Zoning Board of Appeals – Public Hearing

Direct web access: https://zoom.us/j/92501267407?pwd=dVVscTNuZlJItnLdRUpiQ0JxSjAxQT09
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Tuesday August 4th, 2020 7:00 p.m.

**Members Present:** David Lavenburg (Chair), Ellen Freyman, Marissa Komack, Steve Bennet, Jane Mantolesky, Jim Tourtelotte.

**Members Absent:** Michael Michon, Jerry Plumb, Suzanne White.

**Applicants Present:** David & Laura Kattan, Richard & Josie Camerota.


The **ZBA Hearing** was called to order at 7:24 p.m. by Chair David Lavenburg. The delay was caused by the power outages unfolding on portions of the town due to the effects of Tropical Storm Isaias, which began affecting the region with strong winds and rain in the hours leading up to the meeting.

**Continuation - Petition #2020-5 – Special Permit (Keeping of Domestic Fowl) for 397 Williams St., Richard & Josie Camerota:**

The storm continued to affect the town’s power and telecommunications infrastructure, thus hampering the opportunity of some board members and abutters to log into the call. While Attorney Beglane represents a number of abutters opposed to the petition, he is unable to confirm whether they can or will participate in the call or whether he can speak on their behalf. With the applicant’s acceptance, Chair Lavenburg made a motion, and was seconded by Ms. Mantolesky, to continue the hearing of this petition to a future date in order to ensure adequate meeting access to all individuals that have had ongoing participations throughout the course of this case. Roll call vote - Mr. Lavenburg: yes; Ms. Freyman: yes; Mr. Bennet: yes; Ms. Komack: yes; Ms. Mantolesky: yes. All in favor, motion passed 5-0.

**Continuation - Petition #2020-4 – Special Permit (Keeping of Domestic Fowl) for 59 Prynwood Rd., David & Laura Kattan:**

The applicant had submitted a revised application with an aerial view of the proposed location within their lot and a new coop design. Furthermore, during the initial hearing of this petition on June 1st there was no public opposition to the application, nor has the board received any complaints or concerns from the public since then. With the understanding that all individuals that had participated in the initial June 1st hearing were present this evening, the board agreed to proceed with reviewing the revised application.

The new design consists of a metal and plastic raised coop with a surrounding 6’x6’x6’ steel mesh walk-in run staked to the ground and a capacity for up to four hens. The coop will be located at a minimum of 75’ from adjoining lots and over 100’ away from the street within the applicant’s unfenced backyard; existing landscape screening is expected to partially obstruct the coop’s sight lines. In addition, the applicant agrees to follow all biosecurity measures for domestic fowl keeping set forth by the MA Department of Agricultural Resources (MDAR), with frequent cleaning and composting of the chicken waste in their existing compost bin.

**Comments from the public in favor of petition:**

- William Collins (409 Williams St): is in favor of the petition but, as a resident and abutter to 397 Williams Street, he described the application review process as a “disturbing double standard”.
- Richard Camerota (397 Williams St): is in favor of the petition and is pleased with the applicants’ educational process that they have witnessed.
Donna Fisher (33 Duxbury Ln): as owner of a chicken coop for 11 years, she is in favor of this petition.

Peter Coupe (33 Duxbury Ln): he is in favor of the petition and offered any further guidance to the applicant.

Elaine Tourtelotte (64 Prynnwood Rd): is in favor of the petition and considers the applicants educated and thorough individuals.

Laurie Deary (38 Duxbury Ln): is in favor of the petition.

Comments from the public opposing the petition:

None.

Steve Bennet made a motion, as was seconded by Ms. Mantolesky, to approve the Special Permit (Keeping of Domestic Fowl, up to four hens only) for 59 Prynnwood Rd. Chair Lavenburg moved to amend the motion to reflect that the permit was subject to the documents presented, the location as described in the testimony and conditioned on the applicants’ agreement to follow biosecurity measures as established by MDAR and provided by the Town’s BOH prior to the meeting. Roll call vote for motion as amended - Mr. Lavenburg: yes; Ms. Freyman: yes; Mr. Bennet: yes; Ms. Komack: yes; Ms. Mantolesky: yes. All in favor, motion passed 5-0. The applicant has been notified of the 20-day appeal period for this process.

*Documents presented: Revised Application form with images and property aerial view dated July 14, 2020.*

**Meeting Minutes Review:**

1. ZBA Hearing June 1st, 2020: Chair Lavenburg made a motion, and was seconded by Ms. Mantolesky, to approve the minutes as presented. Mr. Lavenburg: yes; Ms. Freyman: yes; Mr. Bennet: yes; Ms. Komack: yes; Ms. Mantolesky: yes. All in favor, motion passed 5-0

The meeting was adjourned at 8:10pm.

Respectfully submitted,

*Bianca Damiano*