

Town of Orleans
Zoning Board of Appeals
Meeting Minutes – February 15, 2023

On Wednesday, February 15, 2023, the Orleans Zoning Board of Appeals convened via remote participation using “Zoom” video technology, with real-time public access provided by Orleans Channel 18 on the Town website and cable television.

In attendance were the members Gerald Mulligan, Matt Cole, Lynne Eickholt and Bruce Taub as well as Peggy O’Sullivan from MIS. Also in attendance was Board Secretary Jennifer Higgins. The meeting was duly noticed. The meeting was called to order at 7:00 pm by Gerald Mulligan who chaired the meeting.

Call Meeting to Order

A. Old Business:

1. Review meeting minutes from January 18, 2023 & February 1, 2023.

Mr. Taub moved; Ms. Eickholt seconded to approve the minutes from January 18, 2023. Messrs. Mulligan, Taub, Cole, and Ms. Eickholt voted aye; unanimously passed 4-0.

2. Review of decision Case #2193/Donagan.

B. New Business:

(Continued from February 1, 2023) Case #2195– Ember Gardens Cape Cod, LLC (“Applicant”) applied for a Special Permit as set forth in MGL Chapter 40A, Section 6, under Orleans Zoning Bylaw Sections 164-18 (Shoreline Overlay District), 164-40.4 (Adult Use Marijuana Establishment (“Establishment”)) and 166-44. Applicant is proposing to demolish the existing residential structure and replace it with a new commercial building for the purpose of operating as a Marijuana Retailer. The property is located at 41 Route 6A, Map #26, Parcel #42.

Ms. Eickholt reported that she has reviewed the tape of the previous meeting on February 1, 2023, and is prepared to vote.

Attorney Victoria Dalmas with Senie & Associates, P.C. was present with Applicant’s CEO Shane Hyde, the project architect, Chris Drinan, and the project engineer, Tim Brady. Ms. Dalmas submitted the documents requested at the last meeting. Ms. Dalmas reviewed that the marijuana products will not be visible from outside, no use of the product on the premises, there is an extensive security plan, and no school within 500 feet.

Mr. Cole made the point that the ZBA permit is only valid for 3 years.

Mr. Mulligan moved; Mr. Cole seconded to approve the special permit. Messrs. Taub, Cole, Mulligan, and Ms. Eickholt voted aye; unanimously passed 4-0.

Meeting adjourned

Respectfully submitted by Jennifer Higgins