



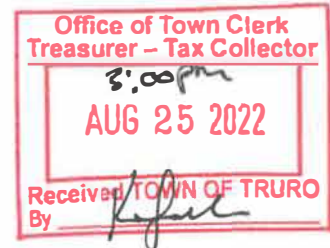
TOWN OF TRURO

ZONING BOARD OF APPEALS

Meeting Minutes

June 27, 2022 – 5:30 pm

REMOTE ZONING BOARD OF APPEALS MEETING



Members Present (Quorum): Art Hultin (Chair); Chris Lucy (Vice Chair); Darrell Shedd; Virginia Frazier (Alt.); Curtis Hartman (Alt.)

Members Absent: Heidi Townsend

Other Participants: Barbara Carboni – Town Planner/Land Use Counsel; Liz Sturdy – Planning Department Administrator; Select Board Liaison John Dundas; Ben Zehnder (Attorney for Thomas and Kathleen Dennis – Applicants); Ian Henchy (Attorney representing Ms. Clyde Watson – Plaintiff); Clyde Watson (Plaintiff); Ben Zehnder (Attorney for Benoit Allehaut and Elizabeth Allehaut – Applicants); Jeffrey Katz (Architect for Benoit Allehaut and Elizabeth Allehaut – Applicants); Shane O'Brien (Architect for Benoit Allehaut and Elizabeth Allehaut – Applicants); Ben Zehnder (Attorney for Rachel Kalin – Trustee/Applicant); Ben Zehnder (Attorney for Douglas Ambrose – Applicant); Michelle Jaffe and Barbara Grasso (Applicants); Susan J. Goldstein (Applicant); Ben Zehnder (Attorney for Susan J. Goldstein and Jonathan A. Curtis – Applicants); Sam Basta (Leblanc Jones Landscape Architects and Representative for Susan J. Goldstein and Jonathan A. Curtis – Applicants)

Remote meeting convened at 5:32 pm, Monday, June 27, 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. Town Planner/Land Use Counsel Carboni also provided information as to how the public may call into the meeting or provide written comment. Chair Hultin introduced the Members.

Public Comment Period

No public comments were made.

Public Hearings (Continued)

2022-005/ZBA (SP) – Benoit Allehaut and Elizabeth Allehaut for property located at 40 South Pamet Road (Atlas Map 51, Parcel 40, Registry of Deeds title reference: Book 33897, Page 73). Applicant seeks a Special Permit under M.G.L. Ch. 40A §6 and §30.7.A of the Truro Zoning Bylaw for alteration and addition to existing dwelling, and relocation and renovation of shed on nonconforming lot (lot area) in the Seashore District.

Attorney Zehnder updated the Members on the project. Members and the Applicants' representatives discussed certain aspects of the project to include the reconfiguration of a dormer, the removal of a screen porch, and the Planning Board's approval of the Site Plan Review.

Mr. Richard Larkin, an Abutter to the property, commented that he had not received an Abutter's notice. Town Planner/Land Use Counsel Carboni responded that she will investigate his situation but added that this was a continuance of a matter that started several months ago.

Mr. Larkin and Mr. Chuck Steinman, another member of the public, asked a series of questions regarding the project which were answered by the Applicants' representatives.

When asked by Vice Chair Lucy, Attorney Zehnder noted that he would be supportive of a continuance in this matter until July 25, 2022. Attorney Zehnder added that he would like to receive any other questions or concerns prior to next month's hearing so the Applicant may respond ahead of the hearing.

Member Shedd made a motion to continue the matter of 2022-005/ZBA (SP) until July 25, 2022.
Member Hartman seconded the motion.
So voted, 5-0, motion carries.

2022-006/ZBA (SP's) – Outer Shore Nominee Trust, Rachel Kalin, Trustee for property located at 17 Coast Guard Road (Atlas Map 34, Parcel 3, Registry of Deeds title reference: Book 34387, Page 1). Applicant seeks: (1) a Special Permit under M.G.L. Ch. 40A §6 and §30.3.(A)2 of the Truro Zoning Bylaw to exceed total Gross Floor Area limit in the Seashore District; and (2) a Special Permit under M.G.L. Ch. 40A §6 and §30.7(A) of the Truro Zoning Bylaw to demolish 5 of 6 pre-existing, non-conforming cottages; construct new single-family dwelling; convert nonconforming cottage into accessory pool structure in the Seashore District.

Town Planner/Land Use Counsel Carboni said that the Applicant's attorney had requested a continuance so the Applicant could consider options to modify the project based upon the Planning Board's disinterest in what had been proposed by the Applicant.

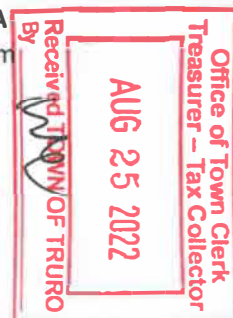
Chair Hultin made a motion to continue the matter of 2022-006/ZBA (SP's) until July 25, 2022.
Member Frazier seconded the motion.
So voted, 5-0, motion carries.

2022-007/ZBA (Appeal) – Clyde Watson for property located at 127 South Pamet Road (Atlas Map 48, Parcel 12; Certificate of Title Number: 228604, Land Ct. Lot #IC, Plan #16182-E and Land Ct. Lot #ID, Plan #16182-F). The Applicant is aggrieved by the grant of a building permit, #22-105 dated March 8, 2022, to relocate a structure from 133 South Pamet Road onto 127 South Pamet Road.

Attorney Henchy stated that this was a joint request for a continuance by Ms. Watson and Attorney Zehnder (who was not present yet for the hearing) for this matter and the matter of **2022-010/ZBA (Appeal)** until July 25, 2022, as both matters are tied together. Vice Chair Lucy recused himself from both matters.

Chair Hultin made a motion continue the matter of 2022-007/ZBA (Appeal) and 2022-010/ZBA (Appeal) until July 25, 2022.
Member Frazier seconded the motion.
So voted, 4-0, motion carries.

2022-008/ZBA (SP/VAR) – Douglas Ambrose for property located at 49 Fisher Road (Atlas Map 53, Parcel 24, Registry of Deeds title reference: Book 21922/32678, Page 177/75). Applicant seeks a Special



Permit under M.G.L. Ch. 40A §6 and §30.7(A) of the Truro Zoning Bylaw concerning demolition and reconstruction of dwelling on pre-existing, non-conforming lot (minimum lot size). Applicant also seeks a Variance under M.G.L. Ch. 40A, §10 and §50.1(A) of the Truro Zoning Bylaw for minimum side yard setback distances to locate a replacement dwelling 18.1 feet from easterly property line, where 25 ft. are required.

Town Planner/Land Use Counsel Carboni stated that the Applicant's attorney had requested a continuance until July 25, 2022, so the Applicant may consider whatever relief may be needed in this matter.

Chair Hultin made a motion to continue the matter of 2022-008/ZBA (SP/VAR) until July 25, 2022.

Member Shedd seconded the motion.

So voted, 5-0, motion carries.

2022-009/ZBA (SP) – Michelle Jaffe for property located at 9A Francis Road (Atlas Map 36, Parcel 191, Registry of Deeds title reference: Book 41209, Page 315). Applicant seeks a Special Permit under M.G.L. Ch. 40A §6 and §30.7 of the Truro Zoning Bylaw to increase existing nonconformity (side setback) for construction of a deck on an existing dwelling within 1.8 feet of the lot line, where 25 feet are required.

Ms. Jaffe provided an update to the Members regarding her project. There was a brief discussion regarding the issued order of conditions by the Conservation Commission for the project. There was no opposition to the project.

Member Shedd made a motion to approve the special permit and to grant the withdrawal of the variance request for 2022-004/ZBA.

Member Hartman seconded the motion.

So voted, 5-0, motion carries.



Public Hearings

2022-010/ZBA (Appeal) – Thomas P. Dennis, Jr. and Kathleen C. Dennis, Individually and as Trustees for property located at 127 South Pamet Road (Atlas Map 48, Parcel 12; Certificate of Title Number: 228604, Land Ct. Lot #IC, Plan #16182-E and Land Ct. Lot #ID, Plan #16182- F) and 133 South Pamet Road (Atlas Map 48, Parcel 8, Registry of Deeds title reference: Book 33550, Page 123). The Applicant is aggrieved by order or decision of the Building Commissioner on April 5, 2022, revoking a building permit issued March 8, 2022. Vice Chair Lucy recused himself from this matter as well as **2022-007/ZBA (Appeal)**.

Chair Hultin made a motion continue the matter of 2022-007/ZBA (Appeal) and 2022-010/ZBA (Appeal) until July 25, 2022.

Member Frazier seconded the motion.

So voted, 4-0, motion carries.

2022-011/ZBA (SP) – Susan J. Goldstein and Jonathan A. Curtis for property located at 40 Corn Hill Road (Atlas Map 45, Parcel 118, Registry of Deeds title reference: Book 33478, Page 176). Applicant seeks a Special Permit under M.G.L. Ch. 40A §6 and §30.7 and §50.2.B.2 of the Truro Zoning Bylaw to exceed Gross Floor Area limit to renovate a garage to create a guest house/studio in the Residential District.

Mr. Basta presented to the Members. Members discussed the project with Ms. Goldstein and Mr. Basta regarding habitable space, gross floor area, and a kitchen (later clarified as a kitchenette without a stove).

Several members of the public, Mr. Chuck Steinman, and Ms. Amy Wolff, commented in support for the project.

Member Hartman made a motion to approve the matter of 2022-011/ZBA (SP) along with the included findings.

Chair Hultin seconded the motion.

So voted, 5-0, motion carries.

Member Hartman made a motion to adjourn at 7:36 pm.

Member Shedd seconded the motion.

So voted, 5-0, motion carries.

Respectfully submitted,



Alexander O. Powers
Board/Committee/Commission Support Staff

