion.

Roll Call Vote As Follows:

Mr. Keene – YES. Mr. O'Brien – YES. Ms. Bystrom – YES. Mr. Kahain – YES. Mr. Pine – YES.

The Motion Passes.

Mr. O'Brien Makes a Motion to Approve the Application for Special Permit #2023-SP21. Ms. Bystrom Seconds the Motion.

Roll Call Vote as Follows:

Mr. Keene – YES. Mr. O'Brien – YES. Ms. Bystrom – YES. Mr. Kahain – YES. Mr. Pine – YES.

The Motion Passes.

4. **Public Hearing for Supportive Finding #2023-SF08 and Special Permit #2023-SP09:** Cont'd from 1.3.24. 435 Circuit Ave, Pocasset. Seven Stens Trust, Paul and Madeline Stenberg. Request to raze and rebuild a pre-existing, non-conforming single-family dwelling on a pre-existing non-conforming lot under section 2320.

Mr. Pine indicates that the applicant has requested to withdraw the application without prejudice.

Ms. Bystrom Makes a Motion to Approve the Withdrawal of the Application for Supportive Finding #2023-SFO8 and Special Permit #2023-SPO9 Without Prejudice. Mr. Keene Seconds the Motion.

Mr. Keene – YES. Mr. O’Brien – YES. Ms. Bystrom – YES. Mr. Kahain – YES. Mr. Pine – YES.

The Motion Passes.

5. **Public Hearing for Special Permit #2023-SP22:** Patricia A. Lyons. 91 Presidents Rd, Bourne. To raze and rebuild on pre-existing, non-conforming lot and increase height within exiting non-conforming setback.

Mr. Pine indicates that the applicant would like to withdraw the application without prejudice.

Mr. Keene Makes a Motion to Approve the Withdrawal of the Application for Special Permit #2023-SP22 Without Prejudice. Ms. Bystrom Seconds the Motion.

Roll Call Vote as Follows:

Mr. Keene – YES. Mr. O’Brien – YES. Ms. Bystrom – YES. Mr. Kahain – YES. Mr. Pine – YES.

The Motion Passes.

6. **Public Hearing for Supportive Finding #2023-SF13:** John Canty. 20 Buttermilk Way, Buzzards Bay. Request to raze and rebuild on pre-existing, non-conforming lot and relief from existing setbacks.

John Canty introduces himself as the applicant from Canty Brothers Construction. Mr. Canty states that the current dwelling is in desperate need of repair, but this would trigger FEMA guidelines. In the new plans, they have been able to get the front yard setbacks to conform, but the back setback does become non-conforming because narrowness.

Mr. Pine states that the Town Engineer and Building Inspector have requested an elevation certificate. Mr. Canty responds that they are working to provide one right now. Mr. Pine shares the GFA calculations from the Town Planner’s office, and states that with the calculations they are presented with, they are over what is allowed in the maximum GFA without

a Special Permit. Mr. Pine states that they can withdraw their application for a Supportive Finding and then reapply for a Special Permit.

Mr. O'Brien adds that there are conditions that must be met for the Special Permit to be approved.

Mr. Canty states that he will most likely eliminate the garage underneath the house. He states that he would like to continue the public hearing.

Mr. O'Brien Makes a Motion to Accept the Request to Continue the Public Hearing until March 6th. Mrs. Bystrom Seconds the Motion.

Roll Call Vote as Follows:

Mr. Keene – YES. Mr. O'Brien – YES. Ms. Bystrom – YES. Mr. Kahain – YES. Mr. Pine – YES.

The Motion Passes.

### **New Business:**

Mr. Pine addresses the joint meeting between the Planning Board and the ZBA to go over accessory dwelling units via Zoom on the 22<sup>nd</sup>. The board agrees that it would be beneficial to move the one hearing scheduled on February 21<sup>st</sup> to the first meeting in March.

### **Old Business:**

None.

### **Public Comment:**

None.

### **Adjourn:**

Ms. Bystrom Makes a Motion to Adjourn. Mr. Kahain Seconds the Motion.

Roll Call Vote as Follows:

Mr. Keene – YES. Mr. O'Brien – YES. Ms. Bystrom – YES. Mr. Kahain – YES. Mr. Pine – YES.

The Motion Passes.

With no further business before the board, the meeting adjourns at approximately 7:33pm.

Respectfully Submitted,

Ina Sullivan,

Recording Secretary