



# *Town of Dartmouth*

MASSACHUSETTS

## ZONING BOARD OF APPEALS AGENDA

September 13, 2011

### PUBLIC HEARINGS

**6:30 P.M. Joan R. Reed**  
**55 Anthony Street**  
**General Residence**  
**Case #2011-30**

The Petitioner is seeking permission to reconstruct an existing non-conforming garage which violates the current setback requirements of Section 5.404B of the Zoning By-Laws.

(Section 3B.105 – Expansion of a non-conforming use)

The property is located at 55 Anthony Street, Dartmouth, MA.  
MAP: 118 LOT: 34

*Continued from August 9, 2011 – Original hearing date 8/3/10*

**6:45 P.M. Petitioner: Stephen & Joanne Cabral**  
**Stephen's Styling, Inc.**  
**8 Champion Terrace**  
**Gen. Residence A, Gen. Business, Aquifer Protection**  
**Case #2010-19**

The Petitioners are seeking an Administrative Appeal from the Letter of Violation and Order to Cease, Desist and Abate by the Director of Inspectional Services, Joel S. Reed. Petitioners are asking to continue the use as Stephen & Co. Hair Designers.  
(Section 27.501 – Appeal)

The property is located at 8 Champion Terrace, Dartmouth, MA.  
MAP: 168 LOT: 19

*Variance portion of this hearing continued from July 26, 2011  
(Amendment to Special Permit #2011-03 was granted to allow on site tower relocation)*

**6:50 P.M. Petitioner: T-Mobile Northeast LLC**

**Owners: Victor & Natalie Reis**

**476 Hixville Road**

**Limited Industrial District**

**Case #2011-17**

The Petitioner is seeking a Variance from Zoning By-law Section 14.408 requiring underground utility services in the Limited Industrial District. Due to the presence of wetlands on and near the site, the Town's Conservation Commission would not approve underground utilities at this location, so the petitioner is seeking permission to allow overhead utilities.

(Section 14.302-Telecommunication Facilities and Section 14B.408-Development Standards in a Limited Industrial District)

The property is located at 476 Hixville Road, Dartmouth, MA.

MAP: 62            LOT: 10

*Continued from August 9, 2011*

**6:55 P.M. Joyce and David Sheridan**

**25 Lakewood Road**

**Single Residence B**

**Case #2011-28**

The Petitioners are requesting a Special Permit pursuant to Section 3B.202 of the Town of Dartmouth Zoning By-laws. The petitioners are seeking to raze the existing house and construct a new single-family house at nearly the same location as the old house in accordance with current regulations.

(Section 3B.202 – Expansion of Non-Conforming One or Two Family Structures)

The property is located at 25 Lakewood Road, Dartmouth, MA.

MAP: 171    LOT: 33

**ADMINISTRATIVE**

**Variance Case #2010-30 – Cedar Dell, LLC**

The Board will discuss Condition #3 of Variance Decision 2010-30 granted to Cedar Dell, LLC on January 31, 2011. Variance Condition #3 requires Cedar Dell to pay the Town \$21,000. Cedar Dell is proposing a payment plan, which is a modification to the Condition. The Board will vote on whether or not to allow this modification.

The Board will also discuss Condition #8 of the above-referenced Decision requiring the relinquishment of the 40B Comprehensive Permit to the Town.

The property is located at Cedar Dell Way, Dartmouth, MA.

Map: 41 Lots: 6, 6-1, 6-2, 6-3, 6-4, 6-5, 6-6, 6-7, 6-8, 6-9, 6-10, 6-11

**Mill Valley Farms Development**

Mill Valley Development, LLC will outline its development plans for the remaining three phases at Mill Valley Farms for the Board. The petitioner will be seeking the Board's approval for the construction of a downsized, lower-priced condominium unit.

The Board will also discuss previously approved zoning relief and determine if a public hearing will be required to amend the existing Variance, as the petitioner is also seeking to remove the age restricted portion of the Variance.

The property is located on Fairway Drive & Bayberry Lane, Dartmouth, MA.

Map: 43 Lots: 13-5, 13-6, 13-11, 13-7, 13-9, 13-10 & 13

**Approval of Minutes**

<b>Case #2011-20</b>	<b>Allen Street (Vacant Lot)</b>
<b>Case #2011-26</b>	<b>8 Champion Terrace</b>
<b>Case #2011-27</b>	<b>11 Anderson Way</b>