



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

## ADMINISTRATIVE MINUTES

**DATE OF HEARING: May 19, 2015**

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

PRESENT: Chairman Jacqueline Figueiredo, Halim Choubah P.E. and Robert Gardner

ASSOCIATE MEMBERS: Michael Medeiros Esq. and Dr. Rahim Aghai

Principal Clerk Michelle Vieira

ABSENT: David Dore

*Chairman Figueiredo announced the next meeting date for the Zoning Board of Appeals will be Tuesday, June 16, 2015 at 6:15 P.M. Room 304 at the Town Hall.*

*Chairman Figueiredo stated that the minutes for the Administrative Appeal (State Road) will be deferred until June 16, 2015.*

### ADMINISTRATIVE MINUTES:

Robert Gardner made the motion to approve the Administrative Minutes of April 14, 2015 as amended; Michael Medeiros seconded the motion which passed unanimously.

#### **The following Hearing Minutes were approved as amended:**

- Minutes of April 14, 2015 Special Permit Case #2015-06 36 High Street  
The motion was made by Robert Gardner, seconded by Halim Choubah to approve as amended.  
The motion passed unanimously.

#### **The following Cases were heard May 19, 2015:**

Variance Case # 2015-07 - 1 Meadow Shores Road-Approved  
Amendment Case #2015-08 - 570 Hawthorn Street-Approved

*Michelle Vieira, Principal Clerk*  
For the Zoning Board of Appeals  
Date of Approval: 4/16/15

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Board Members

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

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MINUTES

DATE OF HEARING: May 19, 2015  
 CASE: VARIANCE  
 CASE NO: 2015-07  
 PETITIONER/APPLICANT: Roland and Suzanne Valois  
 PROPERTY OWNER(S): Roland and Suzanne Valois  
 SUBJECT PROPERTY: 1 Meadow Shores Road  
 DISTRICT: Single Residence B and Flood Plain Districts  
 Map: 88 Lot: 20  
 REGISTRY OF DEEDS: Book: 11303 Page: 222

ATTENDANCE

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

**ALSO PRESENT:** Roland Valois

*6:25 PM Chairman Figueiredo opened the hearing*

**LEGAL AD:** Notice is hereby given of a public hearing to be held on **Tuesday, May 19, 2015 @ 6:30 P.M.** in Meeting Room 304, Town Hall, 400 Slocum Road, Dartmouth, MA on the petition of Roland and Suzanne Valois who are seeking a Variance to construct a detached garage with the foundation to be located 8' (7' eaves) from the private street layout. Section 4B.404 (Setbacks) The property is located at 1 Meadow Shores Road in the Single Residence B District and identified on Assessor's Map 88 Lot 20. Information is on file in the office of the Board of Appeals and may be seen upon request.

**ADVERTISED:** The Notice for public hearing was published in The Dartmouth Chronicle on Wednesday April 29, 2015, and Wednesday, May 6, 2015.

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

DOCUMENTS ON FILE

- Variance application time stamped with the Town Clerk on April 21, 2015
- Schedule of Departmental Payment of Fees To Collector's Office

- Certified Abutter's List
- Vision Appraisal Card
- Letter from Planning Director
- Site Plan by Boucher & Heureux, Inc. dated February 19, 2015
- Proposed Plans and Elevations by Gregory Jones-Architect dated April 15, 2015

*Chairman Figueiredo informed the Board that this property has two additional lots, 19 and 19-1.*

*Chairman Figueiredo read into the record a letter from Planning Director, John P. Hansen, Jr. dated April 23, 2015.*

*Chairman Figueiredo invited the Petitioner or Representative to present the case.*

Roland Valois, the Petitioner and owner of the property stated that he would like to construct a detached garage with the foundation to be located 8' (7' eaves) from the private street layout. He also stated because of the shape of the lot and where the existing house is located, this is the only area that the 20'x 24' structure (garage) can be constructed, which is 8' from the layout of Meadow Shores Road.

*Robert Gardner asked if the existing garage that is attached to the house was going to be demolished. Mr. Valois replied no, that he will be re-building/renovating the structure (garage). The proposed detached garage will be his workshop.*

*Chairman Figueiredo asked any Board Members if they had any questions.*

*No questions by Board Members.*

*Chairman Figueiredo invited public comments.*

*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.*

*Robert Gardner made the motion to close the public hearing which was seconded by Halim Choubah. The motion passed unanimously.*

*Robert Gardner made the motion to approve the Variance in accordance with the Board's stated findings and proposed conditions. The motion was seconded by Halim Choubah. The motion passed unanimously.*

*6:50 P.M. Hearing adjourned*

*Michelle Vieira*

Michelle Vieira, Principal Clerk  
For the Zoning Board of Appeals

Date of Approval: 6/16/15

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**MINUTES**

Board Members

Jacqueline Figueiredo, Chairman  
 Halim Choubah, Clerk  
 Robert Gardner

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DATE OF HEARING: May 19, 2015  
 CASE: AMENDMENT  
 CASE NO: 2015-08  
 Petitioner/Applicant: Ghenta and Mills Dental Group, P.C.  
 Representative: Thomas J. Mathieu, Esq.  
 Property Owners: 570 Hawthorn Properties, LLC  
 Subject Property: 570 Hawthorn Street  
 District: Single Residence A  
 Map: 154 Lot: 61

BRISTOL COUNTY  
 REGISTRY OF DEEDS: Book: 11011 Page: 83

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

ALSO PRESENT: Thomas J. Mathieu, Esq. and James Burke, Poyant Signs

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

LEGAL AD: Notice is hereby given of a public hearing to be held on **Tuesday, May 19, 2015 @ 6:30 P.M.** in Meeting Room 304, Town Hall, 400 Slocum Road, Dartmouth, MA on the petition of Ghenta and Mills Dental Group, P.C who are seeking Approval of an Amendment to Case #1991-30 Condition # 5 as amended by Case #2013-42 Condition # 6 to install and erect a wall sign on the building. Section 4A.408 (Signs). The property is located 570 Hawthorn Street in the Single Residence A District and identified on Assessor's Map 154 Lot 61. Information is on file in the office of the Board of Appeals and may be seen upon request.

ADVERTISED: The Notice for public hearing was published in The Dartmouth Chronicle on Wednesday, April 29, 2015 and Wednesday, May 6, 2015.

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

DOCUMENTS ON FILE

- Amendment application time-stamped with the Town Clerk on April 17, 2015
- Schedule of Departmental Payment of Fees to Town Collector
- Certified Abutter's List
- Legal Ad
- Vision appraisal parcel card
- Letter from Planning Director, John Hansen, dated April 21, 2015
- Photos
- Prior decisions
- Poyant Signs Project 10670, Drawing 1A.1 dated March 5, 2015

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*Chairman Figueiredo read into the record a letter from Planning Director, John Hansen, dated April 21, 2015.*

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

Attorney Thomas Mathieu informed the Board that he had been before them in December 2013, and at that time his client hadn't thought about the signs. Now that the finishing touches are being finalized on the building, the Petitioner would like to add a sign that would be attached to the building. The sign measurements will be less than 2' x 8' wide and that this is the final piece of the project. He is asking that condition #6 from Case # 2013-42 be amended.

*Chairman Figueiredo asked any Board Members if they had questions.*

*Robert Gardner wanted it verified that the sign was not going to be illuminated.*

Attorney Mathieu agreed that the sign will not be illuminated.

*Chairman Figueiredo asked if the free standing sign that was there now was an illuminated and the answer was yes.*

*Chairman Figueiredo asked if there are any public comments.*

Janet Rose who abuts the subject property voiced her concerns regarding the free standing sign that shines in her bedroom and that the lights in the building are on all night.

James Burke, Representative for Poyant Signs stated that the lights are on a timer and should shut off after business hours. They may just need an adjustment. Attorney Mathieu will follow up.

Halim Choubah informed Ms. Rose that if the problem with the lights being lit continues, she can call Paul Murphy the Zoning Enforcement Office with her concerns and he will look into the problem.

*No further public comments.*

The Board made findings which are listed in the Decision.

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

*Robert Garner made the motion to close the public hearing. The motion was seconded by Halim Choubah. The motion passed unanimously.*

*Robert Gardner made the motion to GRANT the AMENDMENT based upon the findings and conditions as stated. The motion was seconded by Halim Choubah. The motion passed unanimously.*

*Robert Gardner made the motion to adjourn. The motion was seconded by Halim Choubah. The motion passed unanimously.*

*7:15 P.M. Hearing adjourned*

*Michelle Vieira*

Michelle Vieira, Principal Clerk  
For the Zoning Board of Appeals

Date of Approval: 6/16/15

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