



# ***Zoning Board of Appeals***

November 17th, 2016 - 6:00 P.M. – **Marked Agenda**

City Hall, Room 314

133 William Street, New Bedford, MA

## **MEETING CALLED TO ORDER**

### **Board members in attendance:**

**Leo Schick, Sherry McTigue, Allen Decker, John Walsh, and Horacio Tavares (arrived late).**

## **APPROVAL OF MINUTES**

- August 25<sup>th</sup>, 2016 Meeting Minutes **Approved**
- September 1<sup>st</sup>, 2016 Meeting Minutes **Approved**
- September 22<sup>nd</sup>, 2016 Meeting Minutes **Approved**
- October 13<sup>th</sup>, 2016 Meeting Minutes **Approved**
- October 20<sup>th</sup>, 2016 Meeting Minutes **Approved**
- October 27<sup>th</sup>, 2016 Meeting Minutes **Approved**

## **OLD BUSINESS**

**#4236** Notice is given of a continued public hearing on the petition of: Anthony R. DeCosta (1861 Shawmut Avenue New Bedford, MA) and Thomas P. Crotty, Esq. (388 County Street New Bedford, MA) for an Administrative Appeal under provisions of chapter 9 comprehensive zoning section 5200 (Zoning Board of Appeals), 5220 (Powers), and 5223 (to hear and decide appeals taken by any person aggrieved by reason of his inability to obtain a permit or enforcement action from any administrative officer under the provisions of M.G.L.A. c. 40A, §§ 7, 8, and 15); relative to property located at 1861 Shawmut Avenue, assessor's map 124 lot 27 in an Industrial-B [IB] zoned district. The petitioners propose to overturn a cease and desist order.

**Continued to Tuesday, December 6<sup>th</sup>, 2016 at 6pm in the 3<sup>rd</sup> Floor Meeting Room of the Main Library (613 Pleasant Street New Bedford, MA).**

## **SCHEDULED HEARINGS**

**#4250** Notice is given of a public hearing continued from October 20, 2016 on the petition of: Mario and Kristinal Amaral (208 Tarkiln Hill Road New Bedford, MA 02745) and Steven D. Gioiosa for SITEC, Inc. (449 Faunce Corner Road Dartmouth, MA 02747) for a Variance under provisions of chapter 9 comprehensive zoning sections 2700 (dimensional regulation), 2710 (general), 2711 (lot change), 2720 (table of dimensional requirements-appendix B- minimum lot size, lot frontage, front yard, side yard), 2750 (yards in residence district), 2751 (front yard), 2755 (side yard); relative to property located at 208 Tarkiln Hill Road, assessor's map 118 lot 202 in a residential B [RB] zoned district. The petitioner proposes to subdivide existing single family dwelling on one lot and construct a new single family dwelling on the second lot as plans filed.

**GRANTED, WITH CONDITIONS. All board members recorded in favor; vote tally: 4-0**

**#4251** Notice is given of a public hearing continued from October 20, 2016 on the petition of: Mario and Kristinal Amaral (208 Tarkiln Hill Road New Bedford, MA 02745) and Steven D. Gioiosa for SITEC, Inc. (449 Faunce Corner Road Dartmouth, MA 02747) for a Variance under provisions of chapter 9 comprehensive zoning sections 2700 (dimensional regulation), 2710 (general), 2711 (lot change), 2720 (table of dimensional requirements-appendix B- minimum lot size, rear yard-ft.) 2750 (yards in residence district), and 2753 (rear yards); relative to property

located at NS Holden Street, assessor's map 118, lot 223 in a residential B [RB] zoned district. The petitioner proposes to construct a 32'x28' single family dwelling with a 24'x24' attached garage as plans filed.

**GRANTED, WITH CONDITIONS. All board members recorded in favor; vote tally: 4-0**

**#4253** Notice is given of the public hearing on the petition of: Nicki E. and Nitza N. LaRoca (11 Nautilus Street New Bedford, MA 02744) for a Variance under provisions of chapter 9 comprehensive zoning sections 2700 (dimensional regulation), 2710 (general), 2720 (table of dimensional requirements-appendix-B-side yard), 2750 (yards in residence district), and 2775 (side yard); relative to property located at 11 Nautilus Street, assessor's map 5 lot 197 in a residential A [RA] zoned district. The petitioners seek approval of the location of a generator installed as plans filed.

**GRANTED, WITH CONDITIONS. All board members recorded in favor; vote tally: 5-0**

**#4254** Notice is given of the public hearing on the petition of: Francisco M.O. Rocha (4441 Edinbridge Circle Sarasota, FL 34235) and Joseph E. Swift (25 Nelson Avenue Fairhaven, MA 02719) for a Special Permit under Chapter 9 comprehensive zoning sections 2400 (nonconforming uses and structures), 2410 (applicability), 2430-2437 (nonconforming structures, other than single and two family structure), and 5300-5330 & 5360-5390 (special permit); relative to property located at 87 Lawrence Street, assessor's map 127A lot 179 in a residential A [RA] zoned district. The petitioners propose to change the use from an office/garage to a single family dwelling as plans filed.

**GRANTED, WITH CONDITIONS. All board members recorded in favor; vote tally: 5-0**

#### **NEW BUSINESS**

- ◆ **Requested Update:** Form Based Zoning Initiative - **Received**
- ◆ **2017 Meeting Schedule** – **Approved as amended.**

#### **ADJOURNMENT**

The next Zoning Board of Appeals Meeting is scheduled for December 6<sup>th</sup>, 2016

