



TOWN OF DUXBURY
BOARD OF APPEALS

DUXBURY BOARD OF APPEALS
MEETING MINUTES
March 23, 2023 @ 7:00 p.m.

TOWN CLERK
2023 APR 14 PM 12:09
DUXBURY, MASS.

ATTENDANCE: Judith Barrett, Emmett Sheehan, Philip Thorn, and Borys Gojnycz

Other persons present at the hearing: James Wasielewski, Director of Municipal Services & Lauren Haché, Principal Assistant

CALL TO ORDER: Judith Barrett called the meeting to order and reads the Governor's Preamble: Pursuant to Governor Baker's Chapter 20 of the Acts of 2021 dated June 16, 2021, An Act of Extending Certain COVID-19 Measures Adopted During the State of Emergency regarding suspending certain provisions of the Open Meeting Law, , G.L. c. 30A, §18, the Town of Duxbury's Board and/or Committee meetings will be conducted via remote participation to the greatest extent possible with members. For this meeting, members of the public who wish to watch the meeting may do so by viewing the Duxbury Government Access Channels – **Verizon 39 or Comcast 15**. Viewers can visit www.pactv.org/duxbury for information about Duxbury programming including streaming on Duxbury You Tube, to watch replays and Video on Demand.

ZBA Case #2022-10, Old Myrtle Street LLC, Keene's Mill Village, 0 North Street: *The Board voted to unanimously (4-0) to continue the public hearing to April 27, 2023.*

ZBA Case #2023-03, Bolze, 326 Marshall Street: *The Board votes unanimously (4-0) to approve the special permit as requested.*

Emmett Sheehan moves to approve special town counsel invoice from Mead, Talerman and Costa. Judith Barrett Seconds.

Emmett Sheehan makes a motion to approve the minutes from December 1, 2022. Judith Barrett seconds

Emmett Sheehan makes a motion to approve the minutes from January 12, 2023. Judith Barrett seconds

Emmett Sheehan makes a motion to approve the minutes from January 26, 2023. Judith Barrett seconds

Emmett Sheehan makes a motion to approve the minutes from February 9, 2023. Judith Barrett seconds

Emmett Sheehan moves to adjourn. Judith Barrett seconds.

BOARD OF APPEALS MINUTES

Case No: 2023-03

Petitioner: Stephen and Alicia Bolze

Address: 326 Marshall Street

Date: March 23 , 2023 Time: 7:00 p.m.

Members present: Judith Barrett (CPT), Emmett Sheehan, Philip Thorn, and Borys Gojnycz

Members Voting: Judith Barrett, Emmett Sheehan, Philip Thorn, and Borys Gojnycz

Other persons present at the hearing: Jim Wasielewski, Building Commissioner and Lauren Haché, Principal Assistant

- Judith Barrett opens the public hearing and reads the public hearing notice and states we have
- Michael Tartamella with Patrick Ahearn Architects, the Architect for the proposal, presented the request, stating the coverage is one square foot under what is allowable by special permit, the extra 3%. We are also proposing a less non-conforming dwelling in terms of side and rear setbacks. Mr. Tartamella states that they were endorsed by the Historical Commission as well and they decided a public hearing wasn't necessary.
- Judith Barrett states great, does the Board have any questions
- Emmett Sheehan and Borys Gojnycz states this is a beautiful proposal
- Judith Barrett reads the case response memos from the Planning Board, the Design Review Board and the Board of Health-which states that there is a deed restriction due to ground water separation.
- Michael Tartamella states we are working on that; the clients have scaled back and will maintain the 2 bedroom deed and will no longer propose a basement bedroom
- Philip Thorn states so the current design won't change
- Michael Tartamella confirms
- Philip Thorn states were there any letters from abutters Lauren?
- Lauren Haché state no
- Emmett Sheehan made a motion to close the public hearing
- Philip Thorn seconds
- All in favor JB, ES, PT, BG
- Emmett Sheehan moves to approve the special permit subject to the removal of the basement bedroom
- Philip Thorn seconds
- All in favor JB, ES, PT, BG

Motion: It was moved, seconded and voted (4-0) to close the public hearing.

Moved by: ES

Seconded by: PT

Number in favor: 4

Number opposed: 0

Motion: It was moved, seconded and voted (4-0) to approve the special permit as requested.

Moved by: ES

Seconded by: PT

Number in favor: 4

Number opposed: 0