



TOWN OF TRURO

ZONING BOARD OF APPEALS

Meeting Minutes

March 22, 2021 – 5:30 pm

REMOTE ZONING BOARD OF APPEALS MEETING



Members Present (Quorum): Art Hultin (Chair); Chris Lucy (Clerk); John Dundas; John Thornley; Darrell Shedd (Alt.)

Members Absent: Fred Todd (Vice Chair); Heidi Townsend (Alt.)

Other Participants: Barbara Carboni – Interim Town Planner and Counsel; Liz Sturdy – Truro Office Assistant; Mark and I-Ching Scott (Applicant)

Remote meeting convened at 5:50 pm, Monday, March 22, 2021, by Interim Town Planner and Counsel Carboni who announced that this was a remote meeting which is being broadcast live on Truro TV Channel 18 and is being recorded. Interim Town Planner and Counsel Carboni also provided information as to how the public may call into the meeting or provide written comment.

Chair Hultin announced that there were five Members present this evening.

Public Comment Period

No members of the public offered comment.

Public Hearing Continued

2020-008/ZBA – Thomas and Dianne Didio for property located 13 Corn Hill Landing, Truro, MA (Atlas Map 45, Parcel 23, Registry of Deeds title reference: Book 19120, Page 300). Applicant seeks a Variance under M.G.L. Chapter 40A, §10 and Section 50.1(A) of the Truro Zoning Bylaw for minimum side yard setback distance. Applicant seeks a variance due to the lot shape and topography to construct sustaining walls within the setback for a conforming pool and pool house. Chair Hultin announced that the Applicant had notified the ZBA that they would like to withdraw the application without prejudice.

Member Lucy made a motion to let the Applicant withdraw the application without prejudice.

Member Shedd seconded the motion.

So voted, 5-0, the motion carries.

Chair Hultin announced the approval of the application withdrawal without prejudice after the unanimous vote.

2020-009/ZBA – Anne Labouisse Peretz; William T. Burdick and Richard C. Vanison, Trustees, Dune House Nom. Tr. for property located at 112 North Pamet Road, Truro, MA (Atlas Map 48, Parcel 1,

Certificate of Title Number 208468, Land Ct. Lot #7, Plan #15097-H). Applicant seeks a Special Permit under M.G.L. Chapter 40A, §16 and Section 30.3(8) of the Truro Zoning Bylaw for removal and replacement of non-conforming single-family dwelling (height) on a non-conforming lot (street frontage).

2020-010/ZBA – Anne Labouisse Peretz; William T. Burdick and Richard C. Vanison, Trustees, Dune House Nom. Tr. for property located at 112 North Pamet Road, Truro, MA (Atlas Map 48, Parcel 1, Certificate of Title Number 208468, Land Ct. Lot #7, Plan #15097-H). Applicant seeks a Variance under M.G.L. Chapter 40A, §10 and Section 50.1(A) of the Truro Zoning Bylaw for removal and replacement of a single-family residential dwelling 5 feet from southerly lot line where minimum setback distance is 25 feet.

Chair Hultin announced that the Applicants had requested an extension in both matters. Under the advice of Interim Town Planner and Counsel Carboni, Chair Hultin moved to accept a motion to extend both matters in one motion to continue the hearing until April 26, 2021, and with a Board action date of May 24, 2021.

Member Lucy made a motion to continue both matters (2020-009/ZBA and 2020-010/ZBA) to April 26, 2021.

Member Shedd seconded the motion.

So voted, 5-0, motion carries.

Chair Hultin announced that both matters were continued until April 26, 2021.

Public Hearing

2021-003/ZBA – Mark and I-Ching Scott for property located at 263 Shore Road, Unit #2, Truro, MA (Atlas Map 17, Parcel 1, Ext. 2, Registry of Deeds reference: Book 26734, Page 319). Applicant also seeks a Special Permit for an alteration or extension of a nonconforming structure under §30.7(A) of the Truro Zoning Bylaw and M.G.L. Chapter 40A, §6 for the addition of a deck and stairs which will encroach an additional five (5) feet into the front yard setback. Chair Hultin gave the Mr. Scott the opportunity to provide background information. Mr. Scott thanked the Members for their consideration and stated that he would be happy to answer any questions from the application packet. Chair Hultin asked Interim Town Planner and Counsel Carboni to share screen the application packet with the Members. Mr. Scott stated that the application for a Special Permit was necessary to allow the construction of a deck and stairs so the Applicant can elevate the structure from the dune and flood plain. Chair Hultin asked the Members if they had any questions. Member Shedd stated that he saw nothing detrimental with the proposal. Member Lucy said that he had no issue with the plan. Member Dundas noted that this was one of the best prepared applications which he had seen in his capacity and Mr. Scott acknowledged that he and his wife were both architects. Member Thornley opined that it was appropriate construction and had no issues. Chair Hultin noted that Interim Town Planner and Counsel Carboni had created a draft decision in this matter, so she reviewed it with the Members and Applicant. Prior to the motion vote, Chair Hultin asked Truro Office Assistant Sturdy if any members of the public would like to comment on this application and Truro Office Assistant Sturdy confirmed that there were none.

Member Shedd made a motion to grant a Special Permit in the matter of 2021-003/ZBA.

Chair Hultin seconded the motion.

So voted, 5-0, motion carries.

Chair Hultin announced that there will be 10 days to write the decision followed by a 20-day appeal period. Chair Hultin closed the hearing, and the Applicant thanked the Members for their approval before departing.

Board Action/Review

Chair Hultin reviewed the agenda to confirm there were no other Board actions or review for this evening.

Chair Hultin confirmed that the upcoming scheduled ZBA meeting was April 26, 2021. Chair Hultin asked Interim Town Planner and Counsel Carboni for the dates of the upcoming Town elections and Town meeting and Truro Office Assistant Sturdy stated that the Town elections were going to be held on May 11, 2021, and the Town meeting would be on Saturday, June 26, 2021.

Before the conclusion of the meeting, Interim Town Planner and Counsel Carboni informed the Members that the Planning Board's public hearing on proposed zoning amendments was scheduled for April 7, 2021, and that date was posted on the Truro website.

Member Lucy made a motion to adjourn at 6:15 pm.

Member Shedd seconded the motion.

So voted, 5-0, motion carries.

Respectfully submitted,



Alexander O. Powers
Board/Committee/Commission Support Staff

