

Town of Bourne Zoning Board of Appeals

Meeting Minutes

Town Hall Lower Conference Room

24 Perry Ave., Buzzards Bay, MA 02532

March 20, 2019

I. Call to order

Chair Amy Kullar called to order the meeting of the Zoning Board of Appeals at 7:00 PM on March 20, 2019. 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.

Members Present: Amy Kullar, Wade Keene, Tim Sawyer, Harold Kalick, Associate Members Kat Brennan and Deb Bryant.

Members Excused: John O'Brien and Chris Pine.

Also Present: Roger Laporte, Carol Mitchell, Don Duberger, Richard Roszkowski, Jacqueline Crocetti and Richard Hawkins.

Harold Kalick will be writing the Decisions.

II. Agenda Items

1. Approval of Minutes – Ms. Kullar entertained a motion to approve the minutes of the February 20, 2019 meeting. **Mr. Sawyer moved, Ms. Brennan seconded to approve the minutes of the February 20, 2019 meeting.** With no discussion, the motion carried. 4-0-1. Mr. Kalick abstained.

Sitting on this hearing; Amy Kullar, Tim Sawyer, Harold Kalick, Wade Keene and Kat Brennan.

2. 430 Barlows Landing Rd Special Permit SP02-2019– sought under M.G.L., Ch. 40A, Sec. 9 and the Bourne Zoning Bylaw under Sections 1330 and 2457 for a departure from the requirement of table 2456 to alter a single-family dwelling and such departure will be within the 10% allowable Gross Floor Area; and, seeking a Supportive Finding under Section 2300 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 – Revised GFA Worksheet, Revised Site Plan.

(Continued from February 20, 2019)

Donald Duberger addressed the members explaining he worked diligently with the Planning Department to revise the plan. He briefly described the revisions on the plan dated March 4, 2019.

Board Comment – Ms. Brennan briefly discussed the existing structure.

Public Comment – Richard Hawkins expressed support of the proposed project.

Ms. Kullar acknowledged the property owners, Richard Roszkowski and Jacqueline Crocetti, who were in attendance.

Ms. Kullar entertained a motion to close the public hearing. **Ms. Brennan moved, Mr. Keene seconded to close the public hearing.** The motion carried. 5-0-0.

Ms. Kullar entertained a motion. **Mr. Sawyer moved, Ms. Brennan seconded to grant Special Permit SP02-2019, in accordance with the plans dated March 4, 2019.** With no discussion, the motion carried. 5-0-0. Roll Call Vote – Mr. Keene -Yes, Mr. Sawyer – Yes, Ms. Kullar – Yes, Mr. Kalick – Yes, Ms. Brennan- Yes.

Ms. Kullar entertained a motion. **Mr. Sawyer moved, Mr. Keene seconded to grant a Supportive Finding under Section 2300 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.** With no discussion, the motion carried. 5-0-0.

New Business – Ms. Kullar referred to a Memorandum issued by the town planner which proposes changing the licensing authority for animal kennels from the Zoning Board of Appeals to the Board of Health. Included with the Memorandum was the Mashpee Bylaw; which Ms. Kullar stated is extremely detailed compared to Bourne's. Ms. Kullar expressed support of the proposal and had hoped the matter would be ready for vote at the May Town Meeting; however, Mr. Laporte stated it won't be heard until the October Town Matter. A brief discussion ensued.

Old Business – A brief discussion transpired regarding the 165 Jefferson Road filing.

Mr. Sawyer opened a brief discussion regarding railroad right of ways.

Mr. Kalick opened a brief discussion regarding the Wings Neck litigation.

Public Comment – None.

III. Adjournment –

Mr. Kalick moved, Mr. Sawyer seconded to adjourn the meeting. With no discussion, the motion carried 5-0-0. The meeting adjourned at 7:31 PM.

Minutes Submitted by: Carol Mitchell