



# *Town of Dartmouth*

MASSACHUSETTS

## **ZONING BOARD OF APPEALS AGENDA**

**September 11, 2012**

Town Office Building, 400 Slocum Road, Dartmouth, MA Room #304

**REVISED**

**6:00 P.M. Open Meeting**

### **PUBLIC HEARING**

(Continued hearing)

**6:00 P.M. Ronen Drory**  
**532 Russells Mills Road**  
**Case #2012-18**  
**Neighborhood Business District**

The Petitioner is seeking to amend an existing variance for the business formerly known as CV Variety. The Petitioner is seeking permission to construct a drive through lane, and to erect fencing in the outdoor seating area to segregate an alcohol service area. The Petitioner is also seeking permission to erect and display signage, and to display a robot. The property is located at 532 Russells Mill Road, Dartmouth, MA in the Neighborhood Business District and identified on Assessor's Map 125 as Lot 64 and owned by Prestige Dartmouth Group, LLC. (Section 36.200 Variances – Amendments)

### **ADMINISTRATIVE**

Review and approve minutes

### **APPOINTMENT**

**6:10 P.M. Petitioner: Mary O'Donnell**  
**Owner: Phil DeMoranville**  
**756 Fisher Road**  
**Case #2012-11**

To discuss the letter submitted by Thomas W. Hardman dated August 1, 2012 requesting clarification of the above-referenced variance decision.

## **PUBLIC HEARINGS**

(Continued hearing)

**6:30 P.M.    Petitioner:    EMI Dartmouth Solar, LLC**  
**Owner:        Dartmouth Heritage, LLC**  
**East and West Sides of Energy Road**  
**Case #2012-23**

The Petitioner is proposing to construct a commercial solar photovoltaic facility that will not meet the design standard requirement of Section 37.401 of the Town's Zoning By-laws. The property is located at the East and West sides of Energy Road, Dartmouth, MA in the Limited Industrial District. The required setback from street lines and all other property lines is seventy-five (75) feet. The Petitioner is requesting a setback Variance to allow ten (10) feet along Energy Road, and ten (10) feet along the southerly property line. The property is identified on Town Assessor's Map 67 as Lot 11 (partial) and Lots 11-01 through 11-17 inclusive, as well as Map 68 as Lots 13-01 through 13-18 inclusive. (Section 37.401 – Setbacks)

(Continued hearing)

**6:45 P.M.    Joseph Pascoal**  
**24 Puritan Street**  
**General Residence District**  
**Case #2012-20**

The Petitioner is seeking a Special Permit pursuant to Section 3B.202 of the Town's Zoning By-laws. The Petitioner is seeking to expand the existing non-conforming structure. The Petitioner is proposing to remove the stairs located at the side of the house, and to construct an enclosure to provide second floor access from the front of the house where the open porch is currently located. The property is located at 24 Puritan Street and identified on Assessor's Map 139 as Lot 263, in the General Residence District. (Section 3B.202-Expansion of Non-Conforming One or Two Family Structures)

**7:00 P.M.    Antonio Antunes**  
**8 Yorke Street**  
**General Residence District**  
**Case #2012-27**

The Petitioner is seeking a Variance to construct front stairs to be located 15.29 feet from the property line, where 20 feet is required by zoning. The property is located at 8 Yorke Street, Dartmouth, MA in the General Residence District and identified on Assessor's Map 165 as Lot 83. (Section 5.404 – Setbacks)

**7:15 P.M. Petitioner: Ricardo Corporation**  
**Owner: Michael W. Ricardo**  
**611/619 State Road**  
**General Business District**  
**Case #2012-26**

Petitioner is seeking a Variance and Special Permit to allow the construction of a new 42' X 80' farm stand building, paved parking along Rte. 6 (State Road), and to re-arrange the outdoor storage and display areas. The property is located at 611/619 State Road, Dartmouth, MA in the General Business District and identified on Assessor's Map 165 as Lot 143, and Map 164 as Lot 2. Information is on file in the office of the Zoning Board of Appeals and may be seen upon request during regular business hours.

(Section 16.101 – Off Street Parking Plan Regulations; 16.203E – Parking Surface; Section 38.100 – Board of Appeals as Special Permit Granting Authority; Section 36.200 – Variances)

(Continued hearing)

**7:45 P.M. Robert and Bette Hamilton**  
**586 Elm Street**  
**General Residence District**  
**Case #2012-24**

The Petitioners are seeking a Variance from Section 5.407 of the Town's Zoning By-laws to allow the construction of a horseshoe shaped driveway onto Elm Street. The property is located at 586 Elm Street in the General Residence District and identified on Assessor's Map 127 as Lot 1. Information is on file in the office of the Zoning Board of Appeals and may be seen upon request during regular business hours.

(Section 5.407 – Parking and Driveways)

**Adjournment**

**Next ZBA Meeting will be held on September 25, 2012**