



133 William Street • Room 303 • New Bedford, Massachusetts 02740
Telephone: (508) 979.1488

**ZONING BOARD OF APPEALS
VIRTUAL MEETING
Thursday, April 21, 2022**

Note: These are minutes only. A complete copy of the meeting audio is available on the City of New Bedford website at: <http://www.newbedford-ma.gov/cable-access/government-access-channel-18/program-schedule/>

Chairperson Parrish declared the hearing open.

Christopher Andrade, after introducing his wife Isabelle, he explained their intention to move into the Pamela Drive address after completing the renovations. He detailed the history of their purchase. He explained their hardship to the board related to their desire to add a two-car garage and addition. He explained the need for the variance due to setbacks. He stated the chosen location is at the property's highest point. He described their considerations, such as aesthetics, green and impervious space, et cetera.

Ms. Andrade relayed her discussion with neighbors.

Chairperson Parish expressed her understanding of their needs and their hardship.

There was no response to Chairperson Parrish's further invitation to speak or be recorded in favor.

A motion was made (LC) and seconded (CP) to receive and place on file a letter of support received by the board and dated April 15, 2022.

Motion passed unopposed.

There was no response to Chairperson Parrish's invitation to speak or be recorded in opposition.

The hearing was declared closed.

With no further discussion, a motion was made (LC) and seconded (RS) to grant a variance under provisions of the City Code of New Bedford, relative to the property located at 24 Pamela Drive, Assessors' Map 74, Lot 86, in a Residential A [RA] zoned district, to allow the petitioner to construct an addition and a two car garage to the existing building per plans filed, which requires a variance under provisions of Chapter 9, Comprehensive Zoning Sections 2700, 2710, 2720 - Appendix B, 2750 and 2755. Having reviewed this petition, including materials submitted and testimony heard, in accordance with the City of New Bedford Code of Ordinances and M.G.L. Chapter 40A, §10, the board finds that the applicable requirements have been addressed and met.

This determination includes consideration of the following:

The board finds there are circumstances related to the soil conditions, shape or topography specifically affecting the land or structure in question, but which do not generally effect the zoning district in which the land or structure is located. In this instance, the circumstances are that the location of the proposed addition and garage are at the highest topographical elevation of the lot to prevent any flooding issues and will connect to the existing living structure. This placement will minimize the loss of green space by utilizing existing paved areas. Due to those circumstances especially affecting the land or structure, literal enforcement of the provisions of the zoning ordinance or bylaw would involve substantial hardship, financial or otherwise, to the petitioner or appellant. In this case, the hardship is that they will not be able to fit two vehicles beside the egress to enter the house with adequate space to get in and out if the city enforces the current setbacks. There is no other placement without running into hardship. Desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of the zoning

Note: These are minutes only. A complete copy of the meeting audio is available on the City of New Bedford website at: <http://www.newbedford-ma.gov/cable-access/government-access-channel-18/program-schedule/>

ordinance or bylaw. Granting relief to build the attached two-car garage would only add more value and aesthetics. The desirable relief may be granted without substantial detriment to the public good. The current neighborhood has similar existing structures.

With no specific conditions, the following general conditions apply:

The applicant shall ensure a copy of the Notice of Decision bearing certification from the City Clerk's Office be recorded at the Registry of Deeds; and that the rights authorized by the granting of the variance must be exercised by issuance of a building permit by the Department of Inspectional Services and acted upon within one year from the date the decision was granted or they will lapse, and that project be set forth according to the plans submitted with the application.

ROLL CALL VOTE:

Board Member Paleologos - Yes

Board Member Schilling – Yes

Board Member Choquette – Yes

Chairperson Parrish - Yes

Motion passed 4-0

3. OTHER BUSINESS:

A motion was made (LP) and seconded (CP) to approve the December 2021 meeting minutes. Motion passed unopposed.

4. ADJOURNMENT:

Chairperson Parrish declared the meeting adjourned at 6:20 p.m.

NEXT SCHEDULED MEETING MAY 19, 2022



Leo Choquette, Jr., Clerk

2/21/23

Date