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FAIRHAVEN,  
MASS.

## Board of Appeals

TOWN HALL 40 Center Street Fairhaven, MA 02719

### MEETING NOTICE – Board of Appeals

PLACE OF MEETING: Town Hall – Banquet Room

Join Zoom Meeting

<https://zoom.us/j/94115137952?pwd=MXpoVWpKTFBEUmluT1pWSCtiVzJCQT09>

or call 1-929-205-6099

Meeting ID: 941 1513 7952

Passcode: 361259

DATE AND TIME: Tuesday, August 3, 2021 at 6:00 p.m.

MEETING: Public Hearing In-Person in Banquet Room or via Zoom

#### ADMINISTRATIVE BUSINESS

Quorum/Attendance

- Acceptance of Minutes – July 6, 2021

#### II. PUBLIC HEARINGS:

1. Administrative Appeal by Fairhaven Shipyard – re: 7 Union Street. REF#: ZBA-AA 01: Seeking reversal of zoning determination by the Town of Fairhaven Building Commissioner dated February 20, 2020. (Application attached) – **Continued** from April 7, 2020, May 5, 2020, June 2, 2020, and July 7, 2020, and August 11, 2020, and September 2, 2020.) Asking for a continuance to December 1, 2020 per applicant's request. **Asking for continuance to August 3, 2021.**

2. Administrative Appeal by A1 Crane – re: 86-88 Middle Street. REF#: ZBA-AA-02: Administrative Appeal from a letter dated April 7, 2020 from the Building Commissioner stating that the operation on the site is in violation of the Mixed Use zoning regulations. (see attached-Exhibit 3) (continued per applicant's request to September 2, 2020 Meeting, see attached.) **Previously continued to August 3, 2021.**

3. **7 Delano Street. Leblanc, Karen. REF #: ZBA-2021-028.**  
198-16: Special Permit request for 5 chickens, not to exceed 6 chickens, in a RA District.  
Continued from June 1, 2021.

4. **133 Chestnut Street. Guillotte, Kevin & Willow Hawk. REF #: ZBA-2022-005.**

198-9: Variance request from the required setback of 10' to a proposed 7.5' for a proposed sun deck.

**5. 33 Chestnut Street. Hebert, James. REF #: ZBA-2022-006.**

198-9: Variance request from the required rear setback of 30' to the proposed side addition rear setback of 14'7". Variance request from the required rear setback of 30' to the proposed rear sundeck setback of 8'1"

The applicant also seeks a finding from the board the existing non-conforming structure may be extended to include the side addition, front addition and rear sundeck and that the alteration is not substantially more detrimental than the existing non-conforming use to the neighborhood.

**6. 77 Cottonwood Street. Pincince, Debra L. REF #: ZBA-2022-007.**

198-16: Special Permit request to park a 28' recreational vehicle (RV) on the property at 77 Cottonwood Street, Map 43C, lots 163 and 164 year round.

**7. 33 Point Street. Cabana, Wade & Wanda. REF #: ZBA-2022-008**

Determination from the Zoning Board that the increase in height (current 14.1' to proposed maximum of 35') and square footage (838 sq feet to 1009 sq feet) is not more detrimental to the neighborhood, pursuant to MGL 40 section 6.

**8. 123 Weeden Road. Aguiar, Kyle J. REF#: ZBA-2022-009**

198-9: Variance request from the required front lot setback of 50' to a proposed 23.5' setback.

198-9: Variance request from the required rear lot setback of 50' to a proposed 15.1 setback.

198-9: Variance request from the required side setback of 30' to a proposed 14.0' setback.

198-9: Variance request from the minimum lot area of 50,000 sq feet to a proposed 7.225'

198-9: Variance request from the minimum frontage requirement of 200' to the current and proposed 85'.

198-9: Variance request from the maximum lot coverage of 25% to the proposed 29.1%

198-9: Variance request from the maximum building coverage of 10% to the proposed 29.1%

Proposing a 1200 finished square foot addition to extend kitchen and living room.

The applicant also seeks a finding from the board that the existing non-conforming structure may be extended to include the side addition, front addition and rear setbacks; as well as the height to the maximum of 35' and that the alteration is not substantially more detrimental than the existing non-conforming use to the neighborhood, pursuant to MGL 40, Section 6.

**9. 159 Sconticut Neck Road. Gendron, Roy. REF#: ZBA-2022-010**

198-23(B): Special Permit request for a Home Occupation Plastering Business.