


ORLEANS TOWN CLERK

Town of Orleans
Zoning Board of Appeals
Meeting Minutes – October 18, 2023

On Wednesday, October 18, 2023, the Orleans Zoning Board of Appeals convened via hybrid participation, with real-time public access provided by Orleans Channel 18 on the Town website and cable television.

In attendance were the members Gerald Mulligan, Sibel Asantugrul, Lynne Eickholt, Matthew Cole, and Austin Higgins as well as Peggy O'Sullivan from MIS. Also, attending 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.

A. Old Business:

1. Review of meeting minutes from October 4, 2023.
Mr. Mulligan moved; Mr. Higgins seconded to approve the meeting minutes from December 4, 2023.
2. Review of decisions for Case #2210/Old Tote Road, Case #2211/Herman, and Case #2212/Woodman.

B. New Business:

1. **(Continued from September 6, 2023 & September 20, 2023) Case #2208:** 56 Nauset Road Realty Trust, David V. Lawler, Trustee, has applied for a Special Permit as set forth in the MGLA Chapter 40A, Section 6 under Orleans Zoning Bylaw Section 164-44 and 164-21 A (Note 5). The Applicant is proposing the demolition of an existing dwelling and garage with the construction of a new residential dwelling. The property is located at 56 Nauset Road Map #22, Parcel #24.

Attorney Zehnder was present on behalf of the Applicant.

Built in 1920, the property is a pre-existing, non-conforming, single-family dwelling with a detached garage. It is non-conforming regarding minimum lot size, lot frontage, side setbacks, and building coverage. The applicant proposes demolishing both existing structures and constructing a new dwelling with an attached garage. The proposal cures the front setback non-conformity, slightly lessens the rear non-conformity, and leaves the side non-conformities unchanged but increases the building coverage non-conformity. The new dwelling will be conforming as to height. The numerous non-conformities are the result of a 9,600 sq. ft. residential lot that is unusually small for Orleans. The proposed new structure of 2,792 sq. ft. is well below the maximum of 4,000 sq. ft. allowed for a conforming residential lot and in line with other residences in the neighborhood.

Members deliberated about the size of the lot and the size of the dwelling over the course of the three hearings.

Mr. Mulligan moved; Mr. Higgins seconded to approve the special permit.

Messrs. Mulligan, Cole, Higgins and Mses. Asantugrul, Eickholt voted aye; unanimously passed 5-0.

C. Administrative Matters

1. Lynne Eickholt, the Board's representative to the Zoning Bylaw Task Force, reported on a recent meeting of the Task Force. She reported on Task Force discussion of several recurring issues of ZBA applications for zoning relief. Members engaged in extensive discussion of those issues and wanted to be informed of future Task Force

deliberations. Members thanked Ms. Eickholt for her willingness to represent the Board and for keeping the Board informed.

Meeting Adjourn

Respectfully submitted by Jennifer Higgins