



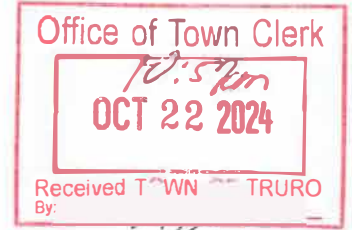
# TOWN OF TRURO

## ZONING BOARD OF APPEALS

Meeting Minutes

July 22, 2024 – 5:30 pm

REMOTE ZONING BOARD OF APPEALS MEETING



**Members Present (Quorum):** Chris Lucy (Chair); Darrell Shedd (Vice Chair); Dave Crocker; Art Hultin, Russ Braun

**Members Absent:**

**Other Participants:** Barbara Carboni-Town Planner and Land Use Counsel; Christopher J. Snow (Attorney and Applicant); Ben Zehnder (Attorney for Marie Belding and Pat Callinan-Abutters)

Remote meeting convened at 5:30 pm, Monday, July 22, 2024, by Chair Lucy. Town Planner and Land Use Counsel Carboni announced that this was a remote meeting which is being broadcast live on Truro TV Channel 8 and is being recorded.

**Public Comment Period**

Chair Lucy invited any individual who wished to comment and there were no public comments made.

**Public Hearing – Continued**

**2022-017/ZBA (VAR/SP) – Ebb Tide on the Bay Condominiums** for property located at 538 Shore Road (Atlas Map 7, Parcel 7, Registry of Deeds title reference: Book 5671, Page 232). Applicant seeks a Special Permit under M.G.L. Ch. 40A §6 and §30.7.A of the Truro Zoning Bylaw for the relocation of three non-conforming structures on a lot in the Beach Point Limited Business District.

Chair Lucy recognized Attorney Snow who provided an update and announced that this application be withdrawn without prejudice with a prompt refiling with the most recent and revised submitted plans 10 days ago. Attorney Snow said that this action was requested following an observation by Town Planner and Land Use Counsel Carboni who suggested that only four Full Members would be qualified to vote on this matter and the Applicant stated that he would like all Full Members to vote on this matter.

Town Planner and Land Use Counsel Carboni explained that this was a courtesy afforded to the Applicant so the matter could be heard by a Full Member board. This is a new application and a complete record will be maintained so that the Board will consider all when making its decision. Town Planner and Land Use Counsel Carboni noted that she and Planning Department Assistant, Liz Sturdy, will assist the Applicant in this refiling process.

**Member Hultin made a motion to allow the Applicant to withdraw the application without prejudice.**

**Vice Chair Shedd seconded the motion.**

**Discussion: Members agreed to waive the application fee for the Applicant.**

*Note: Town Planner and Land Use Counsel Carboni opined that Member Braun could not vote.*

**ROLL CALL VOTE:**

**Member Braun - Abstained**

**Vice Chair Shedd – Aye**

**Member Crocker – Aye**

**Member Hultin – Aye**

**Chair Lucy – Aye**

**So voted, 4-0-1, motion carries.**

**Board Discussion**

Chair Lucy led the discussion on the Election of Officers and noted that Member Braun was now sworn in as a Full Member. Town Planner and Land Use Counsel Carboni opined that the Members would have to offer individual motions for each officer nominated.

**Member Hultin made a motion for Chris Lucy to remain as Chair.**

**Vice Chair Shedd seconded the motion.**

**ROLL CALL VOTE:**

**Member Braun – Aye**

**Vice Chair Shedd – Aye**

**Member Crocker - Aye**

**Member Hultin – Aye**

**Chair Lucy - Aye**

**So voted, 5-0-0, motion carries.**

**Member Hultin made a motion for Darrell Shedd to remain as Vice Chair.**

**Chair Lucy seconded the motion.**

**ROLL CALL VOTE:**

**Member Braun – Aye**

**Vice Chair Shedd – Aye**

**Member Crocker - Aye**

**Member Hultin – Aye**

**Chair Lucy - Aye**

**So voted, 5-0-0, motion carries.**

**Chair Lucy made a motion to nominate Dave Crocker as Clerk.**

**Vice Chair Shedd seconded the motion.**

**ROLL CALL VOTE:**

**Chair Lucy - Aye**

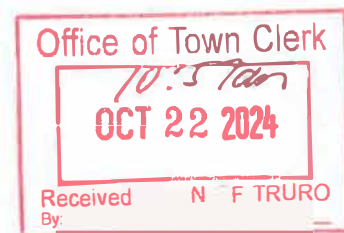
**Member Braun – Aye**

**Vice Chair Shedd – Aye**

**Member Crocker - Aye**

**Member Hultin – Aye**

**So voted, 5-0-0, motion carries.**



Chair Lucy led the discussion on hybrid meetings with input from Town Planner and Land Use Counsel Carboni who said that the Members may decide as to whether to hold in-person or hybrid meetings as the ZBA is a regulatory board. Town Planner and Land Use Counsel Carboni also noted that the Town of Truro was still operating under the suspension of rules due to COVID-19. The suspension of rules is set until March 2025. A quorum does not have to be present or a chair present for an in-person meeting.

The Members and Town Planner and Land Use Counsel Carboni discussed or commented on the following highlighted topics: the pros and cons of in-person and hybrid; the impact on Applicants; the ease of distribution of revised Site Plans to the Members in a hybrid setting versus an in-person environment; the limitations of in-person only meetings and the affect on Applicants who don't live locally; and Town staff has started the recruitment for the 2 Alternate Members.

### **Next Meeting**

Chair Lucy announced that the next meeting would be held on Monday, August 19, 2024 at 5:30 pm. There were no other items added to the meeting agenda.

**Member Braun made a motion to adjourn at 5:53 pm.**

**Member Crocker seconded the motion.**

**ROLL CALL VOTE:**

**Member Braun – Aye**

**Vice Chair Shedd – Aye**

**Member Crocker - Aye**

**Member Hultin – Aye**

**Chair Lucy - Aye**

**So voted, 5-0-0, motion carries.**

Respectfully submitted,



Alexander O. Powers

Board/Committee/Commission Support Staff

