ZONING BOARD OF APPEALS
TRURO, MASSACHUSETTS
ZBA MINUTES
MONDAY, JANUARY 25, 2016
7 PM - TRURO TOWN HALL
24 TOWN HALL ROAD, TRURO

QUORUM PRESENT: B. Perkel (Chmn); A. Hultin (V. Chair); F. Todd (Clerk); J. Thornley, N. Brown, Alt. (Absent: J. Allee, J. Dundas, Alt.). Also present: S. Kelly, Recording Sec.

Meeting opened at 7:00 by Chairman Perkel.

2015-017/ZBA – Melinda A. Krasting, by agt/appl. Lucas Manning, for property at 4 Scrimshaw St., (Atlas Sheet 46, Parcel 164), Reg. of Deeds Title Ref: Bk. 27304, Page 88. Applicant is seeking a Special Permit w/ref. to Sec. 30.7.A of the Truro Zoning bylaw to replace a 14'x9' 2nd floor deck with new 30'x9' deck within building setback on a non-conforming lot, as per plans filed.
Ms. Krasting was present with engineering representative Gary Locke to explain the petition; they were before the ZBA because of the nonconformity in respect to lot size. This was part of a Nemetz subdivision from 1964; Mr. Locke said they wished to increase the deck size at the site. Members reviewed the plan, and since there were no further questions, the following Motion was made:

Motion (Todd 2nd Brown): Move in the matter of Melinda Asman Krasting, for property located at 4 Scrimshaw Street, Atlas Sheet: 46 Parcel 164 (2015-017/ZBA)(ref: Reg. of Deeds title ref: Book 27304, Page 88) to grant a Special Permit for a new 30 ft. x 9 ft. deck within the building setback with reference to plans by William N. Rogers II dated/stamped Sept. 23, 2015 and designated S.1, S.2, A.1,A.2, A.3 with the Finding the lot in question is legally pre-existing non-conforming. The Board Finds the construction is in harmony with the intent of the Truro Zoning Bylaw and not substantially more detrimental to the neighborhood.
Voted in Favor: Perkel, Hultin, Todd, Thornley, Brown. Voted Against: None. Motion Carries: 5/0 Unanimous.

2015-018/ZBA – Richard/James Rodricks, by agt/appl. Richard L. Waldo, for property at 179 Shore Rd., (Atlas Sheet 21, Parcel 2), Reg. of Deeds Title Ref: Bk. 6299, Page 309. Applicant is seeking a Variance w/ref. to Sec. 50.1.G of the Truro Zoning Bylaw to modify an existing non-conforming (density per unit ref.) public accommodation, and a Special Permit w/ref. to Sec. 30.7.A. of the Truro Zoning Bylaw for construction of a 28'x40' manager's unit/garage. Manager's unit will be relocated from Motel to new structure w/no change in unit numbers, as per plans filed.
Mr. Waldo was present to explain the petition. History of the site was given; in 1986 there had been a condominium conversion by Special Permit; the motel had been in operation prior to 1988; they wished to relocate the manager's unit to the free-standing unit which had a garage below; there is no significant impact to the site and no increase in density. In response to a question on the previous site of the manager's unit, Mr. Waldo said it was a within the motel and now the manager's quarters will be separate and the manager will be on site year 'round; the old "room" will be used as a linen storage area and will not be a motel unit.
Mr. Waldo said the construction will be within the setback and members discussed the reference

to the variance requirement, and relevance to this appeal. Mr. Waldo explained the deck will be in front of the structure and the garage will be used as storage for lawnmowing and other equipment.
Members discussed considering the Special Permit with a condition the manager's unit not be construed as a 'habitable' motel unit, and the following Motion was made:

Motion (Hultin 2nd Thornley): Move in the matter of Richard/James Rodricks, for property located at 179 Shore Rd., (Atlas Sheet 21, Parcel 2 (2015-018/ZBA) ref: Reg. of Deeds Title Ref: book 6299, Page 309), to grant a Special Permit w/ref. to Sec. 50.1.G. of the Truro Zoning Bylaw to modify an existing non-conforming (density per unit ref.) public accommodation (Terrace Dunes), and w/ref. to Sec. 30.7.A. of the Truro Zoning Bylaw for construction of a 28'x40' manager's unit/garage. Manager's unit will be relocated from Motel to new structure w/no change in unit numbers, as per plans filed by Richard J. Waldo, dated July 18, 2015 and Oct. 16, 2015, pages 1 and 2 and TMS Design Plans dated April 15, 2015, Pages A1, A2.
The ZBA makes the following Conditions/Findings: there is no net change in the number of habitable units; there will be no manger's unit in the previous location; said Grant is not more detrimental to the neighborhood, and is in harmony with the intent of the Truro Zoning Bylaw.

Voted in Favor: Perkel, Hultin, Todd, Thornley, Brown. Voted Against: None. Motion Carries: 5/0 Unanimous.

Other Business

Next Regular Meeting February 22, 2016, 7 PM at Truro Town Hall

Meeting adjourned at 7:30 PM

Respectfully Submitted,

Susan Kelly

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