

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, December 3, 2013 (please write out)
(day of week, month, day year)

Location: 400 Slocum Rd, Town Hall Bldg. Room # 304
(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:

TMT 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 NOV 15 1 P. 2:13

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: December 3, 2013

**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 for November 19, 2013 meeting
 - Administrative Minutes
 - 90 Allen's Neck Road
 - 11 Tolland Path
 - 21 Bayview Avenue
 - 23 Clark's Cove Drive

(The discussion and review of Rules and Regulations Governing the Procedures of the Board of Appeals will be discussed at another time)

APPOINTMENT

6:25 P.M. Case 2012-33 – SIX MONTH EXTENSION

DECISION EXPIRATION DATE IS: December 12, 2013

SIX MONTH EXTENSION TIME STAMPED ON: November 11, 2013

Representative: SITEC, INC.

Petitioner/Applicant: Antonio & Paula Farias

Property Owners: Antonio & Paula Farias

Subject Property: 9 Kennedy Street, Dartmouth, MA

Petitioner is requesting a Six Month Extension on Variance Case 2012-33. A Variance was granted to allow the division of lots, and the construction of a new single-family home on the subject property pursuant to Section 36.200; Section 4A and Section 4A.400. Petitioner states the reason for the extension request is that due to the economic climate and weather conditions project is taking longer than originally expected.

PUBLIC HEARINGS

6:30 P.M. Case 2013-39 - VARIANCE

Representative: SITEC, INC.

Petitioner/Applicant: The Schwartz Center for Children

Property Owners: The Cerebral Palsy Council of Greater New Bedford, Inc.

Subject Property: 1 Posa Place, Dartmouth, MA, Map: 158 Lot: 54-1

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2013 NOV 15 A 11: 17
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AGENDA

Single Residence B District

Petitioner is seeking a VARIANCE for approval to reconfigure and expand their parking facility to allow parking within the required setback from a right-of-way and within the layout of a private right-of-way. The property is located at 1 Posa Place, Dartmouth, MA and identified on Assessor's Map 158 as Lot 54-1 in the Single Residence B District. (Section 16-Off Street Parking Plan Regulations)

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6:45 P.M. Case 2013-40 - VARIANCE

Representatives: James W. Marsh, Esq., and
Nicholas Dufresne-Engineer/ThompsonFarland

Petitioner/Applicant: Debby McCarthy

Property Owner: Debby McCarthy

Subject Property: 20 Elliot Street, Dartmouth, MA 02747, Map: 183 Lot 7

Single Residence A District

Petitioner is seeking a VARIANCE to allow to evenly divide by Form A the 40,000 s.f. subject property to construct a single-family home on the newly created 20,000 s.f. vacant lot on the property wherein the proposed home will be 41' from the street and 9' feet short of the 50' front yard setback required by Zoning. The property is located at 20 Elliot Street and identified on Assessor's Map 183, Lot 7 in the Single Residence A. District. (Section 4A.401-Lot Area and Section 4A.404-Setbacks)

7:00 P.M. Case 2013-41 - AMENDMENT

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)

7:30 P.M. Case 2013-42-AMENDMENT

Petitioner/Applicant: Mills and Ghenta, DDS, P.C.

Representative: Thomas J. Mathieu, Esq.

Property Owner: Shalom Realty, LLC

Subject Property: 570 Hawthorn St, Dartmouth, MA 02747, Map: 154, Lot: 61

District: Single Residence A

Mills and Ghenta, DDS, PC who are seeking an Amendment to Special Permit and Variance Case#1991-30 to allow Petitioners to allow the utilization of the upper level of existing building as a dental office; to lease lower level to future professional services, and to install a sign. The property is located at 570 Hawthorn St, Dartmouth, MA as identified on Assessor's Map 154 as Lot 61 in the Single Residence A District. (Section 36.200-Variations)

Adjournment