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**Town of Bourne
Zoning Board of Appeals
Meeting Minutes
July 19th, 2023**

PRESENT: Chairman James Beyer, Vice Chairperson Chris Pine, John O'Brien, Harold Kalick, Wade Keene, Elza Bystrom (Associate).

ABSENT: None.

STAFF: Ken Murphy.

PUBLIC: Gary Allen, Cidalia Allen, William Carleton, Zac Basinski, David Reid, Kathy Berardi, William Belanger, Nancy Anderson, Peter Flynn, Kevin Klauer.

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

Minutes: 7.5.23

Mr. Pine makes a Motion to Approve the Minutes with the correction from Mr. Kalick.
Mr. O'Brien seconds the Motion.

Roll Call Vote As Follows:

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

The Motion Passes.

Public Hearing for Supportive Finding #2023-SF04: *Cont'd from 6.21.23. 45 Savary Ave, Sagamore Beach. Cidalia Allen. To add a farmer's porch to a pre-existing non-conforming structure with relief from front yard setback and gross floor area.*

Gary Allen introduces himself as representative of this project. He states that the plot plan was corrected because the setback was incorrect during the last meeting. The board has the correct copy now. Also, the size of the porch was over 200ft so they brought it in closer to the house and got it down to 199.2ft. Chm. Beyer asks if anyone has seen an approved GFA sheet, and Mr. Pine confirms that it is on the website.

Chm. Beyer says that this project is still way over on the gross floor area, and it is still violating the front yard setback. However, he has ameliorated that by pulling the edges of the porch, and the setback has been corrected. Mr. Allen states that it is now a 13ft even setback. Chm. Beyer states that the front yard setback should be 30ft and it is pre-existing non-conforming. Mr. Pine adds that the shed is now factored into the GFA with 120sqft.

So now it falls slightly over the allowed GFA, but still within the 10%. The maximum GFA was 1705ft, and with the 10% it would be 1875ft. With the existing, the porch (which does not count), the shed (which does count), brings it to 1744ft. However, to Mr. Pine this shouldn't be an issue because they're not increasing the GFA because the covered porch doesn't count anyway. Now it is just the issue of the setback, and because many of the houses in the neighborhood are well beyond the allowed setback, Mr. Pine does not believe this is more detrimental to the neighborhood. Mr. Beyer agrees and says that it is only 17ft at the one corner and the face house is diagonal to the street so there isn't much of a visual encroachment here. He adds that he does not have a problem supporting this.

Ms. Bystrom agrees with Mr. Pine's comments regarding the 10%. Mr. O'Brien asks if they included the shed. Mr. Pine confirms that it is in the revised GFA. The matter of the porch is not impacting the GFA, it is simply what is there already. Mr. Kalick asks if the porch is new. Mr. Beyer responds that it is and that before he had the porch stretching all across the face of the house at the June 21st hearing. The board told him that he should do everything he could to maximize the possible setback, and to do that he pulled the corner of the porch in about five feet to the edge of the existing house. The point is that he hasn't added any more GFA, but Chm. Beyer wonders if the porch is over 200ft. Mr. Kalick asks if the GFA is increased when a roof is put on a porch. Mr. Murphy confirms that once a roof is put on a porch, it is a different count. Mr. Pine asks Mr. Murphy if the GFA calculation they received is inaccurate. Mr. Murphy states that if there is a roof on the porch and it was not calculated with the roof on it, then yes it would be different. However, he states that he believes there is up to 75ft allowed in the front yard, but will have to check the code.

Chm. Beyer states that the additional 10% would be 1875ft, and it's only 1744ft. Mr. O'Brien states that the 1744ft is without the porch, and now they are saying that the porch belongs in the GFA. Chm. Beyer says that he does not understand why it would be part of it the GFA if it is under 200ft. Mr. Pine responds that he believes that a covered porch is just added to the lot coverage, but not added to the GFA. The board agrees that they already have the porch in the lot coverage, and it is not in the GFA because it does not have to be. Chm. Beyer restates that the only violation they are looking at is a setback violation, and the house is already violating the setback. Chm. Beyer agrees with Mr. Pine that this is not more any more detrimental to the neighborhood than the existing condition.

Mr. O'Brien asks if they have to deal with the additional 39ft which brings them into the 10% over what is allowed (but it is only .5%) but they still must meet all the criteria for the 10%. Mr. Pine responds that this is already existing. They are not adding the shed and they are not changing the GFA. By doing this porch it is only an issue of the setback because the porch is not having any impact on the GFA. Mr. O'Brien clarifies that if they do not put the porch in the calculation, it is already 1744ft which is the existing situation. Chm. Beyer responds that what they are voting on is relief from the setback. Ms. Bystrom

adds that the porch is non-existing right now and the setback is non-conforming already. Chm. Beyer adds that they have a letter of support available on the website.

Mr. Keene makes a Motion to Close the Public Hearing for Supportive Finding #2023-SF04. Mr. O'Brien seconds the Motion.

Roll Call Vote as Follows:

Mr. Pine – YES. Ms. Bystrom – YES. Mr. O'Brien – YES. Mr. Keene – YES. Chm. Beyer – YES.

The Motion Passes.

Mr. Pine makes a Motion to Approve Supportive Finding #2023-SF04 with the condition that it is constructed as the drawings submitted. Ms. Bystrom seconds the Motion.

Roll Call Vote as Follows:

Mr. Pine – YES. Mr. Keene – YES. Ms. Bystrom – YES. Mr. O'Brien – YES. Chm. Beyer – YES.

The Motion Passes.

Public Hearing for Special Permit #2023-SP07: *Cont'd from 6.21.23. 7 Lancaster Lane, Monument Beach. William Carleton. For an accessory dwelling for daughter's family.*

William Carleton introduces himself as the general contractor on this job, representing George and Diane Mehrtens, who are looking to add an accessory dwelling unit to accommodate their daughter Jennifer who has been diagnosed with cancer, and her husband Joel and child Bennet. Chm. Beyer states that as he reads this, they are in compliance, and it is just the accessory use that they are applying for. They are about 1600sqft under the maximum allowance.

Ms. Bystrom states that she had a hard time looking at the plan. She wonders what exactly they are adding. Mr. Carleton shares his screen via Zoom. He shows the existing site plan with what is proposed. Chm. Beyer says that the accessory dwelling is completely in the back so no one will see it. Mr. Keene asks if they got a GFA signoff worksheet, and Chm. Beyer responds that they did and it is way under.

Mr. Pine asks if it is just a single-story addition. Mr. Carleton confirms. Mr. Keene asks if they are upgrading the septic system, and Mr. Carleton confirms. They are moving the leeching field and adding an additional 1500 gallons, which the Board of Health has already approved. Chm. Beyer adds that there is a memo from Teri Guarino that says it is good for six bedrooms, which is what they have.

Mr. Keene makes a Motion to Close the Public Hearing for Special Permit #2023-SP07. Ms. Bystrom seconds the Motion.

Roll Call Vote as Follows:

Mr. Pine – YES. Mr. Keene – YES. Ms. Bystrom – YES. Mr. O'Brien – YES. Chm. Beyer – YES.

The board requires Jennifer's married name, so they continue on to the next item before voting on approving the application.

At the end of the public hearings, the board finds out that the last name for the husband and daughter is Windle.

Mr. O'Brien makes a Motion to Approve Special Permit #2023-SP07 for Jennifer, Joel, and Bennet Windle conditional upon the completion of the new septic system. Mr. Pine Seconds the Motion.

Mr. Keene – YES. Mr. O'Brien – YES. Ms. Bystrom – YES. Mr. Pine – YES. Chm. Beyer – YES.

The Motion Passes.

Public Hearing for Supportive Finding #2023-SF06: 56 Samoset Rd. Peter Flynn. Request for supportive finding to raze and rebuild pre-existing, non-conforming structure with detached garage and pool on non-conforming lot under section 2320.

Zac Basinski of Bracken Engineering introduces himself as representative of this project. He shares his screen via Zoom. The property is about a 16,000sqft lot created in 1908 with the existing house built in 1910. Currently the lot is undersized; it is in the R40 zoning district. The current house oversteps the boundary line into Samoset Rd. What the applicant wishes to do is raze the existing structure and build a new single-family home on the lot. They want to slide the house back on the property with a 1ft setback onto the lot. The supportive finding is to maintain the proposed house in the general location as the existing house. The proposed garage and pool are in compliance with zoning requirements. They submitted a signed GFA worksheet from the planning department. Mr. Basinski states that they are not any more detrimental to the neighborhood. They are not increasing the intensity of use and this property has been in the family since 1968. They believe that sliding the house back onto the lot is an improvement to the area. It improves vehicular flow and pedestrian access. A new defined driveway would be installed as part of the project. The existing septic system was upgraded back in 2017; it is a Title V compliant system that will be maintained. They positioned the proposed house in the same location as the existing so there would be little impact on the abutters and so no views were impacted. Mr. Basinski states that the architectural design is in harmony with the neighborhood.

Chm. Beyer inquire about the retaining walls. He asks Mr. Murphy what the rule is on a retaining wall with a fence on top of it. Mr. Basinski states that they are required to have a fence on top of it if it is over 30" for fall protection, but any structure under six feet doesn't meet any required setbacks. While the wall itself doesn't meet any setback requirements, the fencing on top is just a from building code standpoint. Mr. Basinski restates the requirements for a supportive finding. He states that there is no impact on the

abutters because they are maintaining the structure's location. The other structures that are being added can be added by right, so there is no increase in intensity of use. He states that there are pools situated in a lot of areas in the neighborhood.

Chm. Beyer asks Mr. Murphy if he believes that they do not need a special permit for this because the supportive finding is for the same footprint, and this is different. Mr. Murphy says this is correct, and if they are meeting all the setbacks—Mr. Beyer states that they are not meeting the setbacks—and Mr. Murphy says that he believes then it should've been a special permit for this. Mr. Basinski replies that this is a 30 front yard setback, and the structure came prior to zoning so it is a supportive finding to demo, alter and rebuild the structure, which is very similar to what was done at the abutting property #33. In 2006 they demoed and rebuilt the house, and maintained their side yard setbacks, and the board at that time issued a supportive finding. Historically, Mr. Basinski claims, this has been a supportive finding even though it is a tear down and rebuild. He adds that this is very similar to what has been issued in the past. Alterations of existing non-conforming structures, even though it is a tear down rebuild, have been permitted and issued as supportive finding in this town. He states that they are in harmony with the board's past practices. Chm. Beyer says that he is okay with it if Mr. Murphy is okay with it.

Mr. Murphy asks how high the retaining wall is. Mr. Basinski answers that the retaining walls are all under six feet, so they don't meet the structure definition. He states that the fence is separate from the walls. Mr. Murphy replies that if the fence and the retaining wall are over six feet, then they have to meet the setbacks. If they have a 4ft wall and a 6ft fence, they will have to meet setbacks. If it's a 3ft wall and a 3ft fence, then they wouldn't have to meet setbacks. Mr. Basinski replies that they can look at that and if there's an area that has to be mitigated with a planting versus a wall so the walls all stay under 6ft, they can definitely do that. Chm. Beyer responds that if they want relief from the setbacks, they would ask for a special permit. Mr. Basinski replies that this is a difference in interpretation, and if that is the case they can redesign and submit a plan for that, or remove the walls, and have a different fall protection with plantings on top.

Chm. Beyer says that if they look at the west elevation, that wall upon the road seems to be even more than 6ft tall. Mr. Basinski replies that it is still part of the structure of the building. Mr. Basinski pulls up the plan and says that the wall in question meets the required setback on that side (12ft) and that section of the wall does not meet the height requirements. Chm. Beyer asks what they consider the front yard. Mr. Basinski replies that anything off of Sagamore Rd and Samoset Rd meets the definition of front yard setback. Chm. Beyer responds that the front yard setback is 30ft, and Mr. Basinski replies that if it was new structures that are going in, but they already have structures that are in this area, so it is a supportive finding.

Chm. Beyer asks for the board's thoughts on the retaining walls. Mr. Pine responds that he did not look at them in a lot of detail, but he would defer to Mr. Murphy's definition and observation regarding the height of the retaining wall, they could table this and

request resubmitted plans or do it with a condition. Chm. Beyer replies that he thinks that they ought to continue this, because it is a substantial revision.

Mr. O'Brien states that he does not have anything that tells them that it is a four-bedroom septic system. Chm. Beyer responds that Teri Guarino wrote confirming that the existing septic system is acceptable.

Chm. Beyer says that he believes they should go back and revise these plans and show the board what the retaining wall heights are, because he believes that the retaining walls are violating the setbacks. Mr. Basinski replies that they can have a discussion with Mr. Murphy about this, if he feels that they need to apply for a variance for this, or they could remove the fencing and place plantings for the wall heights and come back with a revised application or a revised plan. They decide to continue in approximately 30 days.

Chm. Beyer asks if there is any public comment, and Atty. David Reid, who represents Andy and Nancy Anderson, who are the owners of 33 Sagamore Rd. They are the abutters at the southeasterly location of the property, right where the pool will be located. They agree that this is an attractive building that is proposed, and it would be an upgrade to the neighborhood. However, they feel that the total development is too much for this site, not appropriate, and it would be detrimental to the neighborhood and to his client's property. Atty. Reid hopes that some of their objections can be addressed in the revision of the plans. The proposed house is significantly larger than what is there now. The improvement in the street setback by moving from an encroachment to a 1 ft setback. Atty. Reid states that what is encroaching is an at-grade covered porch, not the bulk of the house itself. The existing house is approximately 6-8 ft from the lot line, and the proposed house is only 1 ft from the lot line and the bulk of the house will be closer than what currently exists and is not an improvement on the setback. Atty. Reid also says that the plans indicate that this is a four-bedroom home, and the proposed property is a three-bedroom home with one bedroom in the garage, however the assessor's records indicate that it is only a three-bedroom home at this time. He recommends looking into this because going from a three bedroom to a four bedroom would be an increase in intensity of use.

In regards to the pool and garage on the easterly lot line, the plans indicate that they are located 12-13 ft from the side lines, but Atty. Reid states that from his reading of the bylaws, the side yard setback should be 15 ft. This makes the proposed changes more non-conforming and detrimental to the neighborhood. Atty. Reid also questions how they would measure the heights of the proposed retaining walls. On the easterly side, the plan indicates that the top of the wall is at elevation 33, and at its lowest point the grade will be at elevation 27. Atty. Reid states that the existing grade at those elevations varies from 25-23 ft of elevation, and if the wall is measured from the existing grade, that would make some of the proposed walls 7-10 ft tall. He states that building height and other structures should be measured from the existing natural grade, not from the post-construction finished grade. This would make these structures taller than 16 ft and would be required to be at least 15 ft from the lot line. Regardless of the outcome, the abutters will be looking

at 3ft concrete walls, which they do not consider to be an improvement to the neighborhood. He states that the pool is a significant concern of his client because a swimming pool by its nature attracts noise and activity, and when in close proximity to neighbors, can be detrimental to the neighborhood. Finally, Atty. Reid notes that the applicant has proposed a retaining wall with fill up to the lot line. On the existing conditions plan, his clients have a stone wall on their property along this stretch. This wall is on the existing conditions plan but not on the finished plans. They have concerns that runoff from the fill of this retaining wall will impact their property. These abutters feel that the applicant can better utilize the front portion of this property instead of sticking everything in the back corner. In summary, these neighbors believe that these proposed changes will be more detrimental to the neighborhood because it is affecting 3-4 neighbors with these changes.

Kathy Berardi of 11 Hawes Rd makes a public comment. She states that her property has some sight lines over the property. She notes that on the application the current lot coverage is 16.8%, and the proposed lot coverage is 16%, which doesn't seem to make sense because they are adding a structure. She states that the current lot coverage is probably closer to 10%. Because they have sight lines over the property, she wonders how much the current property will be further than the current deck because that will directly affect their sight lines. She shares her screen with a picture of the applicant's property and the sight line through it. Chm. Beyer states that if the applicant builds legally on his property, it is their problem, not his. The ZBA cannot guarantee views.

Mr. Basinski shares his screen again and shows the existing house plans with what is proposed. He states that they kept the house in its current position because they knew that Ms. Berardi had a sight line through the property, and states that she is not a direct abutter. They kept the views of abutters in mind when designing the proposed structures. He adds that if they weren't asking for a supportive finding on this application for the main structure, the rest of those structures could be built by right. He states that they would like to request a continuance to go over Atty. Reid's concerns and meet with Mr. Murphy to go over the retaining wall issue.

Ms. Bystrom asks Atty. Reid if the major concern is the pool because of noise. He confirms this is true. She states under zoning bylaws there are by definition nuisance conditions, and advises to tread this path carefully. Atty. Reid agrees that the term nuisance is actually a very high standard, but the question before them is if what is proposed is substantially more detrimental than what is there now. There is no pool there now, there isn't intense use of the backyard. All of what is proposed will have an adverse effect on the abutters, in particular his clients.

Chm. Beyer recaps seven objections that Atty. Reid made. One is that the house is larger than before. Two, that the bulk of the house is too close to the westerly lot line. Three, confirmation of the number of bedrooms. Four, that the pool setback does not meet requirements. Five, the retaining walls are too high. Six, the pool is obtrusive. Seven, there is a question about the drainage runoff in the southeast corner. Chm. Beyer states

that it would be appropriate if Mr. Basinski has a response to those during the next meeting.

William Belanger of 1 Hawes Rd, a direct abutter, makes a public comment. He states that he has talked to the applicant and Mr. Basinski and they think that it would be an improvement to the neighborhood. They did have some questions regarding the final design of the retaining wall but will discuss this further between now and at the next meeting. Chm. Beyer responds that it would be helpful if Mr. Basinski could draw elevations that would include the retaining walls. Right now the elevations only show the house, and it would alleviate a lot of their neighbors' concerns if they could see the elevations of the retaining walls.

Nancy Anderson of 33 Sagamore Rd makes a public comment. The bottom of their property, the last forty feet, will be parallel to where the proposed swimming pool will be. She states that they live in a unique neighborhood. There are seven homes in a semi-circle, and all of these homes share a backyard. Everyone enjoys their backyard and spends a lot of time there. She states that their family has resided on this lot for 87 years. She states that when they built this home 15 years ago, they were told that where their house is to the bottom of the lot is twenty feet and it is an enormous incline. Noise from a swimming pool would seriously impact their neighborhood and the shared space. She believes that noise amplifies upward in this enclosed space. While it is true that there are four other pools in the neighborhood, she would like to point out that two of the pools are on corners, one is on a cliff, and the fourth is set back among mature vegetation so these are not comparable environments. They look forward to the new neighbor and rehabbing of the property, but the pool is incompatible with the neighborhood and would change the neighborhood that they all treasure.

Mr. Basinski requests that the continuance be moved to September 6th.

Peter Flynn, the applicant, makes a comment. He states that they have spoken to pretty much all of the neighbors including the Andersons, and they do have some supportive letters that have been submitted. Chm. Beyer responds that there are two supportive letters on the website, and another was submitted today.

Mr. O'Brien makes a Motion to Continue the Public Hearing for Supportive Finding #2023-SF06 for September 6th. Mr. Pine seconds the Motion.

Roll Call Vote as Follows:

Ms. Bystrom – YES. Mr. Pine – YES. Mr. O'Brien – YES. Mr. Keene – YES. Chm. Beyer – YES.

The Motion Passes.

Public Hearing for Supportive Finding #2023-SF02 and Special Permit #2023-SP02: *Cont'd from 7.19.23. 16 Worcester Ave, Monument Beach. William Galvin III. Request to add two second floor additions.*

Chm. Beyer states that he believes he got a note that they would like to withdraw this application without prejudice. Kevin Klauer introduces himself as representative of this project. He confirms that he submitted a request for a withdrawal without prejudice.

Mr. Pine Makes a Motion to Accept the Withdrawal of the Application for Supportive Finding #2023-SF02 and Special Permit #2023-SP02 without prejudice. Mr. Keene seconds the Motion.

Roll Call Vote As Follows:

Mr. Pine – YES. Ms. Bystrom – YES. Mr. Keene – YES. Mr. O'Brien – YES. Chm. Beyer – YES.

New Business:

Mr. Kalick wishes to address a couple of items of new business. He believes that these Zoom meetings do not work. Looking at drawings is difficult, and people who want to speak sometimes face difficulties. He asks the board to think about having meetings in person again. He believes it is important. After reading articles about Zoom meetings, he believes that they served a purpose during covid. Most municipalities have gone back to in person meetings. He asks under New Business that they go back to in person meetings.

Mr. Kalick states that he got his letter of reappointment last week. He believes that the communication hasn't been that great. Although the office is doing everything they can, there are issues that come up that they as a board should patrol themselves.

Mr. Kalick adds that it has been over four years since they've had any election. By the state statute, they are supposed to have an election of offices yearly.

He states that he found the meeting two weeks ago very frustrating because they limited people's right to speak. People who wanted to speak were cut off either for or against an applicant. He believes there are certain things they can do by limiting time, but if somebody wants to speak at a meeting they have every right to. They can't say that they are just going to not let someone speak or they are going to cut them off.

Mr. Kalick says that they as a board are there to listen to the applicant and the public. If they predetermine how an appeal should come, this is unfair. They have a public hearing, and that is when the public speaks. They make their case, and people for or against it speak, and they close the public hearing. Then, they should open it up among the members. That is when the members can express their feelings and questions. After the board speaks, then they should have the vote. Right now, they are incorporating everything in the public hearing. He asks the members of the board what they think. He asks if they should go back to the format where the public hearing is closed and then the board discusses the pros and cons of the application. In closing, he says that the way they

conduct the meetings should be reviewed. He states that these issues must be brought up in the coming meetings and they should police themselves.

Chm. Beyer wishes to make one correction. He states that when he was elected, he was advised that his term was five years and he was given a term of five years on the committee for that. This expires next summer. He was not told that they had to hold elections every year, and is not sure where that came from. However, if the board wanted to have elections, they could have them next week, but he does not believe there is a requirement to have elections every year.

As to the rest of the items that Mr. Kalick addressed, he has a right to his opinion, and puts it out to the board if they would like change to how the meetings are run.

Mr. Pine adds that it might be worth having some of this discussion during the next meeting because they only have one hearing. There would be plenty of time to tackle this and let everything sink in. He states that he does have a few opinions, but they would have more time at the next meeting.

Mr. Kalick says that the only reason he is bringing it up under New Business is to get it on the agenda for another meeting. Everyone on the board can do their due diligence and see if there's a better way to conduct a meeting. Mr. Kalick says that he got some blowback from the last meeting from people that said they weren't given the right to speak and that bothers him. He believes that they should all get together and decide how the meetings should be conducted. It is bad enough when someone files an appeal for a decision they made, but Mr. Kalick says it is worse when someone complains because of their procedure or rendering of that decision. They should make sure that when they do something like this, they are thorough.

Ms. Bystrom agrees with Mr. Pine and says that she would like to discuss this when they have more time. As a new member of the board, she does believe that the meetings can be improved especially when there are so many people who want to speak. She would like to be able to have an internal discussion with the board members to express her opinion without the public knowing it. Chm. Beyer responds that they cannot do this because it is a violation of the public meeting rule. They are not allowed to talk about this in private, and everything they do is in the public. Ms. Bystrom replies that it is not that she wants to talk secretly, but there are certain questions she would like to ask that might not be in the interest in the public. However she believes there could be some improvements, like when they ask whoever is supporting the application to come and explain the site plans. She restates that she would like more time to think about this and have a discussion.

Chm. Beyer responds that they can schedule to have this discussion on August 2nd. Mr. Kalick responds that he would like a little more time to prepare to see how other towns

operate. The board and Mr. Murphy discuss what is coming on the docket in the future. Chm. Beyer asks Mr. Kalick to create an agenda for that meeting that reflects his concerns. Mr. Kalick responds with the help of the board, yes. Chm. Beyer proposes that during the next meeting, they can create an agenda for what they want to talk about or change. Then they can give themselves more time for the actual discussion. Mr. Kalick asks the board to read the Mass statute Chapter 40A, which spells out what is expected of them. This way, if someone says that the board isn't acting in a way that is acceptable, at least they could say that this is what the Commonwealth of Massachusetts advises.

Mr. Murphy adds that he does a lot of ZBA meetings with other towns. He states that he feels that the Bourne ZBA does a great job, and of course things can be fine-tuned here or there. He adds that he believes that they are far more consistent with their decisions than some other boards.

Mr. Kalick gives an example of an area where the Zoom meetings could use improvement. On tonight's hearing in Sagamore Beach, Mr. Kalick says they are applying for a supportive finding but might need a special permit. Cases like these need extra thought and detail when it comes to issues that could come back to bite them later. If the meeting was in person, the site plan details could have been clearer with a presentation from the architect or engineer.

Chm. Beyer responds that they did have a discussion regarding the Zoom meetings versus in person meetings, but Mr. Kalick was not present that night. Chm. Beyer adds that he spoke to the Select Board Chair Mastrangelo and she said that they are no longer having public meetings, they are having combination meetings because they feel that the Zoom meetings are so effective in getting people there. After bringing that information back to the board, Chm. Beyer got the distinct impression that the entire board wanted to continue with the Zoom meetings. Mr. Kalick responds that he is just trying to express his feelings and frustrations tonight about not being able to understand some of the things that come before them. He acknowledges that he is only one member of the board and it is easier to meet virtually.

Chm. Beyer states that they will put an agenda for the discussion of the conduct of meetings as a New Business item for the August 2nd hearing. He agrees that they should take time to do this. He encourages the members to discuss more during meetings. Mr. Pine says to Ms. Bystrom's point that when he was starting out, it was helpful for him to ask questions about procedures, applications, and bylaws to the Chair or Mr. Murphy, and that is allowed. Ms. Bystrom adds that she had many questions during tonight's meeting about things such as setbacks but they don't have a chance to meet before the public hearing. Mr. O'Brien states that he believes that Ms. Bystrom's point is that she would like to discuss once the public hearing is closed. Mr. Kalick responds that this is how they used to do it, and then then a board member would make a motion. He believes

the board members should take a more active role after the public hearing, and hopefully they can arrive at something that works for everyone.

Old Business:

None.

Public Comment:

None.

Adjournment

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

Roll Call Vote as Follows:

Mr. Pine – YES. Mr. Keene – YES. Ms. Bystrom – YES. Mr. O'Brien – YES. Chm. Beyer – YES.

The Motion Passes.

With no further business before the Board, the meeting was adjourned at approximately 8:43 PM.

Respectfully Submitted,
Ina Sullivan