



TOWN OF TRURO
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ZONING BOARD OF APPEALS

Agenda

DATE OF MEETING: Monday, August 26, 2019

TIME OF MEETING: 5:30 p.m.

LOCATION OF MEETING: Truro Town Hall
24 Town Hall Road
Truro, MA 02666

Executive Session: Pursuant to G.L. c. 30A §21(a)(3), the Board may go into an executive session to discuss litigation strategy relating to pending litigation in the case of Susan Solomont v. Bertram Perkel, et al., 19 MISC 00014, where it is declared by the Chair that an open meeting may have a detrimental effect on the litigation position of the Board.

Discussion of developing and implementing internal policies and procedures of the Truro Zoning Board of Appeals

Approval of Meeting Minutes

- May 20, 2019

Adjourn

Office of Town Clerk Treasurer – Tax Collector
8:42 AM AUG 22 2019
Received TOWN OF TRURO By <u>AMS</u>

**TOWN OF TRURO
ZONING BOARD OF APPEALS
Meeting Minutes
May 20, 2019, 5:30 PM
Truro Town Hall**

Board Members Present:

**Chair A. Hultin
Member J. Thornley
Member (Elected Vice Chair) F. Todd
Alternate D. Shedd
Alternate (Elected Clerk) C. Lucy**

Board Members Absent:

Member J. Dundas

Other Participants:

**Jessica Bardi, Interim Town Planner
Stephen Magliocco, architect
Attorney Ben Zehnder
Jason Ellis, designer
Ray Sturdy, Truro resident**

Meeting convened at 5:30 PM.

1. Selection of Chair of ZBA

Member Todd makes a motion to elect A. Hultin as Chair of the Zoning Board of Appeals. Alternate Lucy seconds. So voted, 5-0-0. Motion carries.

2. Public Hearing

2019-001 ZBA – Donna Turley and Kate Keegan, for property located at 6 Turnbuckle Way (Map 43, Parcel 106).

Applicant seeks a Special Permit for approval under Section 30.7.A of the Zoning Bylaw concerning a pre-existing, non-conforming structure by nature of road definition under Section 10.4.

The architect for the applicants Stephen Magliocco comes forward. He explains the designed addition onto the house that the applicants would want.

Chair Hultin asks if any Board members have questions.

Alternate Lucy asks about square-footage of interior living space. Mr. Magliocco gives a rough approximation of the square feet as somewhere under 3000 once the addition is finished. Mr. Lucy explains that would be ok because the limit is 3600.

Member Thornley asks for clarification on the original home and the addition on the plans and Mr.

Magliocco clarifies.

Members Todd and Thornley confirm that the fire department has deemed there is enough turnaround space on the road leading to the property.

Mr. Magliocco discusses a neighbor in favor of the project since their questions were answered by the applicants.

Chair Hultin says that the plans should clarify that the plans conform to the height restrictions. Mr. Magliocco points out on the renderings the height of the addition, which is conforming.

Member Todd makes a motion to grant a Special Permit for construction of an addition and related garage and porches. The Board finds that the work proposed will not be substantially detrimental to the neighborhood and is in keeping with the intent of the Truro zoning bylaw. Chair Hultin seconds. So voted, 4-0-1. Motion carries. Alternate D. Shedd abstained

3. Public Hearing

2019-002 ZBA – Daniel Carbonneau and Melinda Tuffv, Tr., for property located at 157 Slough Pond Road (Map 62, Parcel 5).

Applicant seeks a Special Permit under section 30.7A of the Truro Zoning Bylaw for the alteration of existing dwelling and studio on a pre-existing, non-conforming lot by demolishing existing structures and constructing a new dwelling and accessory studio.

Chair Hultin recuses himself from the issue.

Atty Ben Zehnder comes forward on behalf of the applicants and gives a brief history of the property and explains the plans to demolish a house and a studio and build new ones where each stood.

Alternate Lucy goes over the square footage with Atty Zehnder. They also discuss access by construction vehicles and where they would enter the property. Mr. Lucy would appreciate a condition to return the road to its original state after thousands of construction trips would be made.

Member Todd asks if the Seashore had commented on the project, and Atty Zehnder replies that they had asked whether historical review was required.

Member Thornley makes a motion to grant a Special Permit for the expansion of a pre-existing, non-conforming structure as per plans filed with the Board in accordance with section 30.7.A of the Town's bylaws. The Board finds that the project does not change the proposed use of the property and will exist in harmony with the general public good purpose and intent of this bylaw. The proposed expansion will not change the manner and purpose for which the current structure's uses exist on the property. There is a condition that the road will be restored to the condition that it was in when the project began. Alternate Lucy seconds. So voted, 4-0-0. Motion carries.

4. Public Hearing

2019-003 ZBA – Ellen and Emily Langian, for property located at 588 Shore Road (Map 5, Parcel 20).
Applicant seeks a Special Permit with reference to section 30.7A of the Truro Zoning Bylaw for the construction of a seven (7) foot, nine (9) inch addition to the front of an existing non-conforming

dwelling.

Jason Ellis of J.C. Ellis Design Co. comes forward on behalf of the applicant. He briefly goes over the plans.

Chair Hultin would like Town Counsel's opinion on the dimensional requirements being met with the project.

Alternate Lucy asks if there will be a new foundation, and Mr. Ellis replies that there would be one.

Chair Hultin makes a motion to continue the hearing to next month to get Town counsel's opinion. Member Thornley seconds. Motion is pending.

Ray Sturdy of 580 Shore Rd. comes forward as an abutter. He is in support of the project.

The pending motion is put to a vote. So voted, 5-0-0. Motion carries.

Nomination of Vice Chair and Clerk

Chair Hultin makes a motion to nominate F. Todd as Vice Chair of the Zoning Board of Appeals. Member Thornley seconds. So voted, 5-0-0. Motion carries.

Chair Hultin makes a motion to nominate C. Lucy as Clerk of the Zoning Board of Appeals. Member Todd seconds. So voted, 5-0-0. Motion carries.

Approval of Meeting Minutes
February 26, 2019

April 1, 2019

The approval of meeting minutes is continued to the next meeting due to some members present tonight absent from the minutes in question as well as members that have moved on from the Board not being present. Jessica Bardi says that she will find a way to address the issue next meeting.

Chair Hultin makes a motion that the meeting be adjourned. Clerk Lucy seconds. So voted, 5-0-0. Motion carries.

Respectfully submitted,

Paxton Green