

DARTMOUTH

MASSACHUSETTS



OFFICE OF THE TOWN CLERK

400 SLOCUM ROAD
DARTMOUTH, MA 02747

TOWN CLERK

LYNN M. MEDEIROS

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**TOWN OF DARTMOUTH
NOTICE OF OPEN MEETING**

THIS NOTICE SATISFIES THE REQUIREMENTS OF GENERAL LAWS, CHAPTER 30A, SECTION 20

To the Residents of the Town of Dartmouth:

Be advised that the following open meeting will take place as described below:

Public Body: Zoning Board of Appeals Time: 6:00 AM (PM) (circle one)

Date: Tuesday, January 7, 2014 (please write out)
(day of week, month, day year)

Location: 400 Slocum Rd, Town Hall Bldg. Room #
(street address, including building name and room number, if applicable)

List of topics that may be discussed (attach additional sheet(s) if necessary):

"Agenda Attached"

Continued on attached sheet(s) Y N (circle one)

Chair: Jacqueline Figueiredo
(print name)

Tina Cabral
(signature) **Zoning Staff Assistant**

For Town Clerk's use only

Please sign one:

 This notice has been posted at least forty-eight (48) hours in advance, exclusive of Saturdays, Sundays and legal holidays

 The Town Clerk has been informed by the relevant Chair that the above meeting addresses an emergency that requires immediate action (as described in the list of topics), and that this notice has been posted as soon as was reasonably possible

 This notice has been rejected as untimely, with no emergency basis given

DARTMOUTH TOWN CLERK

2013 DEC - 5 P 3:52

RECEIVED

AGENDA



TOWN OF DARTMOUTH Office of the Zoning Board of Appeals

Board Members

Jacqueline Figueiredo, Chairman

Halim Choubah, Clerk

Robert Gardner

Date of Meeting: JANUARY 7, 2014

**Location of Meeting: Town Office Building, Room 304
400 Slocum Road, Dartmouth, MA 02747**

6:00 P.M. Open Meeting; Pledge the Flag; Moment of Silence

ADMINISTRATIVE

- Review and approval of the following Minutes:
 - Administrative Minutes for December 3, 2013 Meeting
 - Minutes for Six Month Extension Case: 2012-33 (9 Kennedy St)
 - Minutes for Variance Case: 2013-39 (1 Posa Place)
 - Minutes for Variance Case: 2013-40 (20 Elliot St)
 - Minutes for Amendment Case: 2013-42 (570 Hawthorn St)
- Discussion and review of Rules and Regulations Governing the Procedures of the Board of Appeals.

PUBLIC HEARINGS

6:30 P.M. Case 2013-36 – VARIANCE (CONTINUED HEARING)

Representative: Chris Gilbert, Thompson Farland, Inc.

Petitioner/Applicant: Tekeyla E. Atkinson

Property Owners: Tekeyla E. Atkinson

Subject Property: 11 Tolland Path, Dartmouth, MA, Map: 177 Lot: 16

Single Residence A District

Petitioner is seeking a Variance to allow the construction of a 31'x17' accessory building with a 20' setback from Kingston St and 15' setback from Tolland Path, where 50' is required by zoning. The property is located at 11 Tolland Path, Dartmouth, MA and identified on Assessor's Map 177 as Lot 16 and is located in the Single Residence A District.

(Section 4A.205-Home Occupations and Section 4A.404-Setbacks)

DARTMOUTH TOWN CLERK

2013 DEC -5 P 3:52

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AGENDA

6:45 P.M. Case 2013-37 – SPECIAL PERMIT (CONTINUED HEARING)

Representative: Bruce Brooks

Petitioner/Applicant: Barbara Armstrong

Property Owners: Barbara Armstrong

Subject Property: 21 Bayview Avenue, Dartmouth, MA, Map 105, Lot 39

Single Residence B District

Petitioner is seeking a Special Permit to allow the construction of a proposed Office Studio above existing garage on the property. The property is located at 21 Bayview Ave, Dartmouth, MA and identified on Assessor's Map 105 as Lot 39 and is located in the Single Residence B District. (Section 3B.202-Expansion of Non-Conforming One or Two Family Structures)

7:00 P.M. CASE: 2014-1 – VARIANCE

Representative: Michael J. McGlone, Esq.

Petitioner/Applicant: Victor M. Vieira/New Bedford Country Club

Property Owner: James G. DeMello

Subject Property: 636 Slocum Road, Dartmouth, MA

Single Residence A District

Petitioner, Victor M. Vieira/New Bedford Country Club is seeking a VARIANCE to use an existing structure located at 636 Slocum Rd, Dartmouth, MA in the Single Residence A District as a "snack shack". Structure was previously used as a "snack shack", but such use has been discontinued pursuant to Section 3B.103 of the Zoning By-laws. (Section 36.300-Use Variance and Section 3B.103-Discontinuance of Non-Conforming Use)

7:30 P.M. CASE: 2014-2 – ADMINISTRATIVE APPEAL

Representative: Philip N. Beauregard, Esq.

Petitioner/Applicant: Kathleen Simbro

Property Owner: Kathleen Simbro, Trustee

Subject Property: 765 State Road, Dartmouth, MA 02747

General Business District, Map 163, Lot 56

Single Residence B District, Map 52, Lot 9

Petitioner, Kathleen Simbro, is seeking an **Administrative Appeal** to appeal the determination of Paul Murphy, Director of Inspectional Services, that the material processing operation use for property located at 765 State Rd is not an allowed use. The subject property identified on Assessor's Map 163, Lot 56 is located in the General Business District and the subject property identified on Assessor's Map 52, Lot 9 is located in the Single Residence B District. Information is on file in the office of the Board of Appeals and may be seen upon request. (M.G.L. Ch. 40A §7 and §8)

AGENDA

7:45 P.M. Case 2013-41 – AMENDMENT (CONTINUED HEARING)

Petitioner/Applicant: Joseph W. Lemieux

Property Owners: Brady Estates LLC

Subject Property: west side of Hixville Rd off of Digger Drive

District: Limited Industrial

Petitioner is seeking an AMENDMENT to extend the timeline of Condition #14 of Decision Case 2012-31 to demonstrate to Conservation Commission that access to Parcel B for this commercial purpose is possible to establish a solar farm upon Parcel B. Owner of the property is Brady Estates LLC. The property is located on the west side of Hixville Road off of Digger Drive in the Limited Industrial District and identified on Assessor's Map 56 as Lots 17, 17-3 thru 17-20. (Section 37-Large Scale Ground-Mounted Solar Photovoltaic Installations)

Adjournment