

Town of Orleans
Zoning Board of Appeals
Meeting Minutes – July 5, 2023

On Wednesday, July 5, 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, Lynne Eickholt, Sibel Asantugrul, Martin Szeber, and Austin Higgins 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 7:00 PM by Gerald Mulligan who chaired the meeting.

A. Old Business

1. Review of decision for Case #2201/Seaside Condominiums LLC.
2. Review of meeting minutes from June 21, 2023.
Mr. Cole moved; Mr. Taub seconded to approve the meeting minutes from June 21, 2023. Messrs. Mulligan, Taub, Cole, and Mses. Eickholt, Asantugrul voted aye; unanimously passed 5-0.

B. New Business

1. **(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.
Mr. Cole was recused from this Case and Mr. Szeber was appointed as Voting Member.**

Attorney Mark Bobrowski, Joshua Kline, P.E., and Kevin Kelly, architect, represented the Applicant. Mr. Kline reported that since the last hearing with the Zoning Board of Appeals, he met with George Meservey and Michael Solitro in the Planning Department to ensure that they are not in the Old King Highway District and confirmed that they do not need any further input from other Town Boards. Mr. Kline has updated the plans since the last hearing to accommodate the Site Plan Reviews concern about access for Emergency Vehicles. The updated plans show the driveway widths increased to 28’ to accommodate fire truck access.

Board Members inquired, among other things, about additional trees at the corner of the property; the availability of bicycle racks; the future of the existing gazebo; and an explanation of design changes made to allow for approval by the Architectural Review Committee.

Mr. Kelly shared his screen to show that Chase completely changed their design by using a different exterior material. Chase is using clapboard instead of fiber cement. Instead of a flat roof, a sloped roof with gables is proposed and multiple bay windows with white trim were added. The gooseneck lights will point down only, when normally they point both up and down.

Mr. Kelly stated that the Branch generally has 6 to 8 employees.

Ms. Eickholt moved; Mr. Taub seconded to approve the Special Permit for Change of Use. Messrs. Mulligan, Taub, Szeber, and Ms. Eickholt, Asantugrul voted aye; unanimously passed 5-0.

Mr. Taub moved; Mr. Mulligan seconded to approve the Special Permit for a Drive-Up ATM. Messrs. Mulligan, Taub, Szeber, and Ms. Eickholt, Asantugrul voted aye; unanimously passed 5-0.

2. **Case #2204:** Towhee Lane, LLC c/o Christopher J. Kirrane, Esq. has applied for a Special Permit as set forth in MGLA Chapter 40A, Section 6 under Orleans Zoning Bylaw Section 164-21(A) Note 5 and 164-44. The applicant is seeking to modify Special Permit Case # 2173, which changes the design of the approved home and reduces its size. The new design includes a pool and cabana. The property is located at 71 Towhee Lane, Map# 92, Parcel #60.

Mr. David Lyttle was present on behalf of the applicant Towhee Lane, LLC. The Applicant is proposing a smaller dwelling with a pool cabana. The new proposal results in a reduction of building coverage on the site of 1,381 s.f. The current special permit approved a building coverage of 5,890 s.f and the new owners are looking to have a total of 4,509 s.f building coverage. The two special permits are below the 15% building coverage. Mr. Lyttle stated that the Conservation Commission approved the proposed changes and issued an amended order of conditions. Proposed findings of facts were read, and a new site plan was shared.

There will be no changes made to the backyard and there is no current plan to change or alter the boat house. Any changes to the boat house will have to be brought to the Conservation Commission.

Mr. Cole moved; Ms. Asantugrul seconded to approve the special permit. Messrs. Mulligan, Cole, Higgins, and Ms. Eickholt, Asantugrul voted aye; unanimously passed 5-0.

C. Administrative Matters:

1. **Further discussion of in-person meetings.**

The Zoning Board of Appeals will meet in hybrid format in the Skaket Room at 7:00 PM beginning on July 19, 2023.

2. **Election of Board Officers.**

The Board voted unanimously to elect Gerald Mulligan as Chairman, Lynne Eickholt as Vice Chairman, and Sibel Asantugrul as Secretary for the new municipal year.

Respectfully submitted by Jennifer Higgins