

**ZONING BOARD OF APPEALS
REGULAR MEETING MINUTES
WEDNESDAY
MAY 13, 2020**

THIS MEETING WAS CONDUCTED REMOTELY VIA GOOGLE MEET.

Members Present: Roger Menard, Chairman
Gerald Coutinho
Peter Borden
Constance Gee
Barbara Pontolillo
Raymond Elias

Chairman Menard called the Zoning Board of Appeals meeting to order at 6:33 p.m. with the reciting of the Pledge of Allegiance.

Pledge of Allegiance

Chairman's Announcement - Under MGL Chapter 30A, Section 20(f) - Meeting being recorded.

Chairman Menard opened the hearing by reading the provisions mandated by Governor Charlie Baker regarding the congregation of people at the Town Hall and the manner in which municipal boards are to meet and hear matters on their agenda. Chairman Menard said that the Governor has enacted a law, whereby all Town governmental boards are relieved of the decisionmaking deadlines.

Chairman Menard noted that this meeting could be accessed by calling into the conference telephone number (503-908-2168, PIN 323846400#). He asked everyone who had joined the meeting to mute their telephones, so as to eliminate any background noise; and unmute when they wished to speak.

Chairman Menard stated that, when voting, the Members will recite their name and vote aye or nay on each motion.

1. Chairman Menard read the public hearing notice on the petition of Matthew Grosshandler/246 Howland SP, LLC, for a finding that the proposed introduction of a door providing access to the crawl space that had been previously approved by

the Zoning Board of Appeals on October 2, 2019 will not be inconsistent with the prior approval; said crawl space is not contiguous with the existing basement and will only have access to the outside. The subject property is located at 246 Howland Road, Westport MA and is shown on Assessor's Map 88, Lot 150.

Petitioner Matthew Grosshandler was present.

Chairman Menard stated that, because all town and city governmental offices are in an emergency status as a result of the COVID-19 health crisis, all meetings are being conducted by remote access. Because the Board is unable to meet at a Town venue, this meeting is being continued to June 17, 2020 at 6:30 p.m. If a public hearing at the Town Hall is not possible at that time, then the Board will conduct a meeting by remote access.

Chairman Menard made a motion to continue the matter to Wednesday, June 17, 2020 at 6:30 p.m. Mr. Borden seconded the motion. The roll call vote was as follows: Roger Menard - Aye; Gerald Coutinho - Aye; Peter Borden - Aye; Constance Gee - Aye; Barbara Pontolilo - Aye; and Raymond Elias - Aye. The motion passed by unanimous vote.

2. Chairman Menard read the public hearing notice on the petition of Mary Thornton for a variance from Zoning Bylaw Article 7 to install a ground mount solar array, to be 11' 1" setback from Fox Lane. The subject property is located at 1579 Drift Road, Westport MA and is shown on Assessor's Map 57, Lot 22.

Petitioner Mary Thornton was not present. However, Artie Leonard, appearing on behalf of Ms. Thornton was present. Mr. Leonard asked why the Board would not have a full hearing on this matter tonight. Chairman Menard said that conducting the hearing by Google Meet would not be conducive to allowing the members to properly review documents together, as well as affording abutters or members of the public to review the documents if they wish to do so and comment on the project.

Chairman Menard stated that, because all town and city governmental offices are in an emergency status as a result of the COVID-19 health crisis, all meetings are being conducted by remote access. He further noted that this meeting was being opened for the sole purpose of continuing to June 17, 2020 at 6:30 p.m. If a public hearing at the Town Hall is not possible,

then the Board will conduct the meeting by remote access at that time.

Chairman Menard made a motion to continue the matter to Wednesday, June 17, 2020 at 6:30 p.m. The roll call vote was as follows: Roger Menard - Aye; Gerald Coutinho - Aye; Peter Borden - Aye; Constance Gee - Aye; Barbara Pontolilo - Aye; and Raymond Elias - Aye. The motion passed by unanimous vote.

3. Chairman Menard stated that a request had been made by Brookmeadow Westport, LLC/Robert Carrigg for a 12-month extension of "Commencement of Construction of the Project" pursuant to General Conditions, Number 27 of 2016 Brookmeadow Comprehensive Permit Modification dated April 6, 2016.

Neither Robert Carrigg nor any other Brookmeadow representative was present. The Board discussed this matter, in that, the Board would need to hold a hearing at a Town venue for purposes of inquiring of the petitioner as to the reasons for the request for a further extension. The Board would also ask that Mr. Souza be present to present evidence of "commencement of construction," if any. Mr. Coutinho made a motion to defer this matter to June 17, 2020 at 6:30 p.m. Ms. Pontolilo seconded the motion. The roll call vote was as follows: Roger Menard - Aye; Gerald Coutinho - Aye; Peter Borden - Aye; Constance Gee - Aye; Barbara Pontolilo - Aye; and Raymond Elias - Aye. The motion passed by unanimous vote.

Mr. Coutinho raised the issue as to whether or not the Board should ask the petitioner to agree to a deadline extension. Chairman Menard stated that the Governor's enactment of a law on April 6, 2019, authorizes Town governmental boards to continue meetings/hearings and are relieved of the decisionmaking deadlines.

Administrative Items

1. Chairman Menard stated that a meeting was held of the Committee (headed by Jim Hartnett of the Planning Board) that had been formed for purposes of coordinating safety measures to reopen the Town Hall and other Town venues for meetings and hearings. The meeting was conducted via Google Meet and various suggestions were discussed. The Board discussed various safety measures that could be implemented so everyone meets safely (e.g. meeting in larger room to allow spacing of people;

mandating that everyone wear masks). Further updates will be forthcoming very soon in anticipation of opening the meetings and hearings to the public starting in June.

All Zoning Board of Appeals members agreed that, so long as safety measures are put in place, that they are amenable to meeting at the Town Hall or any other Town venue.

2. Minutes of April 1, 2020 - Chairman Menard stated that he had made a few minor revisions to these minutes which was e-mailed to each Board member. Mr. Coutinho made a motion to approve the minutes as revised. Mr. Elias seconded the motion. Roll call vote was as follows: Chairman Menard - Aye; Gerald Coutinho - Aye; Peter Borden - Aye; Barbara Pontolilo - Aye; and Raymond Elias - Aye; Constance Gee - Aye. The Board voted unanimously to approve the minutes of the April 1, 2020 meeting as revised.

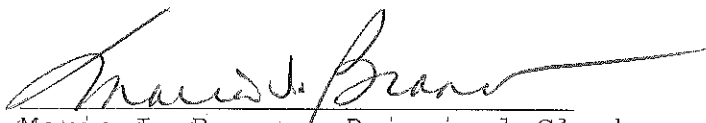
3. Mr. Coutinho stated that he did not recall receiving the advisories from KP Law regarding the Governor's mandate as to Town Boards' deadline extensions. The Clerk said she would e-mail the April 6, 2020 e-mail to all members with the KP Law attachments.

7:01 p.m.

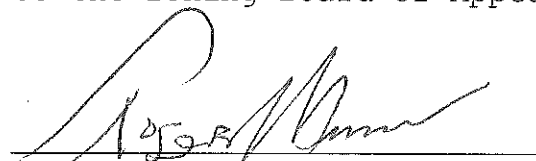
Motion made by Ms. Pontolilo to adjourn the meeting. Seconded by Ms. Gee. The Board voted unanimously in favor.

Adjournment.

Respectfully submitted,


Maria I. Branco, Principal Clerk
to the Zoning Board of Appeals

APPROVED:


Roger Menard, Chairman