



Town of Dartmouth

MASSACHUSETTS

ZONING BOARD OF APPEALS AGENDA

February 15, 2011

Welcome alternate member Stanley Mickelson – Appointed January 24, 2011

PUBLIC HEARINGS

6:00 P.M. Empire Management Corp.
205 State Road
Case #2011-01

The Petitioner is seeking an Amendment to Variance Case #2004-09 to allow an automobile dealership to continue operation in a Single Residence A District. A Variance is requested to allow an automobile dealership and up to fifty (50) percent lot coverage in the Aquifer Protection District Area 3. The Petitioner is appealing the Zoning Compliance letter dated November 22, 2010, in accordance with Section 27.501 of the Zoning Bylaw of the Town of Dartmouth. The Petitioner is proposing to raze an existing structure and construct a new 12,420 square foot automobile dealership with associated parking and vehicle storage areas.

The property is located at 205 State Road, Dartmouth, MA in a Single Residence A and Aquifer District.

MAP: 168 LOT: 126 & 113-2

(Town of Dartmouth Zoning Bylaws Section 4A – Single Residence A District,
Section 20 – Aquifer Protection District, Section 36 – Board of Appeals)

6:15 P.M. Petitioner: T-Mobile Northeast LLC
Owners: Victor and Natalie Reis
476 Hixville Road
Case #2011-03

T-Mobile Northeast LLC is seeking a Special Permit from the Zoning By-Laws of the Town of Dartmouth to allow the construction of a 150' telecommunications facility at the rear of 476 Hixville Road, Dartmouth, MA.

The property is located in a Limited Industrial District.

(Section 14.302 – Telecommunication Facilities)

MAP: 62 LOT: 10

6:30 P.M. Petitioner: Gregory Jones
Owners: Louise Shaw and Shawn McDonald
26 Sherbrooke Road
Case #2011-04

The Petitioner is seeking Variances and a Special Permit from the Zoning Bylaws of the Town of Dartmouth. The Petitioner is proposing to construct a 1-story 22' X 40' addition to the rear of the house to include 1 bedroom, bathroom and a living room. A newly constructed front porch is also being proposed. Variances are needed from Sections 4B.204E and 4B.404 of the Bylaws, which would allow for an 800 s.f. accessory apartment and a 10' side setback. The proposed addition is 1,078 s.f. in size and the petitioner is requesting a 5.78' side setback. A Special Permit is needed to increase the lot coverage from 17.0% to 19.9% if the proposed addition is approved in accordance with Section 20.510 of the Bylaws.

The property is located at 26 Sherbrooke Road, Dartmouth, MA and owned by Louise Shaw and Shawn McDonald in a Single Residence B and Aquifer District.
MAP: 171 LOT: 9

6:45 P.M. 634 State Road LLC
634 State Road
Case #2011-05

The Petitioner is seeking an Amendment to previously approved Variances and a Special Permit, which to date allows an existing non-conforming structure with a non-conforming use on the site and additional lot coverage in the aquifer protection district. Variances from Dartmouth's Zoning By-Law Section 16.202 Location of Parking Facilities and Section 16.202 (B) Parking in Setbacks are also being requested. The Petitioner is proposing to locate some of the required parking spaces on the abutting property (654 State Road), which if granted, would bring the number of parking spaces required for the two properties into compliance with the parking regulations and relevant variances. Both properties are mixed-use facilities. The property is located at 634 State Road, Dartmouth, MA in a General Business District.
(Section 36.200 Variances)

MAP: 164 LOT: 49

ADMINISTRATIVE

Approval of Minutes – January 18, 2011

Case #2010-30 Cedar Dell, LLC
Case #2011-02 Rhode Island Avenue (vacant lot)