



## TOWN OF TRURO

### ZONING BOARD OF APPEALS

#### Meeting Minutes

November 21, 2022 – 5:30 pm

#### REMOTE ZONING BOARD OF APPEALS MEETING



**Members Present (Quorum):** Art Hultin (Chair); Darrell Shedd; Heidi Townsend; Curtis Hartman (Alt.), Nancy Medoff (Alt.)

**Members Absent:** Chris Lucy (Vice Chair)

**Other Participants:** Barbara Carboni – Town Planner/Land Use Counsel; Select Board Liaison John Dundas; Ben Zehnder (Attorney for Marie Belding and Pat Callinan – Abutters to 538 Shore Road); Marie Belding (Abutter to 538 Shore Road); Pat Callinan (Abutter to 538 Shore Road); Ben Zehnder (Attorney for Loic Rossignon – Applicant); Alison Alessi (A3 Architects and Architect for Loic Rossignon – Applicant); David Lytle (Ryder & Wilcox, Land Surveyor for Loic Rossignon – Applicant)

Remote meeting convened at 5:30 pm, Monday, November 21, 2022, by Town Planner/Land Use Counsel Carboni who announced that this was a remote meeting which is being broadcast live on Truro TV Channel 18 and is being recorded. Chair Hultin introduced the Members.

#### **Public Comment Period**

Chair Hultin invited the public to offer public comments, and none were made.

Chair Hultin recognized Member Shedd who inquired whether the habitable studio on the Dennis property on South Pamet Road had been moved by October 15<sup>th</sup>, 2022. Chair Hultin confirmed that there had been a deadline established but asked Town Planner/Land Use Counsel Carboni to provide an update. Town Planner/Land Use Counsel Carboni opined that this should not be discussed as it was not on the agenda but that there was an extension granted by the Building Commissioner. Town Planner/Land Use Counsel Carboni stated that she would be happy to report back to the Members and Member Shedd noted that he was satisfied.

Chair Hultin recognized Member Townsend who reported that she serves on an ad hoc committee to discuss housing issues and concerns. Member Townsend requested time for her to be added to the next ZBA meeting's agenda so she can provide a report to the Members regarding the housing issues. There were no objections.

#### **Public Hearing (Continued)**

**2022-017/ZBA (VAR/SP) - Ebb Tide on the Bay Condominiums** for property located at 538 Shore Road (Atlas Map 7, Parcel 7, Registry of Deeds title reference: Book 5671, Page 232). Applicant seeks a Variance under M.G.L. Ch. 40A § 10 and §40.3.B.2/§30.9.C of the Truro Zoning Bylaw for a reduction in number of parking spaces (from 12 spaces to 9); Special Permit under M.G.L. Ch. 40A §6 and §30.7.A of

the Truro Zoning Bylaw for the relocation of three nonconforming structures on a lot in the Beach Point Limited Business District.

Chair Hultin announced that the ZBA had received a request from the Applicant to continue this matter to December 19<sup>th</sup>, 2022. Chair Hultin recognized Town Planner/Land Use Counsel Carboni who opined that the request was reasonable and understandable.

**Chair Hultin made a motion to continue this matter to December 19<sup>th</sup>, 2022.**

**Member Shedd seconded the motion.**

**ROLL CALL VOTE:**

**Member Shedd – Aye**

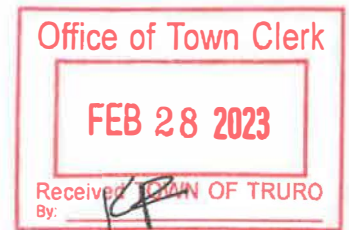
**Chair Hultin – Aye**

**Member Hartman – Aye**

**Member Townsend – Aye**

**Member Medoff – Aye**

**So voted, 5-0, motion carries.**



**Public Hearing (New)**

**2022-018/ZBA - Robert Christopher Anderson and Loic Rossignon**, for property located at 8 Stick Bridge Road (Atlas Map 54, Parcel 89, Registry of Deeds Book 31230 and Page 33). Applicants seek: (1) Special Permit under §30.3.1.A.2 of the Truro Zoning Bylaw to exceed byright Total Gross Floor Area in the Seashore District; and (2) Special Permit under M.G.L. Ch. 40A §6 and §30.7.A of the Truro Zoning Bylaw for an addition to an existing dwelling, removal of second dwelling, and construction of garage/studio on non-conforming lot (frontage) in the Seashore District.

Chair Hultin recognized Attorney Zehnder who introduced the Applicant's representatives who will assist with the Applicant's presentation. Attorney Zehnder noted that the project had received approval from the Conservation Commission. The project has been presented informally to the Historic Review Board through the Building Commissioner and no further action is required. The Planning Board reviewed the Applicant's checklist on November 16<sup>th</sup>, 2022, and requested additional information.

Attorney Zehnder then presented the project and the justification for the approval of the project. Attorney Zehnder concluded that he and the Applicant's representatives were ready to answer any questions from the Members.

Chair Hultin reminded the Members that the ZBA would not render a decision on this project until after the Planning Board had made its decision. Chair Hultin asked Members for comments and questions. Members and the Applicant's representatives discussed the plan regarding the primary dwelling and the second dwelling, the applicability of the Local Comprehensive Plan and existing Bylaws when considering this matter as this is a large structure in the National Seashore, whether the "cottage" was a legal dwelling previously, the accessory of an additional building (the garage/studio), the pool and structures (if any) surrounding the pool, any structures which are excluded in the square footage of the project, and the question of the sideline setback. Chair Hultin noted that many questions must still be answered by the Applicant before the ZBA would approve this plan as presented.

Attorney Zehnder replied that the Applicant will respond to the questions posed by the Members and provide the necessary documentation requested. Attorney Zehnder noted that a schematic of the pool

structure area and elevations. Chair Hultin added that these documents should also be provided to the Planning Board and Attorney Zehnder concurred.

Chair Hultin made Attorney Zehnder aware of a memorandum from Town Planner/Land Use Counsel Carboni that was in this evening's packet as there were discrepancies in figures which required attention. Attorney Zehnder replied that he had not seen the memorandum and Town Planner/Land Use Counsel Carboni stated that she would be happy to review the memorandum with Attorney Zehnder.

There were no additional comments or questions from the Members of the public.

**Chair Hultin made a motion to continue this matter to December 19, 2022.**

**Member Hartman seconded the motion.**

**ROLL CALL VOTE:**

**Member Shedd – Aye**

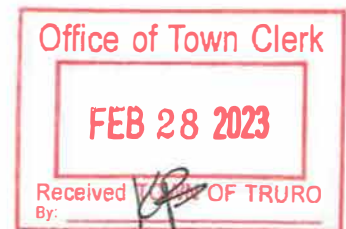
**Chair Hultin – Aye**

**Member Hartman - Aye**

**Member Townsend – Aye**

**Member Medoff – Aye**

**So voted, 5-0, motion carries.**



### Minutes

Chair Hultin led the review of the minutes for September 26<sup>th</sup>, 2022, for edits and comments. No edits were made. Chair Hultin abstained as he was not present at that meeting.

**Member Shedd made a motion to approve the meeting minutes from September 26, 2022, as submitted.**

**Member Medoff seconded the motion.**

**ROLL CALL VOTE:**

**Member Shedd – Aye**

**Chair Hultin - Abstained**

**Member Hartman – Aye**

**Member Townsend – Aye**

**Member Medoff – Aye**

**So voted, 4-0-1, motion carries.**

Chair Hultin recognized Member Townsend who asked about the next step to replace former Member Virginia Frazier and fill the vacancy on the ZBA. Town Planner/Land Use Counsel Carboni stated that any interested Applicants for both the Full Member and Alternate Member positions (if a current Alternate Member was appointed to the Full Member vacancy) have a deadline of December 1<sup>st</sup>, 2022, to apply. The positions were also publicly posted. Chair Hultin encouraged anyone interested to apply.

**Chair Hultin made a motion to adjourn at 6:14 pm.**

**Member Townsend seconded the motion.**

**ROLL CALL VOTE:**

**Member Shedd – Aye**

**Chair Hultin – Aye**

**Member Hartman – Aye**

**Member Townsend – Aye**  
**Member Medoff – Aye**  
**So voted, 5-0, motion carries.**

Respectfully submitted,



Alexander O. Powers  
Board/Committee/Commission Support Staff

