



Zoning Board of Appeals

September 1, 2016 – 6:00 PM - **Minutes**

New Bedford City Hall, Charles Ashley Meeting Room-1st Floor
133 William Street

PRESENT: Debra Trahan (*Chairperson*)
Allen Decker (*Clerk*)
Leo Schick
Robert Schilling
Sherry McTigue

ABSENT: None

STAFF: Dan Romanwicz, *Commissioner of Buildings and Inspectional Services*
Jennifer Gonet, *Assistant Project Manager*

1. CALL TO ORDER

Chairperson Trahan called the Special Meeting of the City of New Bedford Zoning Board to order at 6:03 p.m.

2. ROLL CALL

A formal roll call was conducted confirming members present as stated above.

Chairperson Trahan explained the following case had been previously opened at the meeting of July 21, 2016.

SCHEDULED HEARINGS

ITEM 1 – Case #4236 - 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

Request by Assistant City Solicitor Kreg R. Espinola to continue the hearing of case #4236 until September 22, 2016 or other time amenable to the Board.

With respect to Case #4236, a motion was made (AD) and seconded (LS) that the following additional correspondence be received and placed on file: correspondence dated 8/26/16 from the Office of the City Solicitor; communication from the City of New Bedford Conservation Commission dated 8/29/16; a letter of interest from Patrick Sheridan of 1194 Old Plainville Road

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dated 8/21/16; a memorandum from Petitioner's attorney, Thomas Crotty, Esq. submitted 8/19/16.

Motion passed unopposed.

Mr. Decker noted that the 8/26/16 correspondence from the Office of the City Solicitor was a request to continue this matter to a date set by the board. He stated that it is his understanding that the petitioner, through his attorney, is in agreement with the continuance. Mr. Decker noted there are presently no timeframe issues associated with the case

A motion was made (RS) and seconded (AD) to continue the matter.

Motion passed unopposed.

After a scheduling discussion amongst board members, a motion was made (AD) and seconded (SM) to continue the matter to the regularly scheduled September board meeting of 9/22/16.

Petitioner to appear at 7:30 p.m.

Motion passed unopposed.

3. APPROVAL OF MINUTES

A motion was made (AD) and seconded (LS) to approve the July 21, 2016 meeting minutes with respect to Cases #4239 and #4236, #4234, #4237, #4238, #4240, and #4241.

Motion passed unopposed.

4. ADJOURNMENT:

There being no further business to come before the board Chairperson Trahan adjourned these proceedings at 6:12 p.m..

Next regularly scheduled meeting September 22nd, 2016