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TOWN OF ORLEANS
TOWN CLERKS OFFICE

Orleans Zoning Board of Appeals
Minutes
July 1, 2009

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A meeting of the Orleans Zoning Board of Appeals was held in the Skaket Meeting Room at Town Hall. Present were Robert Osterberg, William Piersol, Steven Tarquini, Jimmy Dishner, Rolf Soderstrom and D. Beth McCartney. Board member William McCarthy, Jr. was absent. Building Commissioner Brian Harrison and Board Secretary Sandy Stewart were also present.

Chairman Osterberg called the meeting to order at 7:00 p.m.

Case #1879 (Continued)

Whitford Boyd, as set forth in MGL Chapter 40A, Section 8, has appealed the Building Commissioner's handicap access determination under Orleans Zoning Bylaw Sections 164-31, 164-3C(2), and has applied for a Special Permit and a Variance. The property is located at 219 Main Street, Orleans Map #36, Parcel #153.

Building Commissioner upheld. Variance request denied. Special Permit request denied without prejudice. See attached Decision.

Case #1884 (Continued)

GRS Investments, LLC, has applied for a Special Permit as set forth in MGL Chapter 40A, Section 6, under Orleans Zoning Bylaw Section 164-3C(2) and 164-21A (Note 5) for alteration of a pre-existing, nonconforming use from motel to apartment, and exceeding 4,000 square feet of building coverage. The property is located at 223 Beach Road, Orleans Map #38, Parcel 16-6.

Applicant's attorney Duane P. Landreth presented the application. Following much public input, on motion by Chairman Osterberg and seconded by Mr. Dishner, the Board unanimously approved continuance of the hearing on Case #1884 to July 15, 2009. Voting were Mr. Osterberg, Mr. Piersol, Mr. Soderstrom, Mr. Dishner, and Mr. Tarquini.

Case #1885

Miriam Kravitz has applied for a Special Permit as set forth in MGL Chapter 40A, Section 9, under Orleans Zoning Bylaw Section 164-4 and 164-13 to conduct a customary home occupation as an occasional medical laser treatment office. The property is located at 25 Monument Road, Orleans Map #42, Parcel #71.

Special Permit granted. See attached Decision.

Case #1886

Carol A. McCullough has applied for a Special Permit as set forth in MGL Chapter 40A, Section 6, under Orleans Zoning Bylaw Section 164-21C to remove a pre-existing,

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nonconforming dwelling and construct a new single-family dwelling on the same foundation and footprint. The property is located at 63 Briar Spring Road, Orleans Map #51, Parcel #36.

Special Permit granted. See attached Decision.

In other business, the Board considered a written request from Town Planner George Meservey. The Town requested that Case #1887, currently scheduled to be heard July 15, 2009, be continued to the Board's next regularly scheduled meeting on September 2, 2009. On motion by Chairman Osterberg and seconded by Ms. McCartney, the Board voted unanimously to continue hearing of Case #1887 from July 15, 2009 to September 2, 2009.

The Board also appointed officers for the coming fiscal year. On motion by Chairman Osterberg and seconded by Mr. Piersol, the Board voted unanimously to retain Mr. Tarquini as Board Clerk. On motion by Chairman Osterberg and seconded by General Dishner, the Board voted unanimously to retain Mr. Piersol as Vice Chairman. On motion by Mr. Piersol and seconded by Mr. Tarquini, the Board voted unanimously to retain Mr. Osterberg as Chairman.

On motion by General Dishner and seconded by Mr. Osterberg, the meeting was adjourned at 10:32 p.m.



Sandy Stewart
Board Secretary