



TOWN OF DARTMOUTH
Office of the Zoning Board of Appeals
400 Slocum Road, Dartmouth, MA 02747
(508) 910-1868

ADMINISTRATIVE MINUTES

DATE OF HEARING: February 3, 2015

6:15 P.M. Chairman Jacqueline Figueiredo opened the meeting, Pledge the Flag, Moment of Silence

PRESENT: Chairman Jacqueline Figueiredo, Halim Choubah and Robert Gardner
Associate Members: Michael Medeiros and Rahim Aghai,
Principal Clerk Michelle Vieira
ABSENT: David Dore

Chairman Figueiredo announced next meeting date for the Zoning Board of Appeals will be February 17, 2015 @ 6:15 in room 304 at Town Hall.

ADMINISTRATIVE

The Board unanimously voted and approved the following Minutes as amended:

- Administrative Minutes of January 6, 2015 and January 20, 2015 Meeting

A motion was made by Robert Gardner to accept the Minutes as amended, seconded by Halim Choubah and unanimously voted.

Chairman Figueiredo informed the Board that she is on the Re-Organization Committee and discussed the information that the Board members received. One concern of the committee includes building security, access and costs. This information was submitted to the Select Board, and will be submitted to the Finance Committee before it goes to Town Meeting.

6:35 P.M. Adjournment

Michelle Vieira

Michelle Vieira, Principal Clerk
For the Zoning Board of Appeals
Date of Approval:

RECEIVED
2015 FEB 18 PM 2 15
DARTMOUTH TOWN CLERK



TOWN OF DARTMOUTH
Office of the Zoning Board of Appeals
400 Slocum Road, Dartmouth, MA 02747
(508) 910-1868

MINUTES

DATE OF HEARING: FEBRUARY 3, 2015
CASE: VARIANCE/CHANGE OF USE VARIANCE
CASE NO: 2014-40
Petitioner/Applicant: JOQUIM M. FIDALGO & MELISSA M. COSTA
Property Owner(s): JOQUIM M. FIDALGO & MELISSA M. COSTA
Representative: THOMPSON FARLAND, INC
Subject Property: 10 THIBEAULT LANE
MAP: LOT(S): Districts MAP 180 LOT 14 SINGLE RESIDENCE B
Registry of Deeds Book: BOOK: 8049 PAGE: 249

RECEIVED
2015 FEB 18 PM 2 15
DARTMOUTH TOWN CLERK

PRESENT: The Board: Chairman Jacqueline Figueiredo, Clerk Halim Choubah, Robert Gardner
Associate Board Members: Michael Medeiros, Dr. Rahim Aghai,
Principal Clerk Michelle Vieira
ABSENT: David Dore

6:50 P.M. Chairman Figueiredo opened the hearing

The Petitioners who are Joquim Fidalgo and Melissa Costa, are seeking a VARIANCE to raze the existing dwelling and accessory structure on the property and construct a new single family dwelling. The property is located on 10 Thibeault Lane in the Single Residence B District and identified on Assessor's Map 180 as Lot 14. Information is on file in the office of the Board of Appeals and may be seen upon request. (Section 4B.404 Setbacks)

Chairman Figueiredo stated that this case was continued from December 2, 2015, because the Board felt the Petitioner needed a storm water recharge plan and to be sure they were meeting the flood zone and aquifer requirements of the by-laws. Chairman Figueiredo read into record an e-mail from Nick Dufresne, Engineer requesting a continuance.

Robert Gardner made a motion to continue the case to March 10, 2015, and it was seconded by Halim Choubah. The motion carried unanimously

6:53 P.M. Hearing adjourned

Michelle Vieira

Michelle Vieira, Principal Clerk
For the Zoning Board of Appeals
Date of Approval: _____



TOWN OF DARTMOUTH
Office of the Zoning Board of Appeals
400 Slocum Road, Dartmouth, MA 02747
(508) 910-1868

MINUTES

RECEIVED
2015 FEB 18 PM 2 15
DARTMOUTH TOWN CLERK

DATE OF HEARING: FEBRUARY 3, 2015
CASE: ADMINISTRATIVE APPEAL
CASE NO: 2014-42
Petitioner/Applicant: MARY ROBINSON
Property Owner: MARY ROBINSON
Representative: RICHARD E. BURKE, JR., BEAUREGARD, BURKE & FRANCO
Subject Property: 769 STATE ROAD
MAP: LOT(S) MAP: 163 LOT(S):57
DISTRICTS: GENERAL BUSINESS
Registry of Deeds: Book 4889 Page 323

PRESENT: The Board: Chairman Jacqueline Figueiredo, Clerk Halim Choubah, Robert Gardner
Associate Board Members: Attorney Michael Medeiros, Dr. Rahim Aghai
Principal Clerk Michelle Vieira
ABSENT Associate Member: David Dore

6:55 P.M. *Chairman Figueiredo opened the hearing*

Chairman Figueiredo stated this case was continued from December 2, 2014 in order for the Petitioner to provide the Board Members with colored photos of property in question. Attorney Burke requested a continuance until February 17, 2015. Attorney Burke signed the Agreement to Extend Statutory Deadlines. The Board decided to continue the case until February 26, 2015.

Mr. Choubah made a motion and seconded by Mr. Gardner to continue this case until February 26, 2015. Motion carried unanimously.

7:00 P.M. *Hearing adjourned*

Michelle Vieira

Michelle Vieira, Principal Clerk
For the Zoning Board of Appeals
Date of Approval: _____



TOWN OF DARTMOUTH
 Office of the Zoning Board of Appeals
 400 Slocum Road, Dartmouth, MA 02747
 (508) 910-1868

MINUTES

DATE OF HEARING: FEBRUARY 3, 2015
 CASE: VARIANCE/CHANGE OF USE VARIANCE
 CASE NO: 2014-47
 Petitioner/Applicant: James DeMello
 Property Owner(s): James DeMello
 Representative: David Fredette, Engineer
 Subject Property: 13 & 21 Sunview Terrace
 District: General Residence MAP: 117 LOT(S):43 & 44
 Registry of Deeds Book: 11105 Page 275 Book: 6761 Page 338

RECEIVED
 2015 FEB 18 PM 2 15
 DARTMOUTH TOWN CLERK

ATTENDANCE

PRESENT: The Board: Chairman Jacqueline Figueiredo, Clerk Halim Choubah, Robert Gardner,
 Associate Board Members: Michael Medeiros, Dr. Rahim Aghai,
 Principal Clerk Michelle Vieira
 ABSENT: David Dore

Also Present: Stephen Maynard, Esq.

6:40 PM Chairman Figueiredo opened the hearing

The petitioner James DeMello is seeking a **VARIANCE** from strict enforcement of the minimum lot size for the property located at 13 Sunview Terrace (identified on Assessors Map 117 Lot 43). The applicant is proposing to extinguish the 2,135 sq. ft. easement on 13 Sunview Terrace and transfer this land area to 21 Sunview Terrace (identified on Assessors May 117 Lot 44). This action will result in a lot size of 13,269 sq. ft. for Lot 43 wherein 15,000 sq. ft. is required. The properties are located at 13 & 21 Sunview Terrace in the General Residence District and identified on Assessor's Map 117 as Lots 43 & 44. Information is on file in the office of the Board of Appeals and may be seen upon request. (Section 5.401 Lot Area)

ADVERTISED: The Notice for public hearing was published in The Dartmouth Chronicle on Wednesday, January 14, 2015 and Wednesday, January 21, 2015.

ABUTTER'S LIST: Halim Choubah motioned to waive the reading of the abutter's list, seconded by Robert Gardner, motion passed unanimously. A certified abutter's list is available for review in the office of the Zoning Board of Appeals.

Chairman Figueiredo read an e-mail from David Fredette, Engineer requesting the continuance.

Chairman Figueiredo asked the public for any comments.

Attorney Steven Maynard requested that the continuance be denied since the abutters were not notified of the continuance, and he would like information regarding this case.

Chairman Figueiredo informed Attorney Maynard that he can view the information at the Zoning Board of Appeals office, that it is public record.

Chairman Figueiredo asked the board members if they had any questions.

No questions from the board.

Mr. Choubah made a motion to continue the hearing to March 10, 2015. The motion was seconded by Mr. Gardner. Motion passed unanimously.

6:45 P.M. Hearing adjourned

Michelle Vieira

*Michelle Vieira, Principal Clerk
For the Zoning Board of Appeals*

Date of Approval _____



TOWN OF DARTMOUTH
Office of the Zoning Board of Appeals
400 Slocum Road, Dartmouth, MA 02747
(508) 910-1868

MINUTES

RECEIVED
2015 MAR 5 AM 11 48
DARTMOUTH TOWN CLERK

DATE OF HEARING: FEBRUARY 3, 2015
CASE: VARIANCE/CHANGE OF USE VARIANCE
CASE NO: 2014-40
Petitioner/Applicant: JOQUIM M. FIDALGO & MELISSA M. COSTA
Property Owner(s): JOQUIM M. FIDALGO & MELISSA M. COSTA
Representative: THOMPSON FARLAND, INC
Subject Property: 10 THIBEAULT LANE
MAP: LOT(S): Districts MAP 180 LOT 14 SINGLE RESIDENCE B
Registry of Deeds Book: BOOK: 8049 PAGE: 249

PRESENT: The Board: Chairman Jacqueline Figueiredo, Clerk Halim Choubah, Robert Gardner
Associate Board Members: Michael Medeiros, Dr. Rahim Aghai,
Principal Clerk Michelle Vieira
ABSENT: David Dore

6:50 P.M. Chairman Figueiredo opened the hearing

The Petitioners who are Joquim Fidalgo and Melissa Costa, are seeking a VARIANCE to raze the existing dwelling and accessory structure on the property and construct a new single family dwelling. The property is located on 10 Thibeault Lane in the Single Residence B District and identified on Assessor's Map 180 as Lot 14. Information is on file in the office of the Board of Appeals and may be seen upon request. (Section 4B.404 Setbacks)

Chairman Figueiredo stated that this case was continued from December 2, 2015, because the Board felt the Petitioner needed a storm water recharge plan and to be sure they were meeting the flood zone and aquifer requirements of the by-laws. Chairman Figueiredo read into record an e-mail from Nick Dufresne, Engineer requesting a continuance.

Robert Gardner made a motion to continue the case to March 10, 2015, and it was seconded by Halim Choubah. The motion carried unanimously

6:53 P.M. Hearing adjourned

Michelle Vieira

Michelle Vieira, Principal Clerk
For the Zoning Board of Appeals
Date of Approval: _____



TOWN OF DARTMOUTH
Office of the Zoning Board of Appeals
400 Slocum Road, Dartmouth, MA 02747
(508) 910-1868

MINUTES

DATE OF HEARING: FEBRUARY 3, 2015
CASE: ADMINISTRATIVE APPEAL
CASE NO: 2014-42
Petitioner/Applicant: MARY ROBINSON
Property Owner: MARY ROBINSON
Representative: RICHARD E. BURKE, JR., BEAUREGARD, BURKE & FRANCO
Subject Property: 769 STATE ROAD
MAP: LOT(S) MAP: 163 LOT(S):57
DISTRICTS: GENERAL BUSINESS
Registry of Deeds: Book 4889 Page 323

PRESENT: The Board: Chairman Jacqueline Figueiredo, Clerk Halim Choubah, Robert Gardner
Associate Board Members: Attorney Michael Medeiros, Dr. Rahim Aghai
Principal Clerk Michelle Vieira
ABSENT Associate Member: David Dore

6:55 P.M. *Chairman Figueiredo opened the hearing*

Chairman Figueiredo stated this case was continued from December 2, 2014 in order for the Petitioner to provide the Board Members with colored photos of property in question. Attorney Burke requested a continuance until February 17, 2015. Attorney Burke signed the Agreement to Extend Statutory Deadlines. The Board decided to continue the case until February 26, 2015.

Mr. Choubah made a motion and seconded by Mr. Gardner to continue this case until February 26, 2015. Motion carried unanimously.

7:00 P.M. *Hearing adjourned*

Michelle Vieira

Michelle Vieira, Principal Clerk
For the Zoning Board of Appeals
Date of Approval: _____



TOWN OF DARTMOUTH
Office of the Zoning Board of Appeals
400 Slocum Road, Dartmouth, MA 02747
(508) 910-1868

MINUTES

DATE OF HEARING: FEBRUARY 3, 2015
CASE: VARIANCE/CHANGE OF USE VARIANCE
CASE NO: 2014-47
Petitioner/Applicant: James DeMello
Property Owner(s): James DeMello
Representative: David Fredette, Engineer
Subject Property: 13 & 21 Sunview Terrace
District: General Residence MAP: 117 LOT(S):43 & 44
Registry of Deeds Book: 11105 Page 275 Book: 6761 Page 338

ATTENDANCE

PRESENT: The Board: Chairman Jacqueline Figueiredo, Clerk Halim Choubah, Robert Gardner,
Associate Board Members: Michael Medeiros, Dr. Rahim Aghai,
Principal Clerk Michelle Vieira
ABSENT: David Dore

Also Present: Stephen Maynard, Esq.

6:40 PM Chairman Figueiredo opened the hearing

The petitioner James DeMello is seeking a **VARIANCE** from strict enforcement of the minimum lot size for the property located at 13 Sunview Terrace (identified on Assessors Map 117 Lot 43). The applicant is proposing to extinguish the 2,135 sq. ft. easement on 13 Sunview Terrace and transfer this land area to 21 Sunview Terrace (identified on Assessors May 117 Lot 44). This action will result in a lot size of 13,269 sq. ft. for Lot 43 wherein 15,000 sq. ft. is required. The properties are located at 13 & 21 Sunview Terrace in the General Residence District and identified on Assessor's Map 117 as Lots 43 & 44. Information is on file in the office of the Board of Appeals and may be seen upon request. (Section 5.401 Lot Area)

ADVERTISED: The Notice for public hearing was published in The Dartmouth Chronicle on Wednesday, January 14, 2015 and Wednesday, January 21, 2015.

ABUTTER'S LIST: Halim Choubah motioned to waive the reading of the abutter's list, seconded by Robert Gardner, motion passed unanimously. A certified abutter's list is available for review in the office of the Zoning Board of Appeals.

Chairman Figueiredo read an e-mail from David Fredette, Engineer requesting the continuance.

Chairman Figueiredo asked the public for any comments.

Attorney Steven Maynard requested that the continuance be denied since the abutters were not notified of the continuance, and he would like information regarding this case.

Chairman Figueiredo informed Attorney Maynard that he can view the information at the Zoning Board of Appeals office, that it is public record.

Chairman Figueiredo asked the board members if they had any questions.

No questions from the board.

Mr. Choubah made a motion to continue the hearing to March 10, 2015. The motion was seconded by Mr. Gardner. Motion passed unanimously.

6:45 P.M. Hearing adjourned

Michelle Vieira

Michelle Vieira, Principal Clerk

For the Zoning Board of Appeals

Date of Approval _____