



# Town of Halifax Commonwealth of Massachusetts

## Zoning Board of Appeals

499 Plymouth Street • Halifax, MA 02338 • 781-293-1736

### HALIFAX ZONING BOARD OF APPEALS

Wednesday, August 21, 2013

The Halifax Zoning Board of Appeals held a public hearing on Wednesday, August 21, 2013, for Petition #794 only, in Meeting Room #1 of the Town Hall with the following Board members in attendance:

Debra Tinkham, Kozhaya Nessralla and Sally Wells were in attendance.

Chairman Tinkham called the meeting to order at 2:13pm.

**BOARD/COMMITTEE:** Zoning Board of Appeals

**MEETING** **PUBLIC HEARING** (Please circle appropriately)

**DATE:** August 21, 2013 **TIME:** **2:00-3:00 pm**

**LOCATION:** Town Hall, Mtg Room 1, 499 Plymouth Street, Halifax, MA 02338

**PURPOSE:** Petition #794

**REQUESTED BY:** Marion Wong-Ryan

**NOTE:** All meeting notices must be filed and time stamped in the Town Clerk's Office and posted on the Municipal Bulletin Board no later than 48 hours in advance of meetings (excluding Saturdays, Sundays and legal holidays). Please keep in mind the Town Clerk's hours of operation and make the necessary arrangements to be sure posting is made in an adequate amount of time.

\*Per changes to the Open Meeting Law effective 7/1/2010, "A listing of topics that the Chair reasonably anticipates will be discussed at the meeting" are to be listed on the agenda.

#### **LIST OF TOPICS TO BE DISCUSSED**

Petition #794 – There is a potential that the ZBA Board members will need to Open, Read the Public Hearing Notice (see below) & **Immediately Continue Petition #794 to the next scheduled public hearing date of September 9, 2103 at 7:30pm**

#### **Notice of Public Hearing**

The Halifax Zoning Board of Appeals will hold a public hearing on Monday, July 8, 2013 at 7:30pm in Meeting Room 1, Town Hall, 499 Plymouth Street, Halifax, MA on the application by Melo J. Spencer to amend her residential use(s) from a Single-family home with an In-law apartment to a Two(2)-family or duplex dwelling to his home on 21 Dwight Street, Halifax, MA. Said property is owned by Melo J. Spencer, as shown on Assessor's Map #19, Lots 523-542. The applicant seeks a Special Permit under Table of Use Regulations (Section 167-7C), in accordance with the Zoning By-laws of the Town of Halifax, Schedule of Use Regulations (Section 167-7), page(s) 167:25 & 167:26. Area is zoned Residential. Petition #794

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Board member, Sally Wells, reads aloud the public hearing notice.

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D.Tinkham: “The reason we have this emergency meeting is because today is the sixty...sixty-fifth day that the petition has been in our hands and we haven’t opened it so I just need to..we just read this into the minutes. There...we did get a copy of a letter. Miss Melo...Miss Spencer hired a lawyer and we got this letter that I should read into the...first of all, let me back up. We had attempted to get a hold of Melo Spencer to file for a “Letter of Mutual Agreement For Extension”. At first, she said yes...there’d be no problem, then, we wouldn’t be here today. But then she contacted a lawyer and the lawyer said don’t sign anything. So that is why we had to come in...we’re going to open it and close it. But he did send out a fax.”

Chairman Tinkham read the fax letter aloud (see attached).

D.Tinkham: “We are not doing any such thing. In fact, I would entertain a motion to continue petition #794 to the next public hearing...I made a mistake...September 16<sup>th</sup> (2013) at 7:00pm. It’s the only petition that we will do that night. So, do I have a motion to continue this petition #794 until September 16<sup>th</sup>?”

It was duly moved (K.Nessralla) and seconded (Sally Wells) for a continuance of petition #794 to the public hearing date of September 16, 2013: All in favor and so voted by voice 3-0-0.

It was duly moved (K.Nessralla) and seconded (Sally Wells) to adjourn the meeting at 2:18pm. All in favor and so voted by voice 3-0-0.

Respectfully submitted,

Marion Wong-Ryan  
ZBA Secretary

Debra Tinkham  
Zoning Board of Appeals, Chairman

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