



Town of Dartmouth

MASSACHUSETTS

ZONING BOARD OF APPEALS AGENDA

December 13, 2011

APPOINTMENTS

6:30 P.M. T-Mobile Northeast LLC
Owner: Victor & Natalie Reis
476 Hixville Road
Limited Industrial District
Case #2011-17

The Board of Appeals granted an Amendment to Special Permit Case #2011-03, which allowed the telecommunication tower to be relocated approximately 100-feet to the east of the originally approved site location. The Amended Special Permit Decision, Case #2011-17, was time-stamped with the Town Clerk on July 1, 2011. The Variance portion of the hearing was continued to allow the Petitioner time to meet with Conservation to discuss Zoning By-law Section 14.408, which requires underground utility services in this Limited Industrial District. The Petitioner is seeking a 6-month extension from the Board to avoid expiration of the Amended Special Permit.

6:40 P.M. Mark & Jill Garvin
46 North Shore Drive
Single Residence B District
Round Hill

The Variance and Special Permit Decision for Round Hill Associates, Condition #5, requires that the exact locations of, and detailed plans for buildings and other structures, be approved by both the Board of Appeals and the Planning Board. The Petitioner is seeking approval of plans to construct a 13' X 24' addition above the existing deck with new concrete supports, adding two (2) dormers to the existing area over the garage, and relocating two (2) interior baths. No construction is allowed until such detailed plans are submitted and approved by both Boards.

PUBLIC HEARINGS

6:50 P.M. James Silvia
29 College Lane
Single Residence B District
Case #2011-40

Petitioner, James M. Silvia, is seeking permission to construct a farmer's porch to the front of his existing home. The Petitioner has a non-conforming lot and the proposed expansion will not meet the development standards of the zoning district. The Petitioner is seeking a Special Permit pursuant to Section 3B.300 and 3B.301 of the Town's Zoning By-laws to allow a front yard setback of 23.9' where 30' is required. The property is located at 29 College Lane, Dartmouth, MA in the Single Residence B/Aquifer Protection District and identified on Map 42 as Lot 107.

(Section 3B.300 – Non-Conforming Lots; Section 3B.301 – Uses and Structures Not Affected by Non-Conforming Lots)

Continued from November 15, 2011

7:00 P.M. Jeffrey C. Graber
86 Division Road
Single Residence B District
Case #2011-38

Petitioner Jeffrey C. Graber is seeking a Change of Use Variance. The petitioner would like to use a portion of a 22.5 acre parcel to host events such as weddings and similar functions on a limited basis, which is not an allowed use in the Single Residence B District. The subject property is owned by Joshua D. Graber and located at 86 Division Road, Dartmouth, MA in the Single Residence B District on Assessor's Map 27 and Lot 4. The submitted plan depicts a proposed 100' X 200' foot area of mowed grass near the pond which would be designated as the event site, and the location of a parking area, which shall not be paved or otherwise altered.

(Variances from the Town of Dartmouth Zoning By-laws Section 4B.200 – Allowed Uses in Single Residence B District and Section 16 - Off Street Parking Plan Regulations)

Continued from November 15, 2011

7:15 P.M. Mill Valley Development, LLC
Fairway Drive/Bayberry Lane
Single Residence B District
Case #2011-37

The petitioner is seeking to Amend previously approved Zoning Board Decisions of the 4 phase condominium project known as Mill Valley Estates. The petitioner is requesting

approval of plans for downsized/less expensive condo buildings for phases 2, 3 & 4 of this project. The petitioner is also proposing to eliminate 2 of the 12 condominium units currently permitted and to eliminate the surplus driveway shown in the approved plan for Phase 2. The property is located on Fairway Drive – Bayberry Lane, Dartmouth, MA in the Single Residence B. District.

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

(Section 36.200 – Amend Variances; Section 38 – Permission of the Board of Appeals)

ADMINISTRATIVE

Approval of Minutes