

**Board of Appeals -
Minutes**

TOWN HALL 40 Center Street Fairhaven, MA 02719
Town Hall – Banquet Room, Tuesday, September 17, 2019 at 6:00 p.m.

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FAIRHAVEN,
MASS.

I. ADMINISTRATIVE BUSINESS

Quorum/Attendance : Al Silva, Joe Borelli, Peter Deterra, Ken Kendall and Darryl Manchester
Absent: Peg Cook, Francis Cox, Jamie Sousa, and Rui DaSilva

II. PUBLIC HEARINGS:

1. 12 Gilbert Street, Map 29A, Lot 221. Eunice Eble. 198-18: Variance request to allow a front setback of 8.8' and a side setback of 7.5' in a RA District.

Steve_ from Farland Corp. Eunice owner explained that they were looking for a variance for side setback because structure doesn't meet the needs of current residents. The site doesn't accommodate special needs for disabled relative.

Resident from_ 10 Gilbert street expressed that they are for this petition

Resident from 6 Gilbert expressed that they are for this petition

Mr. Brown from 21 Gilbert street- expressed that they are for this petition

Mrs. Cabral from 12 reservation Street expressed that she was for this petition

**** Many residents were for this petition****

Al Silva made a motion to approve Variance request for 12 Gilbert Street seconded by Joe Borelli, this motion passed unanimously.

2. 182 Sconticut Neck Road; Map28B, Lot 33. Glaen & Lynda Reeves. 198-18: Variance request 11.5' short on a front setback of 30' in RA District.

Glaen & Lynda Reeves were present and explained that they were short of 30 feet on 9 feet of addition would be sticking out. They have a petition for bedroom.

Al Silva made a motion to approve 182 Sconticut Neck Road, seconded by Ken Kendall, this motion passed unanimously

3. 184 Dogwood Street; Map 43B, Lots 190 & 192. James M. Hickox, Sr. 198-18: Variance request for 11% over the 25% allowable lot coverage in a RR District.

James M. Hickox, Sr. explained that they were over lot coverage 2 car garage single story 11 percent 25 percent max

Ken Kendall made a motion to approve variance request for 184 Dogwood Street, seconded by Al Silva this motion passed unanimously.

4. 9 Tanner Lane; Map 30, Lot 46B. Wayne & Michelle Bergeron. Special Permit request for an In-Law Apartment in a RA District.

Al Silva recused himself at this time due to him being an abutter to the property.

Wayne & Michelle Bergeron were present and explained that in 2007 an addition was put in to accommodate parents submitted set of plans. They explained that they made adjustments to plans got permit structure built and inspected and rules changed we just want to get name change so new owners can have in-law appt.

Abutter Mike Myers -4 tanner lane- for petition

Peter Deterra made a motion to approve 9 Tanner Lane, seconded by Joe Borelli, this motion passed unanimously.

Al Silva rejoined board at this time.

5. 126 Cottonwood St., Map 43A, Lot 113. Steven Poftak. 198-18: Variance request for 5' short of the 20' side setback in a RR District

Mackie Borrow and Steven Poftak were present and explained that they were looking to remove small deck and deck was 16 feet and bring it to side of the house.

Al Silva made a motion to approve 126 Cottonwood Street, seconded by Ken Kendall, this motion passed unanimously.

6. 68 Winsegansett Avenue, Map 42A, Lot 258. 198-21(c) Special Permit request to demolish and reconstruct a single-family dwelling within 2 years. Variance request short 23.4' of front setback, short 26.6' of rear setback, short 9.5' of side setback, 16.3% over building coverage & 32% over lot coverage; in a RR District to build a single-family dwelling & garage.

Dave Davignon was present and explained that the property was purchased by owner 6-8 months prior and the plan to show non-compliant from setback. The proposal is to build similar house and same location and pulling it away from other property lines other garage will stay and utilize septic

we remove concrete and impervious by replacing with grass so impervious will be concrete patio adjacent to seawall. drastic improvement from lot coverage but requires a list of variances

Patty Lacerta- expressed that she was for the petition

Mark gadway- expressed that he was for the petition

jane Rish expressed that she was for this petition

Ken Kendall expressed that he had concerns for non-conforming lot

Discussion ensued.

Al Silva made a motion to approve seconded by Peter Deterra, this motion passed unanimously.

7. 72 Ocean Avenue, Map 29C, Lots 178-185 & 267-280. Corbina & Bruce Foucart. 198-21
(c) Variance request short 18' front setback that should be 30' front in a RR District.

Lisa Pacheco architect explained that the preexisting non-conforming lot and that they are proposing to put second floor interior changes only for setback in which 19 feet to front corner of house is 22 feet wide and addition starts at back half of house.

Corbina Foucault- expressed that she is for the petition.

Wendy Myers- expressed that she is for the petition.

Al Silva made a motion to approve seconded by Ken Kendall, this motion passed unanimously.

8. 304 New Boston Road, Map 40, Lot 26: Special Permit request to build a leaching field in the Nasketucket River Basin.

Johnathan Barbosa was present, and board discussed matter.

Al Silva made a motion to approve seconded by Ken Kendall, this motion passed unanimously.

Al Silva made a motion to adjourn meeting at 6:25 p.m. seconded by Ken Kendall, this motion passed unanimously.

Shallyn Rodriguez
Recording Secretary.