

16 DeLory  
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Orleans Zoning Board of Appeals  
Minutes  
October 5, 2011

A meeting of the Orleans Zoning Board of Appeals was held in the Skaket Meeting Room at Town Hall. Present were Michael Marnik, William Piersol, Matthew Cole, D. Beth McCartney, and Greg DeLory. Mr. Rolf Soderstrom was absent. Building Commissioner Brian Harrison and Board Secretary Sandy Stewart were also present.

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

Case #1931 (Continued from July 20, 2011)

Eric and Kathleen Brehm applied for a Special Permit as set forth in MGL Chapter 40A, Section 6, under Orleans Zoning Bylaw Section 164-21 to raze and replace a pre-existing, nonconforming dwelling in violation of side set back requirements, and in the alternative, seek a Variance. The property is located at 18 Snow Shore Drive, Orleans Map #13, Parcel #8.

At the applicant's agent's request, on motion by Mr. Piersol, seconded by Mr. Cole, and unanimously approved by the Board, hearing on the case was continued to the next regularly scheduled meeting on October 19, 2011.

Case #1932

Garner LeStage has applied for a Special Permit as set forth in MGL Chapter 40A, Section 9, under Orleans Zoning Bylaw Sections 164-3C(1) and 164-21C to demolish a pre-existing, nonconforming dwelling and construct a new dwelling in violation of coastal set backs. The property is located at 12 LeStage Road, Orleans Map #56, Parcel #18.

Special Permit granted. See attached Decision. Documents reviewed include the original application, including the drawings, sheets A-1 through A-5 prepared by Karen Kempton, dated February 2, 2011, revised September 28, 2011; the Planting Plan drawn by Wilkinson Ecological Design dated June 2011; plans entitled "Proposed Dwelling and On-Site Sewage Treatment and Disposal System" prepared by Ryder & Wilcox, Inc., revised June 22, 2011 and September 28, 2011, two sheets; plan entitled "Resource Area Delineation Plan" filed October 5, 2011; and the Order of Conditions executed by the Town of Orleans Conservation Commission, recorded on July 25, 2011 with the Barnstable Country Registry of Deeds in Book 25538, Page 123. Documents are held in the permanent Zoning Board of Appeals case file located at Town Hall.

Case #1933

65 Old Colony Way, LLC has applied for a Special Permit as set forth in MGL Chapter 40A, Section 9, under Orleans Zoning Bylaw Section 164-13, Attachment 1:3 footnote (4), 164-38, and 164-44 to construct a commercial office building. The property is located at 65 Old Colony Way, Orleans Map #33, Parcel #44.

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At the applicant's attorney's request, on motion by Mr. Piersol, seconded by Mr. Cole, and unanimously approved by the Board, hearing on the case was continued to the next regularly scheduled meeting on October 19, 2011.

In other business, on motion by Mr. Cole and seconded by Mr. Delory, the Board voted 5-0-0 to approve minutes of the September 7, 2011 meeting as drafted.

On motion by Ms. McCartney and seconded by Mr. Marnik, the meeting was adjourned at 9:46 p.m.

Sandy Stewart  
Board Secretary