

ZONING BOARD OF APPEALS
August 27th, 2015
City Hall, Room 314
133 William Street, New Bedford, MA
6:00 P.M.

MARKED AGENDA

MEMBERS IN ATTENDANCE: J.Mathes, A. Decker, R. Schilling, L. Schick, J. Walsh.

Note: Alternate Board Member H. Tavares was available and ready to serve on Cases #4188 & 4189 hearings; however a request to withdraw without prejudice was granted, after which he left the building.

1. **MEETING CALLED TO ORDER**

2. **APPROVAL OF MINUTES**

- July 30th, 2015 Meeting Minutes

3. **OLD AND NEW BUSINESS**

#4179 Notice is given of a continuance of the public hearing on the Petition of: The Tacoma Street Realty Trust c/o David Pina Fernandes (47 Medeiros Lane Dartmouth, MA) who have submitted a petition for a Variance under provisions of Chapter 9 Comprehensive Zoning relative to property located at North Side Tacoma Street, Assessor's Map Plot 130C, Lot 259-260 in a Mixed Use Business District. The petitioner is proposing to build a 44'x45' two family dwelling as plans filed, which will require a Variance under Chapter 9, Comprehensive Zoning Sections 2700 (Dimensional Regulations), 2710 (General), 2720 (Table of Dimensional Requirements, Appendix-B-Minimum Lot Size, Lot Frontage, Rear Yard), and 2753 (Rear Yards). **Case continued to September 17th, 2015 meeting.**

#4188 & 4189 Notice is given of the public hearing on the Petition of: Rockdale West LLC (One Lakeshore Center Bridgewater, MA) and Attorney Christopher Saunders (700 Pleasant Street New Bedford, MA) who have submitted a petition for a Variance under provisions of Ch. 9 Comprehensive Zoning relative to property located at 120-122 Oakdale Street, Assessor's Map 74, Lot 68 & 95 in a Residential B Zoned District. The petitioner is proposing to demolish the fire damaged building and rebuild a Two-Family Dwelling as plans filed, which will require a Variance under Chapter 9 Comprehensive Zoning Sections 2700 (Dimensional Regulations), 2710 (General), 2720 (Table of Dimensional Regulations-Appendix B-Minimum Lot size/Frontage/Rear Yard), 2750 (Yards in Residence Districts) and 2753 (Rear Yards). And, submitted a petition for a Variance under provisions of Ch. 9 Comprehensive Zoning relative to property located at 120-122 Oakdale Street, Assessor's Map 74 Lot 67 in a Residential-B Zoned District. The petitioner is proposing to demolish the fire damaged building and rebuild a Two-Family Dwelling as plans filed, which will require a Variance under Chapter 9 Comprehensive Zoning Sections 2700 (Dimensional Regulations), 2710 (General), 2720 (Table of Dimensional Regulations-Appendix-B-Minimum Lot Size/Frontage/Side Yard), 2750 (Yards in Residential Districts), and 2755 (Side Yards). **Withdrawn without prejudice.**

4. **SCHEDULED HEARINGS**

#4193 Notice is given of a public hearing on the Petition of: James J. Long and Ramon Mojica (519 American Legion Highway Westport, MA) who have submitted a petition for an Administrative Appeal under provisions of Ch. 9 Comprehensive Zoning relative to property located at 105 Rockdale Avenue, Assessor's

Map 18, Lot 69 in an Industrial-B Zoned district. The petitioner is proposing to appeal a rejected building permit application, which will require an Administrative Appeal under Ch. 9, Comprehensive Zoning Section 5223 (to hear and decide appeal taken by any person aggrieved by reason of his/her inability to obtain a permit or enforcement action from any administrative officer under provisions of M.G.L. 40A subsection 7, 8, & 15. **Granted with conditions. All board members recorded in favor; 5-0**

#4195 & #4196 Notice is given of a public hearing on the Petition of: Hermelinda Soler (273 Cleveland Street New Bedford, MA) who has submitted a petition for a Special Permit under provisions of Ch. 9 Comprehensive Zoning relative to property located at 273 Cleveland Street, Assessor's Map 12 Lot 110 in a Residential-B Zoned District. The petitioner is seeking approval of a driveway that was installed as plans filed, which will require a Special Permit under Ch. 9 Comprehensive Zoning Section 3100(Parking and Loading), 3110(Applicability), 3149(Vehicular Access to a building from a public way that does not constitute frontage of the lot), and 5300-5330 & 5360-5390 (Special Permits); and who has submitted a petition for a Variance under provisions of Ch. 9 Comprehensive Zoning relative to the same property. The petitioner is seeking approval of a 10' x 10' shed erected as plans filed, which will require a Variance under Ch.9 Comprehensive Zoning Sections 2700 (Dimensional Regulations), 2710 (General), and 2720 (Table of Dimensional Requirements, Appendix-B-Green Space-35%).

Granted with conditions. All board members recorded in favor; 5-0

5. ADJOURNMENT

The next Zoning Board of Appeals Meeting is scheduled for September 10th, 2015.

The matters listed are those reasonably anticipated by the Chair to be discussed at the meeting.

Not all items listed may, in fact, be discussed. Other items not listed may be brought up for discussion to the extent permitted by law. Massachusetts General Laws, chapter 30A, Section 20(e) requires any person making a video or audio recording of the meeting to notify the Chair at the start of the meeting.