

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

## **Meeting Minutes**

September 16, 2020

Meeting ID: 963 6976 6526

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2020 OCT -9 PM 2:35  
TOWN CLERK BOURNE

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

Chair Amy Kullar called to order the meeting of the Zoning Board of Appeals at 7:00 PM on September 16, 2020. 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 some attendees are participating by video conference. She explained the ground rules associated with conducting the remote meeting, she 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:** Amy Kullar, Wade Keene, Kat Brennan and Associate Members, Chris Pine, Jim Beyer and Pat Nemeth.

**Members Absent:** John O'Brien, Harold Kalick

**Also Present:** Ken Murphy, Zachary Basinski, Attorney Diane Tillotson and Dave Peterson.

*Amy Kullar will be writing the Decisions.*

### **Agenda Items**

- 2. Approval of Minutes – Ms. Kullar entertained a motion to approve the minutes of the July 15, 2020 meeting. The motion carried.**

*Sitting on the hearing; Wade Keene, Kat Brennan Jim Beyer, Chris Pine and Pat Nemeth.*

- 3. Approval of Minutes – Ms. Kullar entertained a motion to approve the minutes of the September 2, 2020 meeting. Mr. Pine moved, Ms. Brennan seconded approving the minutes of the September 2, 2020 meeting. The motion carried.**

*Sitting on the hearing; Wade Keene, Kat Brennan Jim Beyer, Chris Pine and Pat Nemeth.*

**4. Discussion and possible vote on restoration agreement with 665 Scenic Highway, Cape Cod Aggregates and Town of Bourne.**

Attorney Diane Tillotson gave a brief overview of the history of the project and the future solar project that is being reviewed by the Planning Board.

Mr. Murphy expressed his intent to complete a site visit with Dave Peterson to review all areas of compliance prior to sign off.

Ms. Kullar stated she was very satisfied with the progress of this project.

Ms. Brennan shared she has visited the site many times and feels confident with Mr. Murphy having the final approval.

Mr. Keene had questions about the solar project mentioned, Ms. Kullar acknowledged it is before The Planning Board and will not be discussed by this Board at this time.

Mr. Pine agreed he is in support, and questioned if Town Counsel had given any input. Ms. Kullar shared there was no guidance given by Town Counsel.

Mr. Beyer stated he has visited twice recently and is comfortable moving on.

Ms. Kullar suggested making a move to adopt and release the release agreement as proposed contingent upon Mr. Murphy's approval after the site visit and confirmed at the next meeting.

Attorney Tillotson asked if there can be a vote of the Board to present to the Planning Board. Ms. Kullar confirmed.

**Mr. Pine made a motion** in the matter of Cape Cod Aggregates; 665 Scenic Highway and Town of Bourne and their restoration agreement substantial compliance with the agreement, release the bond pending the last site visit of the Building Inspector and notification to the Planning Board.

Ms. Kullar stated she will adopt this motion.

**Ms. Brennan second the motion.**

**The motion carried. Roll call vote: Mr. Keene- yes, Ms. Brennan- yes, Mr. Beyer- yes, Mr. Pine- yes, Ms. Kullar- yes, and Ms. Nemeth- abstained.**

*Sitting on the hearing; Wade Keene, Kat Brennan Jim Beyer, Chris Pine and Amy Kullar.*

**5. 9 Park Street Special Permit for a supportive finding (2020-SP17) to raze and rebuild a preexisting non-conforming single-family dwelling. (continued from 9.2.2020)**

Materials: *GFA worksheet signed by the Assistant Town Planner.*

*Previously reviewed: Public Hearing notice, Application for Special Permit, GFA worksheet (not signed by Town Planner), project narrative, assessors card, assessors map, Deed, Directions, Floor plans, septic plans.*

Zachary Basinski is present.

Ms. Kullar recognized the new GFA worksheet signed by the Assistant Town Planner and it is within the 10% allowed.

Ms. Kullar asked if there were any questions or comments. There were none.

Ms. Nemeth moved to close the public hearing. Mr. Beyer second.

**Ms. Nemeth made a motion** to approve the application for special Permit for a supportive finding 9 Park Street (2020-SP17) to raze and rebuild a preexisting non-conforming single-family dwelling pursuant to plans submitted.

**Ms. Brennan second the motion.**

**The motion carried. Roll call vote: Ms. Brennan- yes, Mr. Beyer- yes, Mr. Pine- yes, Ms. Nemeth, Ms. Kullar- yes, and Mr. Keene- abstained.**

*Sitting on the hearing; Kat Brennan Jim Beyer, Chris Pine, Pat Nemeth and Amy Kullar.*

**6. New Business – None.**

**7. Public Comment – None.**

**Adjournment –**

**Ms. Kullar entertained a motion to close the hearing. Mr. Beyer moved. Mr. Pine second. The meeting adjourned at 7:25 PM.**