

Town of Bourne Zoning Board of Appeals

Meeting Minutes

Town Hall Lower Conference Room

24 Perry Ave., Buzzards Bay, MA 02532

May 16, 2018

I. Call to order

Chair Amy Kullar called to order the meeting of the Zoning Board of Appeals at 7:00 PM on May 16, 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, John O'Brien, Tim Sawyer, Harold Kalick, and Associate Member, Chris Pine.

Members Excused: Associate Members, Kat Brennan and Deb Bryant.

Also Present: Roger Laporte (7:04), Carol Mitchell, Mark Hebb, Chad Rossi and Jim Mulvey (7:10).

Amy Kullar will be writing the Decisions for Deb Bryant.

III. Agenda Items

- 1. Approval of Minutes** – Ms. Kullar entertained a motion to approve the minutes of the April 18, 2018 meeting. **Mr. Kalick moved, Mr. Keene seconded to approve the minutes of the April 18, 2018 meeting.** With no discussion, the motion carried. 3-0-2. Mr. O'Brien and Mr. Sawyer abstained.

Sitting on the hearings; Wade Keene, Tim Sawyer, Amy Kullar, John O'Brien and Harold Kalick.

- 2. 165 Jefferson Road, Special Permit 2018 SP04,** Requesting Special Permit under M.G.L. Ch. 40A, Sec. 9 and the Bourne Zoning Bylaw: Sections 1331; 2320; 2450, 2500: Supportive Finding that the alteration of an existing single-family structure and construction of a new non-conforming single-family structure is not substantially more detrimental than the original structure to the neighborhood.



Materials – Letter of continuance

Ms. Kullar stated the applicant requested to continue the matter to June 6, 2018 and entertained a motion to continue the matter. **Mr. O'Brien moved, Mr. Keene seconded to grant a continuance to June 6, 2018.** With no discussion, the motion carried. 5-0-0.

3. 11B Wild Rose Drive, Hideaway Village, Special Permit 2018-SP05, requesting a Special Permit Supportive Finding per sections 1331, 2320 and 2450 of the Bourne Zoning Bylaw and under M.G.L., Ch. 40A, Sec. 9 to allow for the razing and rebuilding of an existing single-family structure on a similar footprint, not to be substantially more detrimental to the neighborhood than is the pre-existing structure.

Materials – Public Hearing Notice, Assessor's Field Card, Site Plan, Special Permit Application, Illustration of the proposed setbacks, Abutter Letters, Aerial View and Directions.

Mark Hebb addressed the board and discussed the proposed project. He referred to the plan which outlined the footprint and layout of the proposed structure vs. the existing structure.

Mr. Hebb introduced Chad Rossi, the representative for Hideaway Village Association, who was available to answer any of the board member's questions.

Mr. Hebb referred to the submitted setback illustration and discussed the proposed setbacks. Additionally, he discussed the tax benefits to town as well as the aesthetic improvements to the neighborhood should the project be approved.

Board Comment – Mr. Keene questioned the angle of the second floor. Mr. Hebb stated in order to obtain permission from the association and neighbors, the second floor had to be angled to allow line of sight to the water.

Ms. Kullar asked if the property is located in a Flood Zone. Mr. Hebb stated it is not.

Mr. O'Brien questioned how many square feet the proposed structure will add. Mr. Hebb stated because this is a condominium association, lot coverage requirements don't apply.

Ms. Kullar asked if a deck is being proposed. Mr. Hebb stated a deck is not being proposed at this time.

Ms. Kullar asked Mr. Rossi if the association approved the application as well as the proposed second level. Mr. Rossi stated the association approved the application and in order to protect the view of the neighboring residence, they and the abutter approved the angle of the second floor.

Mr. Sawyer asked if the basement will be a usable basement; not a crawl space. Mr. Hebb stated it will be a full, usable basement, approximately eight feet in height.

Mr. Kalick noted that the proposal is an improvement over what's existing. Ms. Kullar, Mr. O'Brien and Mr. Rossi agreed. A discussion ensued.

Mr. Pine opened a brief discussion regarding parking.

Public Comment – None.

Ms. Kullar entertained a motion to close the public hearing. **Mr. O'Brien moved, Mr. Keene seconded to close the public hearing.** With no discussion, the motion carried. 5-0-0.

Ms. Kullar entertained a motion. **Mr. O'Brien moved, Mr. Keene seconded to approve a Special Permit / Supportive Finding under Special Permit, 2018-SP05 per sections 1331, 2320 and 2450 of the Bourne Zoning Bylaw for the removal of the existing structure and replacing with the proposed structure in accordance with the plans submitted for 11B Wild Rose Drive, Hideaway Village.** With no discussion, the motion carried. 5-0-0.

4. Old Business – Ms. Kullar briefly discussed the Wings Neck litigation.

Mr. Kalick opened a brief discussion regarding 165 Jefferson Road.

5. New Business – Ms. Kullar noted the number of hearings at the next meeting which will be held on June 6, 2018. Mr. O'Brien and Mr. Kalick both stated they will not be available to attend the June 6th meeting.

6. Public Comment – None.

IV. Adjournment –

Mr. Kalick moved, Mr. O'Brien seconded to adjourn the meeting. With no discussion, the motion carried 5-0-0. The meeting adjourned at 7:17 PM.

Minutes Submitted By: Carol Mitchell