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TOWN OF DUXBURY

BOARD OF APPEALS

DUXBURY BOARD OF APPEALS
MEETING MINUTES
February 11, 2021 @ 7:30 p.m.

ATTENDANCE: Wayne Dennison, Judith Barrett, Kathleen Muncey, Freeman Boynton Jr., Emmett Sheehan & Philip Thorn
Other persons present at the hearing: James Wasielewski, Director of Municipal Services, Lauren Haché, Administrative Assistant

CALL TO ORDER: Wayne Dennison called the meeting to order and reads the Governor's Preamble: Pursuant to Governor Baker's March 12, 2020, Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020, Order imposing strict limitation on the number of people that may gather in one place, 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. To watch a meeting live on PACTV's streaming channel, PACTV Prime, visit www.pactv.org/live . To watch replays of a meeting, visit www.pactv.org/duxbury or to watch online visit PACTV's Video on Demand at www.pactv.org/ondemand . NO IN-PERSON ATTENDANCE OF MEMBERS OF THE PUBLIC WILL BE PERMITTED. Every effort will be made to ensure that the public can adequately access the proceedings to the best of our technical abilities; and despite our best efforts due to lack of technical infrastructure, this meeting will be available on PACTV to view a video recording and a transcript or other comprehensive record of proceedings as soon as possible after the meeting.

ZBA Case #2020-03, Larkin, 10 Pine Point Place (CONT'D): *The Board moved to grant the withdrawal request without prejudice. All in favor (4-0).*
ZBA Case #2020-26, Murphy, 93 Abrams Hill: *The Board voted to continue the Public Hearing to March 11, 2021.*
ZBA Case #2020-27, O'Connor, 221 Washington Street: *The Board voted to continue the Public Hearing to March 11, 2021.*
ZBA Case #2021-01, Hyer, 225 King Caesar Road: *The Board voted to continue the public hearing to February 25, 2021.*

Administrative
Webster Point Village: *The Board voted unanimously to approve the invoice for legal fees incurred.*

ZBA Case# 2021-23A, Ulich & Plank, 174-178 Marshall Street: *The Board voted unanimously (4-0) to approve the Reciprocal Agreement set forth, as it satisfies condition No. 5 in Special Permit Decision 08-05.*

Wayne Dennison made a motion to approve meeting minutes from December 10, 2020. Emmett Sheehan seconds. (5-0)

The Board voted unanimously to close the public hearing

BOARD OF APPEALS — MINUTES

Case No: 2020-26
Petitioner: Murphy
C/O Chris Leamy, Duxbury Construction
Address: 93 Abrams Hill
Date: February 11, 2021 Time: 7:30 p.m.

Members present: Wayne Dennison, Judith Barrett, Kathleen Muncey, Emmett Sheehan & Philip Thorn
Members Voting: Wayne Dennison, Judith Barrett, Kathleen Muncey, Emmett Sheehan & Philip Thorn
Other persons present at the hearing: James Wasielewski, Director of Municipal Services & Lauren Haché, Administrative Assistant

- Wayne Dennison opens the Public Hearing and reads the public hearing notice, the contents of the application, the plot plan for a proposed seasonal pier, a memo from the Board of Health with no comments, a memo from the Planning Board that they took a unanimous vote to defer to the ZBA, but that they did not see any zoning issues and a memo from Joe Grady, the Conservation Director stating that the Applicant has filed with the Conservation Commission and the Orders of Conditions were received. Lauren have we received anything else?
- Lauren Haché states yes, we received a memo from the Design Review Board stating this is the first pier proposal to be built in the Blue Fish River area, Mr. Boynton walked the committee through the site and explained the proposed pier to the Board. The Board does suggest wooden handrails rather than metal, so that they shine less in the sunlight.
- Chris Leamy, the Applicant's Agent, present the seasonal boardwalk proposal to the Board and shares his screen. This design of a seasonal pier helps to create the least impact on the salt marsh, as we worked with Con. Comm. We did consider wooden hand rails, but after working through that, the wooden hand rails would be too heavy to move seasonally, where aluminum would be much easier to remove etc. The proposed pier will not be required to file with the State of Massachusetts subject to Chapter 91, due to the pier's height being over the mean high water elevation. The float and the gangway only, we have determined with Mass DEP waterways will need to be registered annually with the Harbormaster. Mr. Leamy continues that part of the pier is proposed to cover a shared use or right of way or a 20 foot wide right of way. We designed these helical piles to avoid the shared walkway. The aluminum gangway would be 30 feet and then the float. So, there is a fixed footing leading to the pier and then the helical piles that can be removed seasonally, leaving a small cap where the helical pile.
- Wayne Dennison asks how are people going to use the 20 foot wide public way when the pier is there.
- Mr. Leamy states we did work with the Conservation Commission with this regard and we did decide that they can go up the stairs and over and across. The pier is only 28 inches off the ground, so not a large step. Or they can avoid it
- Kathleen Muncey states but do they have to trespass on property to avoid it
- Mr. Leamy states technically yes, by about 2 feet. The homeowner is perfectly fine with that
- Emmett Sheehan states what about building steps for them to walk up and over

- Mr. Leamy states, well we did discuss this, but resulted with this
- Emmett Sheehan states is this strand public?
- Mr. Leamy states it should be assumed, yes
- Kathleen Muncey states are the steps permanent or do they get removed as well?
- Mr. Leamy states they are removable
- Wayne Dennison states and that concrete footing was approved by Conservation Commission
- Chris Leamy states yes, this plan was approved by Conservation
- Emmett Sheehan states why seasonal, why not leave it in. Why is Con Comm requiring this
- Chris Leamy states just to have this be the lowest feasible impact
- Chris Leamy states another concern is ice
- Emmett Sheehan states I understand
- Chris Leamy states it's low enough to not require a hand rail
- Emmett Sheehan states how deep d these helical piles go
- Chris Leamy states 6-8 feet
- Wayne Dennison states so part of the requirements that we are supposed to look at, are 404.20, the same issue the Design Review Board raises, 404.20 #7 Piers, Floats and Gangways must be made principally out of wood or other materials of a color and reflective quality similar to natural wood. The gangway is fully aluminum, the float will be wood?
- Chris Leamy states yes
- Wayne Dennison asks the what is the decking
- Christ Leamy states it is astro-dock, ventilated docking with 25% light penetration
- Wayne Dennison states into the salt marsh
- Chris Leamy states yes, we fully understand this. This is what we came up with based on conversations and concerns with ice, the desire to have it removable.
- Emmett Sheehan states so Wayne are you saying that this doesn't jive with the Bylaw
- Wayne Dennison states yes, it appears to me so
- Judith Barrett states yes, that's the issue we have the Bylaw stating one thing and Conservation may be comfortable with something else
- Kathleen Muncey states what color plastic is this
- Chris Leamy states I believe off white
- Kathleen Muncey states not wood like
- Chris Leamy states not particularly
- Chris Leamy shows his screen with the helical pile
- Wayne Dennison states I personally don't have any issue with the helical piles
- Kathleen Muncey states what part is wood
- Chris Leamy states just the float
- Kathleen Muncey states just the float, everything else is aluminum
- Chris Leamy states that is correct
- Wayne Dennison states that the language of this is so direct in the Bylaw
- Judith Barrett agrees
- Wayne Dennison states that doesn't give us a lot of options
- Emmett Sheehan states I get the aluminum
- Chris Leamy asks how do we reconcile that with the seasonal aspect of this

- Wayne Dennison states in terms of reconciling, frankly what we do is something different than what Conservation does, so sometimes issues like this may require a little back and forth, my recommendation is to redesign and go back to the Con. Comm.
- Chris Leamy states might I suggest an alternative that will most likely require us to go back to Con. Comm. anyways, but what about camouflage or i.e. panting this a color that is wood like, to achieve the esthetic concerns
- Judith Barrett states the Bylaw doesn't state it has to be wood, it states made principally out of wood or other materials wood like in color and reflective quality
- Chris Leamy states that is certainly something we are willing to do
- Emmett Sheehan states men can't go lift a 20 foot span made out of wood seasonally
- Judith Barrett states that there is room in there for an alternative material
- Emmett Sheehan states there are ones on King Caesar that are powder coated to a color that satisfied everyone, 2 King Caesar was one, maybe that's a suggestions. Freeman used to have one that was green
- Chris Leamy states I agree
- Wayne Dennison states I would suggest trying to figure out from the manufacturer to get this thing to comply with 404.20 and we can continue and come back with a revised product
- Chris Leamy states that is a very reasonable change and not impossible as well
- Kathleen Muncey states I am mildly concerned with putting a barrier on a public way and you can go around, but in private property. Is there a way to put stairs to go up and over
- Chris Leamy states yes, I can look into that. Given that that is unstable, what is your opinion of cutting to the left or right of the pier, a detour if you will
- Emmett Sheehan states I like Kathleen's idea of a set of stairs so that they can go up and over. And who knows, the next owner could say no, I don't want you on my property
- Kathleen Muncey agrees
- Jim Wasielewski states can I chime in, I am glad Kathy brought in the idea of access within the public way. If that home is sold, that could change the walking on private property. Also, when the helical piles are removed, is there a cap to avoid injury
- Chris Leamy states yes, loud and clear, we can address that moving forward
- Emmett Sheehan states I think you are close, just a few tweaks
- Wayne Dennison states I would suggest we should continue this, how long do you think you need Chris
- Chris Leamy states not too long, maybe 2 weeks.
- Kathleen Muncey states do you need to consult with conservation again though
- Chris Leamy agrees that is true with regard to the stairs, they like to know about any minute changes, so I suppose to be safe, four weeks
- Wayne Dennison states how about a month
- Lauren Haché states March 11th
- Wayne Dennison states I move
- Judith Barrett seconds
- WD, JB, KM, ES
-

Motion: It was moved, seconded and unanimously voted to continue the public hearing to March 11, 2021 at 7:30pm.

- **Moved by: WD** **Seconded by: JB**
- **Number in favor: 4** **Number opposed: 0**

BOARD OF APPEALS — MINUTES

Case No: 2020-27
Petitioner: O'Connor
C/O Deborah Keller with Merrill Engineers
Address: 221 Washington Street
Date: February 11, 2021 Time: 7:30 p.m.

Members present: Wayne Dennison, Judith Barrett, Kathleen Muncey, Freeman Boynton Jr., Emmett Sheehan & Philip Thorn

Members Voting: Wayne Dennison, Judith Barrett, Kathleen Muncey, Freeman Boynton Jr., Emmett Sheehan & Philip Thorn

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

- Wayne Dennison opens the Public Hearing and reads the public hearing notice, the contents contain the application, plot plan, architectural plans and photographs. We have received a number of correspondence from various Boards including Conservation Commission stating there are no wetlands and no areas in concern, a memo from the Planning Board deferring to the ZBA, a memo from the Board of Health stating prior to signing off on this project, they will need a passing Title V report, which is required for any addition over fifty square feet.
- Lauren Haché reads the Planning Board memo deferring judgement to the ZBA and then reads the memo from the Design Review Board stating the Board concludes that the proposals increase in nonconformities, while these are modest increases, no reasons were given for the rational of the addition and we wonder if the increase could be at another area of the home. The design is tasteful and in keeping with the neighborhood.
- Wayne Dennison reads an email from Abutters Kazinski of 11 Friendship Lane in full support, a letter from the Fuchs at 241 Washington Street in support and letter from the Dineen's at 206 Washington Street and James Kirkam at 246 Washington Street both in support.
- The Applicants Agent, Deb Keller with Merrill Engineers, explains the project and calculations of coverage for the Board. The structure is non-conforming for its side setback on Friendship Lane. If we did take the Design Review Boards recommendation of moving the addition, we would have to relocate the drive way. We are reducing the side setback by 2.4 feet.
- Emmett Sheehan states so you are becoming less non-conforming
- Deb Keller states yes, that is correct
- Wayne Dennison states no, you're becoming more non-conforming
- Deb Keller states yes, getting closer to Friendship Lane
- Judith Barrett states Deb would it be a problem to bring this up on screen share so we can all see this plan
- Emmett Sheehan states sorry I got confused
- Deb Keller states I apologize and shares her screen

- Judith Barrett states so we're not creating a new non-conformity, we're exacerbating an existing one
- Deb Keller states correct
- Wayne Dennison states so the way that this structure non-conforms is that it's too close to Friendship Lane now and it's already got more lot coverage than it's supposed to have, correct
- Deb Keller states yes, that is correct. Lot coverage is 16.4% and this would bring us to 16.8%. The existing setback to Friendship Lane is 26.4 feet and will go to 28.9 feet
- Wayne Dennison states so, just for everyone's attention, the issue about expanding an existing non-conformity, was addressed a year and half ago by the Supreme Judicial Court. Pre-existing, non-conforming structures may be extended or altered as long as no extension or alteration should be substantially more detrimental
- Judith Barrett states so we have to make two findings Wayne, one does this substantially increase the non-conformity of the structure and the second, then the Board can't grant the special permit unless the Board finds that this extension or alteration is not more detrimental to the neighborhood. We can do that because it's a single or two family home
- Kathleen Muncey states are there multiple non-conformities in that court ruling
- Wayne Dennison states that doesn't matter
- Judith Barrett states that the Court was generous and lets the Board make those decisions
- Kathleen Muncey states has a special permit ever been issues for this property before, I think there have been several additions over the years
- Emmett Sheehan states is this the old Griffin house
- Kathleen Muncey states I think it is, how did this get to be over, if there were recent additions
- Emmett Sheehan states I know the garage was added in the last ten years
- Deb Keller states I am not sure, I didn't see any requests
- Emmett Sheehan states Lauren are there any special permits on this property
- Lauren Haché states I am not sure
- Judith Barrett states that is a really good questions, maybe Lauren we should look into to this moving forward
- Wayne Dennison states I agree
- Kathleen Muncey asks if there were any changes in coverage
- Deb Keller states when she viewed the building card, the garage was the main expansion
- Emmett Sheehan agrees
- James Wasielewski states in 2000 the new garage was put in
- Wayne Dennison states Jim, any idea how they got over 15%
- Jim Wasielewski states no idea
- Emmett Sheehan I am sure they didn't need one back then
- Kathleen Muncey states did the percentage coverage change since 2000
- Judith Barrett states I don't know

- Amy McNab states Mr. Chairman I would love to weigh in on this, the site coverage part of the Bylaw did not change in the last rewrite
- Wayne Dennison states I am not fully comfortable with this pre-existing, nonconforming status in terms of the coverage, I am not troubled that it is a little closer to Friendship Lane
- Emmett Sheehan states I am troubled how they got this garage and it is over the 15% without a special permit
- Kathleen Muncey states Jim can you tell what the size of the garage is now and what it was before
- Jim Wasielewski states the demolished garage was 14' x 20' and the new garage is 24' x 34'
- Deb Keller states when we surveyed this we have 895 sq. ft. for the garage
- Wayne Dennison states ok, that was interesting to me, if you add 895 to the other structure 1854, we don't get to the 3400 referenced in your building coverage calculations
- Deb Keller states when we do lot coverage we add overhangs, portocos and porches etc.
- Wayne Dennison states no body factored in the overhangs
- Emmett Sheehan states they never used to
- Wayne Dennison states are there other questions or general public looking to speak
- Wayne Dennison states Amy, do you have a take on this
- Amy McNab states I am listening and I appreciate the sharing screen, but I can shed no light on what happened with the site coverage increase. I defer to you guys, but it is a little troubling.
- Wayne Dennison states ok, thank you.
- Judith Barrett states so, I don't try to do the math, what is the coverage with the prior garage.
- Kathleen Muncey states 280 sq. ft. was the old garage and the new one is 895 sq. ft.
- Emmett Sheehan states we need more numbers
- Judith Barrett states yes, I think we need more information
- Deb Keller states the difference is 615 sq. ft. between the garage
- Judith Barrett states but what would the coverage be
- Deb Keller calculates, the existing would be 2808, which I divide 20,903 so it drops it down to 13.4%
- Deb Keller states would there be any consideration since this owner is new
- Judith Barrett states no, no in perspective to zoning, they were created by the previous home owner
- Deb Keller states I can circle back with Jim W to crunch the numbers
- Wayne Dennison states yes, we will need more history here to understand this, you may need a variance
- Wayne Dennison states how much longer do you need for time
- Emmett Sheehan states March 11th
- Wayne Dennison moves to continue to March 11

- Emmett Sheehan second
- WD, JB, KM, ES

Motion: It was moved, seconded and unanimously voted to continue the public hearing to March 11, 2021 at 7:30pm.

- **Moved by: WD** **Seconded by: JB**
- **Number in favor: 4** **Number opposed: 0**

BOARD OF APPEALS — MINUTES

Case No: 2021-01
Petitioner: Hyer
C/O Paul Brogna, Seacoast Engineering
Address: 225 King Caesar Road
Date: February 11, 2021 Time: 7:30 p.m.

Members present: Wayne Dennison, Judith Barrett, Kathleen Muncey, Freeman Boynton Jr., Emmett Sheehan & Philip Thorn

Members Voting: Wayne Dennison, Judith Barrett, Kathleen Muncey, Freeman Boynton Jr., Emmett Sheehan & Philip Thorn

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

- Wayne Dennison opens the public hearing and reads the public hearing notice, states that we have received an application, plot plan, drawing and photos. The Chairman continues to state that the Board has received several comments from other Boards, noting that the Conservation Commission Director Joe Grady states the orders of conditions have already been issued, the Board of Health has no comment, The Design Review Board indicates that at their meeting they discussed the design with the Applicant and conversation that the new pier replaces a pre-existing pier that was washed away years ago and overall they recommend the pier to the ZBA. Some materials that reflect the approval for the prior pier are also in here, is that right Lauren
- Lauren Haché states yes, the paperwork from the Registry of Deeds
- Kathleen Muncey states but we only got the first page, without a date or expiration date
- Wayne Dennison right, we couldn't figure out what they were even approved for, but we can ask the Applicant that. Lauren, were there other submissions
- Lauren Haché states there is also a memo from the Planning Board as well, stating the Planning Board voted to defer judgment to the ZBA
- Wayne Dennison states alright, let's hear from the Applicant
- Paul Brogna with Seacoast Engineering presents the application and explains the project. This is replacing the pier that washed away from a storm in 2019. Mr. Brogna explains that he was only allowed to print the first page of the Registry of Deeds document, but that this proposed replacement pier is a lot smaller at 4 feet wide and 70 feet long from the seawall. I will be happy to head to the Registry of Deeds when they re-open and get the original documentation.
- Kathleen Muncey states I have it Paul, I have it up on my screen, page 108, I am reading it
- Paul Brogna states it definitely is from 1960
- Kathleen Muncey states yes, October 31st
- Judith Muncey asks Kathleen to screen share the plan
- Paul Brogna states can you see it
- Lauren Haché states I can share my screen Paul, if you would like

- Paul Brogna states good, thank you and continues his presentation explaining the proposal on the screen and states a new 25 foot aluminum gangway and a future new float 20 x 10. When the pier washed away in 2019, the gangway and float survived and the Hyer's would like to continue to use the existing wooden gangway and wooden float until they meet their demise. I should say and ultimately rebuild the gangway and float to meet the dimensions listed in Bylaw and that the Conservation Commission approved. We are basically permitting the future gangway and float. The old pier had a concrete slap, so we have proposed to leave the concrete slabs there and place the new piles in areas in between the concrete slabs to disturb as little as possible.
- Wayne Dennison states Paul how big is the existing float that you want to repurpose
- Paul Brogna states Frank can you answer that question please, I have not seen the float
- Wayne Dennison states the question is whether it's more than 200 square feet
- Paul Brogna states well, at this point in time the float before you is 200 square feet, so if it is anything less than that we can use it and if it is bigger, then we will have to come back to Mr. Wasielewski to further review it.
- Emmett Sheehan states you would have to come back to us
- Paul Brogna states presumably, yes
- Emmett Sheehan states well 200 Square feet is what is allowed right?
- Paul Brogna states yes, no more than that
- Emmett Sheehan states I have to assume it's got to be larger. So you are looking to grandfather this larger float until it's no longer usable, which I understand, they paid a lot of money for that. So the curious question is how big is it
- Paul Brogna states I don't know and don't want to guess
- Emmett Sheehan states what did Conservation say
- Paul Brogna stated we proposed the 10 x 20 and we didn't discuss the use of the old float
- Frank Hyer states the original float is 16x16
- Emmett Sheehan states oh so it's smaller
- Jim Wasielewski states that is actually 256 square feet
- Frank Hyer states well, it was taken out right after the storm
- Paul Brogna states let me ask this question, Jim if an existing pier has an old license, does a new pier require a special permit
- Jim Wasielewski states, does that original license give the dimensions of that original float from 1960
- Kathleen Muncey states there is a plan on record
- Frank Hyer states listen, I am 87 years old and have done without a dock for two years and I can't pick my wife up and get her onto a boat, so I will put in whatever you want me to put in. Life is too short to go through all of those details. We'll make it exactly the way Paul has deigned it and we can dump the old equipment and would like to get this thing going. I don't have too many years left
- Paul Brogna states Frank, how old is the old float
- Frank Hyer states he isn't sure but this was rebuilt since the 80's when I bought the house
- Emmett Sheehan states honestly I would personally approve this float and condition the permit so that any future floats have to be 10 x 20
- Frank Hyer states that would be great, I just want to get this built for the summer

- Wayne Dennison states that the Bylaw says that the floats shall not exceed 200 square feet unless permitted by the Duxbury Conservation Commission and the Duxbury Harbor Master
- Frank Hyer states I will pay for a new float, at this time of life, I just want to get back on the water
- Wayne Dennison states well, I think we found a loophole, the Bylaw states that a reconstruction of a pre-existing residential pier does not need to comply with the above requirement, however the reconstructed pier shall conform to these requirements as much as the pre-existing one did.
- Kathleen Muncey states I think we are good
- Emmett Sheehan states I think we're okay
- Paul Brogna states when we do the as builts for Joe Grady's purposes, we add up the total area of coverage. We'll save over 100 sq. feet. So the total square feet is less
- Emmett Sheehan states you're negative 44 square feet for the benefit of the resource area
- Wayne Dennison states I think we're good but states Paul, the height of the pier should not exceed 15 feet, but you say it does
- Frank Hyer states is this pier at a different level than the other one was
- Paul Brogna states in all honesty I don't know, we never surveyed the old pier
- Frank Hyer explains how the old pier was constructed
- Wayne Dennison states I just want to understand why it's 15 feet over the water
- Paul Brogna explains that they are planning for the future change of the zoning bylaw and I have to apologize for that. I will have to change this to the 15 feet, I agree, unless we can find some information that states the pre-existing one was over 15 feet high. The Bylaw because it's not over saltmarsh, I cannot go any higher
- Judith Barrett states right
- Wayne Dennison states that the supplemental checklist, you agree that you are proposing this doesn't comply with the Bylaw
- Paul Brogna states, we will drop it down to 15 feet =, even though professionally I don't agree
- Emmett Sheehan states for ease of permitting, you should re do that
- Paul Brogna states I agree, we will change this down to 15 feet
- Emmett Sheehan states why don't you propose to re-draw this to 15 feet and we can let you use the old float, what does the Board think
- Judith Barrett sttes well, we have to have a plan
- Emmett Sheehan states I said contingent upon a new plan
- Judith Barrett states the problem is people will want to see the plan before we vote on it
- Emmett Sheehan states we can be assured that Jim Wasielewski won't let this thing be built above 15 feet, right Jim?
- Jim Wasielewski states yes
- Emmett Sheehan states then we don't have to continue this thing another month and as we all know, if you don't have your pier contractor out pretty darn soon, you're going to miss the season
- Frank Hyer states yes, please if I can get approved by March, I will pay a guy right now to get him on schedule
- Emmett Sheehan states I understand that
- Frank Hyer states we just build one next door to me at Jim Garrett's house and Bracket Dennison on the other side with an identical pier

- Emmett Sheehan states so how does the Board feel with what I have said
- Kathleen Muncey states, otherwise it's identical to the drawing, just the height
- Frank Hyer asks where is this dimension
- Paul Brogna states it should be on page 3 and 4
- Jim Wasielewski states sheet 3
- Emmett Sheehan states the Bylaw states 15 feet, you're drawn at 16 feet, so we can't approve it
- Frank Hyer explains the stringer is showing where the exact same elevation of where the old pier was
- Paul Brogna states I don't know what the old pier was. We don't have salt marsh here to push that pier up and protect it.
- Wayne Dennison states are there other questions from the Board or Members of the Public
- Kathleen Muncey states I just emailed you the plan that is on record, I can't read it
- Paul Brogna, here is what I suggest, if we continue for two weeks, we can update the plan and look at the legal documents and come back and we can put it all to bed. We shouldn't lose any time in construction
- Frank Hyer states ok, I want to schedule a guy in March
- Emmett Sheeham states lock him in, we will be approving this
- Judith Barrett states yes, we just want a correct plan to document this on record, then it will be approved no problem.
- Paul Brogna states yes, this sounds great, I will get this information over to Lauren Hache
- Frank Hyer states who build the Garrett's pier next to me, Paul do you know
- Wayne Dennison states why don't we move to continue this to February 25, 2021
- Emmett Sheehan seconds
- WD, ES, JB, KM

Motion: It was moved, seconded and unanimously voted to continue the public hearing to February 25, 2021 at 7:30pm.

- **Moved by: WD** **Seconded by: ES**
- **Number in favor: 4** **Number opposed: 0**