



Town of Dartmouth

MASSACHUSETTS

ZONING BOARD OF APPEALS

AGENDA

January 17, 2012

REVISED

PUBLIC HEARINGS

CANCELLED

Jeffrey C. Graber

86 Division Road

Single Residence B District

Case #2011-38

Continued from November 15, 2011

Petitioner, Jeffrey C. Graber, requested to be taken off the agenda. No reschedule date has been determined.

7:15 P.M. Donald and Danielle Leung

533 Slocum Road

General Residence District

Case #2011-41

The Petitioners, Donald and Danielle Leung, are seeking an Administrative Appeal. Paul Murphy, Director of Inspectional Services/Zoning Enforcement Officer, determined that the property cannot be used as a 3-family residence. The Petitioners contend that the present three-family use is a lawful non-conforming use, not abandoned, and the present three-family use may continue until abandoned or discontinued. The subject property is located at 533 Slocum Road, Dartmouth, MA in the General Residence District.

MAP: 169 LOT: 9

(M.G.L. c. 40A, §6 and Zoning By-law Section 27.500 – Appeals of an Enforcement Decision)

PUBLIC HEARINGS

7:30 P.M. Walmart Stores East LP #2157
506 State Road
General Business/Aquifer Protection District
Case #2012-01

The Petitioner is proposing a 23,679 s.f. renovation and expansion to the existing building, resulting in a 146,002 s.f. Walmart store when complete. According to the required parking calculations, the minimum number of parking spaces would be 731 parking spaces. The Petitioner is seeking a Variance pursuant to Section 16.201 of Dartmouth's Zoning By-laws to allow 655 parking spaces to support the expanded building. The property is located at 506 State Road, Dartmouth, MA in the General Business/Aquifer Protection District). Map: 174 Lot: 34
(Section 16 – Off Street Parking Plan Regulations; Section 16.20 – Number of Spaces Required)

7:45 P.M. Dartmouth Conservation Commission
779 Russells Mills Road
Single Residence B/Aquifer/and Flood Plain
Case #2012-02

The Petitioner is seeking to expand an existing permanently protected public park/open space property and to permanently protect additional river frontage of the Paskamansett River. A Variance from Section 4B.411C of the Zoning By-law is required as the subject parcel was created as part of an estate lot subdivision. The property is owned by Jamie and Jean Salgado and located at 779 Russells Mills Road identified on Town Assessor's Map 34 as Lot 5. The property is located in the Single Residence B/Aquifer and Flood Plain District.
(Section 4B.411- Estate Lots; 4B.411C – The lot shall not be further subdivided)

ADMINISTRATIVE

Approval of minutes

Case #2011-40 29 College Lane – December 13, 2011

Round Hill Associates – 46 North Shore Drive – December 13, 2011

Case #2011-17 T-Mobile Associates – December 13, 2011

Case #2011-37 Mill Valley Development, LLC – October 25, 2011

November 15, 2011

December 13, 2011

ADMINISTRATIVE

CEDAR DELL LLC

Receipt of Letter from John C. Bentley, Esq. dated December 29, 2011 along with a copy of the Deed recorded at the Registry of Deeds on Book 10251 and Pg. 337 conveying a parcel to the Conservation Commission and a copy of the partial release of encumbrances on that lot recorded on Book 10251 and Pg. 339

DISCUSSION

Annual Town Report
Budget FY13