

Zoning Board of Appeals
Minutes
Tuesday, April 2, 2019 at 6:00 p.m.
Banquet Room, Town Hall
40 Center Street, Fairhaven Ma 02719

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I. ADMINISTRATIVE BUSINESS:

FAIRHAVEN.

1. Chairman Peter Detera opened the public meeting at 6:00p.m. and advised the public that the meeting was being televised and recorded.
2. Attendance: Chairman Peter Detera, Vice-Chair Francis Cox, Peg Cook and Rui DaSilva and Ken Kendall.
Absent: Darryl Manchester, Al Silva and Joe Borelli.
Building Commissioner Kris White was also present.
**At this time the chairman introduced the members of the board to the public.*
3. Minutes: Approval of the minutes of March 5, 2019.
Francis Cox made a motion to approve the minutes of March 5, 2019. Seconded by Ken Kendall, this motion passed unanimously.

II. PUBLIC HEARING:

Board at this time took 149 Dogwood out of order and opened and closed public hearing at this time due to the applicant requesting a continuation.

1. **149 Dogwood Street – 198.18: Variance request for side setback of 9.1' proposed in a required 20' setback in a RR district to add a 8x10 addition and possible dormer.**

Francis Cox made a motion to continue public hearing of 149 Dogwood Street until May 7, 2019. Seconded by Ken Kendall, this motion passed unanimously.

2. **62 Grandview Ave. Special Permit for a Home Occupation. (cont'd from March 5, 2019 meeting)**

Ken Kendall made a motion to reopen 62 Grandview Avenue, Seconded by Francis Cox, this motion passed unanimously.

Rhonda Demers explained that the business is a small home improvement business and that she has documents and letters from abutters that are in favor of the Special Permit.

Abutter, Thomas Wilson of 51 Grandview expressed that they are in favor of the Special Permit and it is a very quiet area.

Joyce Steel explained that it is a very quiet neighborhood and is in favor of the Special Permit.

Stephen Morris of 44 Grandview Ave explained there is no disruption from the business, very quiet neighborhood.

David Smith, Applicants landscaper explained that it is a very quiet and desirable neighborhood. Another abutter at 47 Grandview Ave explained that she had lived in that neighborhood for about seven years and never had any complaints.

Bob Raposa 40 Grandview Ave explained why he was in favor of this Special Permit.

Discussion regarding the information the board gather during this investigation

* Francis Cox read aloud the home occupation regulations

Mr. Jackson expressed his concerns regarding the hearing and read aloud the statutory requirements of home occupation and why he objects to the Special Permit.

Francis cox made a motion to grant the Home Occupation Special Permit for 62 Grandview Ave. Seconded by Mr. Kendall, this motion passed unanimously.

- 3. 145 Chestnut Street – 198-18: Variance request for side lot setback less than 10' in a RA district to add 370 sq. feet addition for a kitchen extension and an additional bedroom.**

Builder, Tim Gillesby and Shane Doyle were present

Mr. Gillesby explained the concept of the proposed plan.

Building Commissioner, Kris White asked questions pertaining to the second floor.

Francis Cox made a motion to approve the Variance request for 145 Chestnut Street. Seconded by Ken Kendall, this motion passed unanimously,

- 4. 142 Balsam Street – 198-18: Variance request for proposed 9.9' side setback of a required 20' side setback in a RR District. 198-18: Variance request proposed 17.78% in a maximum building coverage of 15% and variance requested for proposed 35.87% of a maximum lot coverage of 25% to build a dormer and deck.**

Discussion regarding the outside footprint of the home.

Francis Cox made a motion to approve the Variance request for 142 Balsam Street. Seconded by Mr. Kendall, this motion passed unanimously.

- 5. 167 Ebony Street – 198-18: Variance request for 4' on front porch of a 22.1 setback, and average 26.5' setback where 30' is required for front porch.**

Applicants were present and explained the concept of the proposed plan.

- 6. 102 Fir Street – 198-18: Variance request for 47% Uplands on a minimum lot area that requires 80% in an RR District for new home. 198-18: Variance request short 7' in a 30' required front setback. 198-18: Variance request, short 16,053 of contiguous upland whereas 24,000 is required in a RR District. 198-21 (D): Variance request for restoration within 2 years for new home.**

Applicants Anthony DeAngelis & Lisa DeAngelis were present

Kris Gully engineer was also present

Discussion regarding questions pertaining to conservation.

Kris White and Mr. DeTerra questioned the wetland line and its verification.

Mr. DeAngelis explained that he asked conservations to mitigate and that he would have a new plan with minimal impact.

Discussion regarding conservation ensued.

** Copies of original and new improved plan were given to board members.

Mr. Kendall explained that he recommends that conservation see these new plans first.

Jaime DeSousa questioned the contiguous upland.

Conservation Agent, Whitney McClees was also present at this time and explained that the

Conservation Commission hasn't seen the new plan yet.

Francis Cox made a motion to continue 102 Fir Street until May 7, 2019. Seconded by Ken Kendall, this motion passed unanimously.

7. 15 Manor Drive – 198:16 Special Permit request in RA District for accessory apartment.

Wayne Fostin explained the concept of the plan as well as the need for the accessory apartment.

Ken Kendall made a motion to approve the Special Permit for 15 Manor Drive. Seconded by Mr. Cox, this motion passed unanimously.

III. BILLS:

*** Bills were signed prior to meeting.*

Francis Cox made a motion to adjourn the meeting at 6:42 p.m., seconded by Mr. Deterra, this motion passed unanimously.

Respectfully Submitted,



Shalyn Rodriguez
Recording Secretary

