

**Town of Bourne
Zoning Board of Appeals
Meeting Minutes
February 15th, 2023**

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TOWN CLERK BOURNE

PRESENT: Chairman James Beyer, Vice Chairperson Chris Pine, John O'Brien, Wade Keene, Harold Kalick.

ABSENT: Karl Spilhaus (Associate)

STAFF: Ken Murphy.

PUBLIC: Janice Hughes.

Chairman Beyer called the meeting to order via Zoom at 7:00pm.

Minutes: 2.1.23

Mr. Pine makes a Motion to Approve the Minutes with the provision that Mr. Keene's name is fixed. Mr. O'Brien seconds the Motion.

Roll Call Vote As Follows:

Mr. Kalick – RECUSED. Mr O'Brien – YES. Mr. Keene – YES. Mr. Pine – YES. Chm Beyer – YES.

The Motion Passes.

Public Hearing for Special Permit 2023-SP01: 24 Fieldwood Drive, Sagamore Beach. Janice and Michael Hughes. Request for an accessory apartment for a disabled family member.

Janice Hughes introduces herself as the applicant. She states that it is their wish to convert an existing finished room over their garage to an apartment for their young adult disabled daughter. Chm. Beyer asks for more information regarding their submitted plans. Mrs. Hughes states that the apartment will be a single room. There will be no toilet or access to running water, but there is access to a toilet through the breezeway on the ground floor. The daughter's name is Brenna Hughes. Chm. Beyer states that this accessory use dwelling can only be occupied by this person.

Chm. Beyer states that Mr. O'Brien will write the decision for this item.

Mr. Keene makes a Motion to Close the Public Hearing for Special Permit 2023-SP01. Mr. Kalick seconds the Motion.

Roll Call Vote as Follows:

Mr. Pine – YES. Mr. Keene – YES. Mr. O'Brien – YES. Mr. Kalick – YES. Chm. Beyer – YES.

The Motion Passes.

Mr. Keene makes a Motion to Approve Special Permit 2023-SP01. Mr. Pine seconds the Motion.

Roll Call Votes as Follows:

Mr. Pine – YES. Mr. Keene – YES. Mr. O'Brien – YES. Mr. Kalick – YES. Chm Beyer – YES.

The Motion Passes.

New Business:

Chm. Beyer brings up the issue of the meeting venue. He states that Mr. Murphy was in touch with the superintendent of Upper Cape Tech to use their space for the meetings. Chm. Beyer states that he has also been in touch with the librarian at the Bourne Public Library. He informs the board that you can only schedule three months in advance, and sometimes there are things scheduled on Wednesdays. However, there are two rooms. There is one room for 65 people and one room for 20 people, and Chm. Beyer believes that most of the time the room for 20 people would suffice.

Chm. Beyer asks for preferences from the board. Mr. Kalick expresses interest in Upper Cape Tech. Chm. Beyer asks Mr. Murphy to set up visit with Upper Cape Tech in the coming weeks. Chm. Beyer also states that his one issue with Upper Cape Tech is that it is not a public building. Other board members state that it is a public school. Mr. Murphy states that the superintendent invited them for lunch and a tour of the library during the visit. Mr. Murphy adds that there is nothing booked on Wednesdays, and there is a projector for presentations. There will also be classes going on from 7-9pm at Upper Cape Tech for adult education and the buildings will be open until 11pm.

Mr. Keene asks what happened to the basement at Town Hall. Chm. Beyer responds that it is an office now for the Town Clerk.

Old Business:

Mr. O'Brien asks if everyone received a letter from Mark Lanza. This is the attorney from a previous hearing. The applicants will be going to a land court in response to a decision reached by the ZBA. Mr. O'Brien states that it was certified mail and that everyone should be getting the letter soon.

Mr. Kalick asks Mr. Murphy if they could carry over meetings into one if there is only one item on the agenda, especially when meetings go back to in person. Members of the board agree, as long as the hearings are heard with in a timely manner.

Chm. Beyer brings up the case of 15 Wales, in which the ZBA voted against the applicants. The applicants appealed the ZBA's decision and the ZBA spoke with the Town Counsel in Executive Session. After some changes were made to the proposed plans, the courts would remand jurisdiction back to the ZBA. This hearing will most likely be scheduled for April.

Public Comment:

None.

Adjournment

Mr. Kalick makes a Motion to Adjourn, seconded by Mr. O'Brien.

Roll call vote as follows:

Mr. Pine – YES. Mr. Kalick – YES. Mr. Keene – YES. Mr. O'Brien – YES. Chm. Beyer – YES.

The Motion Passes.

With no further business before the Board, the meeting was adjourned at 7:20PM.

Respectfully Submitted,
Ina Sullivan