

Approved
Wellfleet Zoning Board of Appeals
COA, 7:00 pm
Meeting Minutes of December 12, 2019

Attendees: Sharon Inger, Bruce Drucker, Manny Heyliger, Mick Lynch, Reatha Ciotti, Trevor Pontbriand, Wil Sullivan, and Christine Bates, Committee Secretary

Regrets: Jan Morrissey

Chair Sharon Inger called the meeting to order at 7:00 p.m.

7:00 pm

19-30 Barisano, 1115 Cahoon Hollow Road, Map 17, Parcel 10, Application for a Special Permit pursuant to M.G.L.c.40A, s. 6 and Bylaws 6.1.5 and 6.24 to alter a pre-existing, non-conforming single family residential dwelling within the Seashore Zoning District by removing the current structure and building a new dwelling. The Board consisted of Sharon Inger, Bruce Drucker, Mick Lynch, Manny Heyliger and Trevor Pontbriand. Attorney Ben Zehnder represented the applicant and stated this property has come twice before the Board. He gave a history of the previous applications, both of which were withdrawn. Attorney Zehnder gave an overview of the new design and stated the basement level is for storage. The National Seashore reviewed the project and stated they had no objection. The lot coverage will increase to 740 sq. ft. There will be no stairway to the basement. The dwelling will be closer to the abutter's property. Attorney Zehnder stated he feels this is a modestly styled house and blends with the neighborhood. Attorney Kimberly Bielan represented the abutter's, the Regan's. She stated the Regan's objection is that the dwelling will be 13' from the property line. She stated there is no improvement with the setback issues, the height of the dwelling will be 13' higher than the current dwelling. The lot coverage will increase from 17.6 % to 24.9%. The lot is only 3,000 square feet and the habitable area is increasing. She stated the bottom level could be, over time, habitable space and asked for a condition if granted. She stated there are environmental issues. Attorney Zehnder stated this project is actually smaller than was previously provided and which was withdrawn. Mick Lynch questioned if the abutter's house is a rental and Attorney Bielan stated she was not certain. Reatha Ciotti stated this structure is better than what is there now. Bruce Drucker stated he needs to determine if this is more detrimental to the neighbors and he hoped the two parties could work something out. Wil Sullivan asked what the setback is for the Regan's property line and Attorney Zehnder Ben stated he did not have that information. Mr. Sullivan wanted to know what the setback violations currently are, what are the proposed setback violations, and if the non-conformities increase. Attorney Zehnder stated the only options in this area is to go up. Trevor Pontbriand recommended keeping the dwelling in the same location and locate the septic in the back. There was discussion regarding the lower level due to the 7' height, washer/dryer, windows, and if it could be turned into habitable space. Will Sullivan questioned the definition of "what is the neighborhood". Mick Lynch stated he believes both properties are rentals in the summer. Attorney Zehnder requested a continuation to January 9, 2020. Mick Lynch moved to continue to January 9, 2020; seconded by Trevor Pontbriand; passed 5-0.

7:37 pm

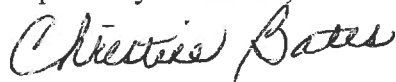
19-27 Davis's Corner LLC, 1446 State Highway, Map 30, Parcel 6: Application for a Special Permit under WZB 5.1 for retail use in Commercial District and WZB 6.3.13 for a development of significant impact (DSI). Cont'd. Mick Lynch and Trevor Pontbriand recused themselves. The Board consisted of Sharon Inger, Bruce Drucker, Reatha Ciotti and Wil Sullivan. Matt Christiani, Architect, representing the applicant came to the table. He stated the traffic analysis should be completed next week. Bruce Drucker reiterated the documentation & information the ZBA requires in order to make a decision (name of application vs. who is on the host agreement, parking issues resolved including a parking plan and calculation showing the required parking, calculations with square footage, hours of operation, traffic issues/safety, and ID of the principals (manager of company). Matt Christiani requested a continuation to January 9, 2020, assuming the project goes before the Planning Board and receives a recommendation. Several members of the board suggested to Mr. Christiani that the application be continued until February, but Mr. Christiani requested a continuation to January 9. Bruce Drucker moved to continue the hearing to January 9, 2020 at the request of the applicant's representative; seconded by Wil Sullivan, passed 4-0.

Meeting Minutes: Bruce Drucker moved to approve the amended November 14, 2019 meeting minutes; seconded by Trevor Pontbriand, passed 6-0.

Business: none

Bruce Drucker moved to adjourn at 8:00 pm; seconded by Trevor Pontbriand; passed 7-0

Respectfully submitted,

A handwritten signature in cursive script, reading "Christine Bates".

Christine Bates, Committee Secretary