

# **Town of Bourne Zoning Board of Appeals**

## **Meeting Minutes**

Virtual Hearing via Zoom

May 5, 2021

Meeting ID: 921 0136 1514

TOWN CLERK BOURNE

2021 JUN -4 AM 9:16

RECEIVED

### **1. Call to order**

Chair Jim Beyer called to order the meeting of the Zoning Board of Appeals at 7:00 PM on May 5, 2021. Mr. Beyer 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.

Mr. Beyer announced the meeting was being recorded and some attendees are participating by video conference. He explained the ground rules associated with conducting the remote meeting, he confirmed the members of the board who were present, identified the building inspector and verified a representative was present for each filing listed on the agenda.

Members Present: Jim Beyer, Chris Pine, John O'Brien, Wade Keene, and Associate Member Pat Nemeth.

Members Excused – Harold Kalick

Also Present: Ken Murphy.

### **Agenda Items**

- 2. Approval of Minutes** – There were no meeting minutes available for approval.
- 3. 975 Shore Rd- Requesting a Special Permit (#2021-SP08) to exceed the maximum GFA and lot coverage by less than 10% because of Good and Sufficient Cause per section 2457.**

*Materials: Application packet, Property Map, Driving Directions, Certified Plot Plan, GFA worksheet signed by Assistant Town planner on 3.30.21, Floor Plans, Abutters list, Letter of support from Abutter at 971 Shore Rd.*

Mr. Pine recused himself for this item.

Chris Pine and wife Jeanne Azarovitz are present for the hearing. Mr. Pine reviewed his request and the previous project which was heard before the Board recently. His good and sufficient cause is a structural issue and situational. Structurally the house is a century old, they cannot add anything onto the second floor. Mr. Pine and his wife had anticipated aging in place alone, but will now need to house their adult son with disabilities. They will be exceeding the GFA by 225SF and the Lot coverage is exceeded by 45 or 50Ft.

Mr. Beyer asked if there were any questions from the Zoning Board of Appeals members. There were none.

Mr. Beyer asked if there are any members of the public with questions or comments.

Christopher Perkins of 6 Circuit Ln, an abutter, stated he has reviewed the plans and stated he understands this structure will be 12.8ft off the property line, and a confirming structure would be 15ft from the property line. He sought to clarify that a non-conforming structure needs to be 12ft from the property line. Mr. Murphy stated he did not have the details in front of him to clarify. Mr. Beyer and Mr. Pine discussed the plan and the proposed project.

Steve Rinne, 4 Circuit Ave, abutter, asked what the height of the structure will be. Mr. Beyer replied the height will be 26ft which is confirming

**Mr. Beyer entertained a motion to close the public hearing. Mr. Keene made a motion to close the public hearing. Mr. O'Brien Seconded. Roll call vote: Ms. Nemeth- Yes, Mr. Keene- yes, Mr. O'Brien- yes, and Mr. Beyer- yes.**

Mr. Beyer asked if there are any Board members with questions or comments. There were none.

**Mr. Beyer Entertained a motion to approve the special permit for 975 Shore Rd- Requesting a Special Permit (#2021-SP08) to exceed the maximum GFA and lot coverage by less than 10% because of Good and Sufficient Cause per section 2457. Ms. Nemeth made a motion. Mr. Keene seconded the motion. Roll call vote: Ms. Nemeth- Yes, Mr. Keene- yes, Mr. O'Brien- yes, and Mr. Beyer- yes.**

*Mr. Beyer will be writing this decision.*

Mr. Pine rejoined the hearing.

**Old Business** – Review of revised decision forms. Ms. Nemeth has revised the decision forms. Mr. Beyer commended Ms. Nemeth for her hard work. Mr. O'Brien agreed. Mr. Keene appreciated the simplification of the form.

- Mr. Beyer asked if all Board members have received the Peer Review Quotation for the Cape View Way 40B comprehensive permit. They replied they had accept Mr. O'Brien. Mr. Beyer stated he would ensure Mr. O'Brien would receive this. Mr. Beyer asked if any members of the Board had any questions or comments on this quotation. They did not. Mr. Beyer stated he felt the Board would vote on the approval of the Peer Review Quotation in the next hearing. Mr. Beyer shared that Mr. Murphy intends to have Town Hall Department heads join a future hearing to allow for questions and discussions. Mr. Beyer requested staff from The Planning Department, Health Department, Fire Department, Conservation Department, and Engineering Department. Mr. Pine asked if they would waiting until they get feedback from the Peer Reviewer to learn what areas of the project have the largest issues and invite those staff to join then. Mr. Beyer agreed. Mr. Beyer stated the Board would like to have the traffic assessment sent to Peer Review as well. Mr. Beyer requested someone from the Water Department present. Ms. Nemeth referenced the memo from the Town Planner where it indicated not all questioned had been answered, and she referenced that Department Heads are required to write up comments after their hearings and she requested the Board receive copies from Ken Murphy. Mr. Beyer stated this should be asked of the Town Planner. Mr. Beyer suggested Mr. Murphy speak to each Department Head to learn if they are satisfied. Mr. Beyer also suggested not having the Department Head staff join the hearing until after the Peer Reviewer has submitted their findings.

**New Business** – None.

**Public Comment** – None.

Adjournment –

**Mr. Beyer entertained a motion to adjourn the hearing. Mr. Pine moved, Mr. O'Brien seconded to adjourn the meeting. Roll call vote: Mr. Pine- yes, Ms. Nemeth- yes, Mr. O'Brien- yes, Mr. Keene- yes, and Mr. Beyer- yes. The meeting adjourned at 7:24pm.**

Respectfully submitted,  
Cassie Hammond