



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

Board Members

Jacqueline Figueiredo, Chairman
Halim Choubah, P.E., Clerk
Robert Gardner, Member

MINUTES

DATE OF HEARING: April 14, 2015
CASE: SPECIAL PERMIT
CASE NO: 2015-06
PETITIONER/APPLICANT: Timothy and Jane Howes
PROPERTY OWNER: Timothy and Jane Howes
SUBJECT PROPERTY: 36 High Street
DISTRICT: General Residence
Map: 113 Lot: 39

BRISTOL COUNTY
REGISTRY OF DEEDS: Book: 132 Page: 24

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DARTMOUTH TOWN CLERK

ATTENDANCE

PRESENT: The Board: Chairman Jacqueline Figueiredo, Robert Gardner and Michael Medeiros Esq.
ASSOCIATE MEMBERS: Dr. Rahim Aghai
Principal Clerk, Michelle Vieira
ABSENT: Halim Choubah, P.E and Dr. David Dore

ALSO PRESENT: Timothy and Jane Howes

6:40 P.M. Chairman Figueiredo opened the hearing

LEGAL AD: Notice is hereby given of a public hearing to be held on **Tuesday, April 14, 2015 @ 6:15 P.M.** in Meeting Room 304, Town Hall, 400 Slocum Road, Dartmouth, MA on the petition of Timothy and Jane Howes who are seeking a Special Permit to install a bathroom in a pool house. The property is located 36 High Street in the General Business District and identified on Assessor's Map 113 as Lot 39. Information is on file in the office of the Board of Appeals and may be seen upon request. (Section 5.302) Accessory Buildings or Structures with Kitchen or Bathroom Facilities

ADVERTISED: The Notice for public hearing was published in The Dartmouth Chronicle on Wednesday, March 18, 2015 and Wednesday, March 25, 2015

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

DOCUMENTS ON FILE

- Special Permit application time stamped with the Town Clerk on March 10, 2015

- Schedule of Departmental Payment of Fees To Collector's Office
- Legal Ad
- Certified Abutter's List
- Vision Appraisal Card
- Letter from Planning Director John P. Hansen, Jr., dated March 31, 2015
- Proposed Pool House Architectural Plans by LawtonDesignStudio dated July 30/31, 2014

Chairman Figueiredo read into the record a letter from Planning Director, John P. Hansen, Jr., dated March 31, 2015.

Chairman Figueiredo invited the Petitioner or representative to present the case.

Timothy Howes, owner of the home, stated he would like approval to install a bathroom in the pool house.

Chairman Figueiredo stated that the pool house consisted of only one room.

Chairman Figueiredo invited any board members to ask questions.

Mr. Gardner asked if the property was connected to town sewer and if it was going to have a hot water tank.

Mr. Howes replied that it is connected to town sewer and it will have a small hot water tank.

No further questions from board members.

Chairman Figueiredo invited public comments regarding this project.

No comments from the public.

The Board made findings which are listed in the Decision.

The Board made proposed conditions which are listed in the Decision.

Chairman Figueiredo asked for a motion to close the public hearing.

Michael Medeiros made the motion to close the public hearing, seconded by Robert Gardner, and the motion passed unanimously.

Robert Gardner made the motion to approve the SPECIAL PERMIT in accordance with the Board's stated findings and proposed conditions. The motion was seconded by Michael Medeiros. Motion passed unanimously.

Chairman Figueiredo asked for a motion to adjourn.

Robert Gardner made motion to adjourn the hearing on the petition; the motion was seconded by Michael Medeiros, and motion passed unanimously.

6:50 P.M. Hearing adjourned

Michelle Vieira

Michelle Vieira, Principal Clerk
Zoning Board of Appeals

Date of approval: 5/19/15



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ADMINISTRATIVE MINUTES

DATE OF HEARING: April 14, 2015

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

PRESENT: Chairman Jacqueline Figueiredo, Robert Gardner and Michael Medeiros Esq.

ASSOCIATE MEMBERS: Dr. Rahim Aghai

Principal Clerk Michelle Vieira

ABSENT: Dr. David Dore and Halim Choubah, P.E.

Chairman Figueiredo announced the next meeting date for the Zoning Board of Appeals will be May 19, 2015 at 6:15 PM in Room 304 at Town Hall.

Chairman Figueiredo stated that the Board has an Administration Hearing regarding approval to reconstruct (enlarge) the front entry to the condominium unit at 68 Hetty Green Drive (Round Hill). She informed the Board that this request was being made in accordance with Condition #3 of the Variance and Special Permit granted to the Round Hill Association on July 22, 1981. Also, in accordance with the recorded covenant for the subject property, Mr. Andrew Lima of Lima Construction submitted an application to the Round Hill Community Corporation for the proposed alteration. A copy of the application and letter of approval from the RHCC Property Manager, Bill Griffin was submitted to the Zoning Board of Appeals office on April 7, 2015.

Andrew Lima, Contractor informed the Board that the owners would like approval to reconstruct (enlarge) the front entry way to make it convenient for their elderly parents.

Mr. Medeiros asked if the steps were going to extend further beyond the existing structure.

Mr. Lima stated that it's a blue stone walkway and the step will not extend further than the existing foundation.

Robert Gardner made the motion to approve the plans marked A-01 titled "Proposed Entrance Porch Fisher/Koch Guest House" by Architect Gregory Jones dated January 7, 2015 for 68 Hetty Green Drive. The motion was seconded by Mr. Medeiros, motion passed unanimously.

ADMINISTRATIVE MINUTES:

Robert Gardner made the motion to approve the Administrative Minutes of March 31, 2015 as amended; Michael Medeiros seconded the motion which passed unanimously.

The following Hearing Minutes were approved as amended:

- Minutes of (March 10, 2015) Case #2014-50A Vacant Lot on Reed Road-Variance
The motion was made by Robert Gardner, seconded by Michael Medeiros to approve as amended. The motion passed unanimously.
- Minutes of (March 10, 2015) Case #2014-40 10 Thibeault Lane-Variance
The motion was made by Michael Medeiros, seconded by Robert Gardner to approve as amended. The motion passed unanimously.
- Minutes of (March 31, 2015) Case #2014-49 710 State Road-Special Permit
The motion was made by Michael Medeiros, seconded by Robert Gardner to approve as amended. The motion passed unanimously.
- Minutes of (March 31, 2015) Case # 2015-03 85 East Hidden Bay Drive-Special Permit
The motion was made by Robert Gardner, seconded by Michael Medeiros to approve as amended. The motion passed unanimously.
- Minutes of (March 31, 2015) Case #2015-05 43 Harvest Avenue-Variance
The motion made by Robert Gardner, seconded by Michael Medeiros to approve as amended. The motion passed unanimously.
- Minutes of (March 31, 2015) Case #2015-04 15 Ann Avenue-Special Permit
The motion made by Robert Gardner, seconded by Michael Medeiros to approve as amended. The motion passed unanimously.

The following Case was heard April 14, 2015:

Special Permit Case # 2015-06 -36 High Street-Approved

Michelle Vieira, Principal Clerk

For the Zoning Board of Appeals

Date of Approval: 5/19/15