

Town of Bourne Zoning Board of Appeals

Meeting Minutes

Town Hall Lower Conference Room

24 Perry Ave., Buzzards Bay, MA 02532

April 18, 2018

I. Call to order

Chair Amy Kullar called to order the meeting of the Zoning Board of Appeals at 7:00 PM on April 18, 2018. Ms. Kullar explained under M.G.L., Section 40A, all appeals must be filed within 20 days of the filing of the decision with the Town Clerk.

Ms. Kullar announced the meeting was being recorded and asked if anyone in the audience was recording the meeting to please acknowledge such to the board. She noted Carol Mitchell was recording the meeting.

II. Members Present: Amy Kullar, Wade Keene, Harold Kalick, and Associate Member, Kat Brennan.

Members Excused: John O'Brien, Tim Sawyer and Associate Members, Chris Pine and Deb Bryant.

Also Present: Roger Laporte, Carol Mitchell, Jim Fine and Bill Lockwood.

Amy Kullar will be writing the Decisions.

III. Agenda Items

- 1. Approval of Minutes** – Ms. Kullar entertained a motion to approve the minutes of the April 4, 2018 meeting. **Mr. Keene moved, Ms. Brennan seconded to approve the minutes of the April 4, 2018 meeting.** With no discussion, the motion carried. 3-0-1. Mr. Kalick abstained.

Sitting on the hearings; Wade Keene, Amy Kullar, Harold Kalick and Kat Brennan.

- 2. 9 Bayside Lane, Special Permit 2018 SP03,** Supportive Finding for permission to extend or alter a pre-existing, non-conforming structure or use and/or application for Special Permit.

Materials - Public Hearing Notice, Assessor's Field Card, Existing Garage Photo, Garage Plan, Site Plan, Special Permit Application, Abutter Letters, Aerial View and Directions.

Bill Lockwood addressed the board and discussed the proposed project, to rebuild an existing garage and add a second-floor workout room. He stated the property was surveyed because the existing structure was close to the property line. It was discovered that the existing structure is not located on the applicant's property; therefore, they are proposing to demolish the entire structure and rebuild it on the applicant's property.

Board Comment – Ms. Kullar questioned the accuracy of the Gross Floor Area calculations. Mr. Laporte stated they are correct.

Ms. Brennan opened a brief discussion regarding how the second floor will be used and questioned whether another structure on the property has a studio apartment above it. Mr. Fine stated that structure is his neighbor's garage located on the adjacent property and this is his primary residence.

Ms. Kullar noted that none of the notified abutters opposed the project.

Ms. Kullar asked for clarification for the location of the proposed structure. Mr. Lockwood referred to the plan to pinpoint the location.

Mr. Kalick questioned whether the proposed structure will be more non-conforming than the existing structure. Mr. Laporte stated the existing structure is not located on the applicant's property; therefore, it will become more conforming by relocating it onto his property.

Ms. Brennan questioned whether the existing septic will be able to support the additional bathroom that's being proposed. Mr. Laporte explained that the only time the septic is affected is if bedrooms are being added.

Mr. Kalick opened a brief discussion regarding the lane being a private way.

Public Comment – None.

Ms. Kullar asked the applicant if he was comfortable with having only four members present to vote since the Supportive Finding requires a simple majority. The applicant stated he was.

Ms. Kullar entertained a motion to close the public hearing. **Mr. Keene moved, Mr. Kalick seconded to close the public hearing.** With no discussion, the motion carried. 4-0-0.

Ms. Brennan opened a brief discussion regarding enforcement of illegal apartments.

Ms. Kullar entertained a motion. **Mr. Kalick moved, Ms. Brennan seconded to grant the Supportive Finding under 2018-SP03, to grant permission to alter a pre-existing, non-conforming garage per the proposed site plan dated March 14, 2018 and specifications submitted by Lockwood Architects, with a caveat that it be used exclusively as an exercise room, not a bedroom.** The motion carried. 4-0-0.

3. Old Business – Ms. Kullar briefly discussed her meeting with the building inspector and Town Counsel Troy regarding pending litigation.

4. New Business – The next meeting will be held on May 16, 2018.

5. Public Comment – None.

IV. Adjournment –

Mr. Kalick moved, Mr. Keene seconded to adjourn the meeting. With no discussion, the motion carried 4-0-0. The meeting adjourned at 7:22 PM.

Minutes Submitted By: Carol Mitchell