

Town of Orleans
Zoning Board of Appeals
Meeting Minutes – June 21, 2023

On Wednesday, June 21, 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, Matthew Cole, Bruce Taub, and Sibel Asantugrul, as well as Peggy O’Sullivan from MIS. Also, in attendance were Building Commissioner Tom Evers and Board Secretary Jennifer Higgins. The meeting was duly noticed. The meeting was called to order at 7:15 PM by Gerald Mulligan who chaired the meeting.

A. Old Business:

1. Review Decision for Case #2203/ LaMarco
2. Review meeting minutes from June 7, 2023

Mr. Taub moved; Mr. Cole seconded to approve the meeting minutes from June 7, 2023. Messrs. Mulligan, Taub, Cole, and Ms. Asantugrul voted aye; unanimously passed 4-0.

B. New Business:

1. **(Continued from June 7, 2023) Case #2201:** Seaside Court Condominiums, LLC has applied for a Special Permit as set forth in MGLA Chapter 40A, Section 6, under Orleans Zoning Bylaw Section 164-31 and 164-44. The applicant is seeking a special permit for a new nine-dwelling unit apartment development on a conforming lot. The property is located at 57 Locust Road, Map #26, Parcel #26.

Mr. Zehnder presented it on behalf of the applicant, Seaside Court Condominiums, LLC. Mr. Zehnder stated that the Case was heard by the Planning Board who unanimously voted to recommend the project. A discussion ensued about rental restrictions. Mr. Reilly has evidenced acceptance of a restriction that the units may not be rented for any period less than 30 days.

Doug Lecuyer and Laurie Lecuyer at 58 Locust Road had three concerns with how the conclusion was made that there will not be a change of character, no noise concerns, and no safety concerns.

Mr. Mulligan reported that the “Change of Character” is referring to a visual concern. The town of Orleans changed the bylaw specifically to bring greater density. Therefore, the visual character will change with the increase in density.

Mr. Zehnder reviewed the responses from his application for each concern that Doug and Laurie Lecuyer brought forward.

Mr. Mulligan proposed a condition to the approval, that there be a minimum of 30 days for a rental period and that it must be made part of the condominium documents. This allows for all purchasing parties to be aware of the conditions during the purchasing process.

Mr. Mulligans moved to approve the petition, subject to two conditions. The first is that any construction be done in accordance with the findings of the Architectural Review Committee. The second is that no unit be rented for less than 30days and that the documentation be

included in the condominium association. The condominium documents should be reviewed by the Building Commissioner prior to being finalized. Mr. Cole seconded the motion. Messrs. Mulligan, Taub, Cole, and Ms. Asantugrul voted aye; unanimously passed 4-0.

2. **(Continued from June 7, 2023) Case #2202:** Corestates Group C/O Stonefield Engineering & Design has applied for a Special Permit as set forth in MGLA Chapter 40A, Section 6, under Orleans Zoning Bylaw Section 164-11(e); special permit for drive-through use and 164 attachment 1 (footnote #4); special permit for creation of more than 2,500sq ft of GFA. The applicant is seeking to change a restaurant-use building into a bank with a drive-up ATM. The property is located at 9 West Road, Map #40, Parcel #7.
Due to a lack of voting quorum, the case was continued to July 5, 2023.

C. Administrative Matters:

1. The Board has agreed that if there is no regularly scheduled meeting due to a lack of a quorum or no items to address, then the Chairmen will send the decision via email for approval to not delay the process. An exception will be that any decision for a case with controversial or precedential issues will be held for review until the next meeting.
2. The Board began discussing in person meetings in the Skaket Room but will continue the discussion at the next meeting with more Board members will be in attendance.

Respectfully submitted by Jennifer Higgins