

## SEEKONK ZONING BOARD REGULAR MEETING

### MINUTES August 30, 2010

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Present: Ch. Edward F. Grouke, Gary Sagar, Keith Rondeau, Ronald Blum and Robert Read

7:00PM Chairman Edward F. Grouke called the meeting to order.

This is the meeting of the Town of Seekonk Zoning Board of Appeals, August 30, 2010. First I am going to read the Rules and Regulations. I am going to read each petition as it was advertised and call upon the petitioner or their representative to present their case. All testimony, including the testimony and statements of the petitioner and/or the representatives or witnesses will be taken under oath. We will hear from anyone in the audience to speak either in favor of or against the petitioner or with any questions. At the close of the evidence, we will close the hearing. Usually we have a discussion and we also usually make a decision on the same night although we are not required to do that. We may take a petition under advisement and give a decision at a later date. It is our practice to decide it on the night of the hearing. There is an appeal that is available to the Superior Court by the petitioner or other parties who have the proper legal standing. That appeal is governed by very strict time limitations. If anyone is considering an appeal, they have to be very careful to meet the time limitations that are set forth in the law.

**2010-09 Dorothy Tameo, 50 Pine Street**, Seekonk, MA 02771, owner and petitioner, requesting an appeal of the Zoning Enforcement Officer's Decision, and if necessary, a **Variance** under Section 6.2.19.3, to allow the operation of a Bed and Breakfast establishment with less than the required minimum of 3 acres of land at 50 Pine Street, Plat 33, Lots 120, 121, and 122 in an R-1 Zone containing 15,803 square feet. (Continued from 8/9/10)

**2010-10 Dorothy Tameo, 50 Pine Street**, Seekonk, MA 02771, owner and petitioner, requesting an appeal of the Zoning Enforcement Officer's Decision, and if necessary, a **Special Permit** under Section 6.2.19, to allow the operation of a Bed and Breakfast establishment at 50 Pine Street, Plat 33, Lots 120, 121, and 122 in an R-1 Zone containing 15,803 square feet. (Continued from 8/9/10)

D. Tameo Sworn in

Ch. Grouke This was last on the agenda on August 9 and was continued till today for a site visit to the property. One reason was to look at the rooms on the third floor and to have the Building Inspector here to answer any questions but she is not here because of illness. Ms. Tameo are you using the third floor for storage now?

D. Tameo Yes

- C. Grouke You have used it for a room before and how long ago was that?
- D. Tameo Within the year.
- Ch. Grouke Both rooms used separately?
- D. Tameo It was used for occupancy within the year, rooms were not used simultaneously, and the first year was 1968 by my sister.
- R. Read Have either one been occupied as a Bed & Breakfast?
- D. Tameo If you look at the floor space but due to the slant of the roof, it is not preferable, I have tried but people prefer the second floor.
- D. Tameo I have had family members stay up there within the last year, we have tried.
- D. Tameo The last time I was here, I had paper work you had not seen before, if I may.
- Ch. Grouke A lot of these are stated Nichols Guest Rooms.
- D. Tameo I would like to show you some paper work I color coded them to make it easier. On page 1062 Change of Use and Occupancy; I believe Mike Crisafulli did his job as evidenced by his statement on this page 1065 “verified building and structures” I believe that’s what he felt he was doing when he asked for a drawing of the house. The next pink page is (inaudible) where I reiterated for him his visit also fire came out for an inspection which was on 3/20/ 2007, at which time they told me I had more in place than what was required by law. I had smoke detectors and fire extinguishers. Mr. Crisafulli’s reason for the visit was that I was complying with the fire inspection and they did come out and do that.
- The hot pink paper was my request to erect a sign stating Nichols B & B he stamped and signed it January 14, 2008. The next dark pink page, stamped on the bottom right, the following page was when Paul Stringham was the Building Inspector, it was simply Nichols and Mike Crisafulli approved the B&B, you can see his stamp there, they are all stamped by Mike Crisafulli. The bright yellow page is the application for the certificate of inspection, the next page you can see the certificate which is notarized, as a result of these you can see on the right page following I paid fifty dollars for the license to sell, the current ones are framed. The next one is the Inn holder’s license, the next is the permit to operate a food establishment, then you can see in the light lavender sheet what I have been paying for all permits each year.
- Ch. Grouke These are all identifying it as Nichols Guest Rooms.

D. Tameo I was told to name it that. The next bright green paper, is a state certification which is the state law, I paid the \$100 took the test and passed. The next green page is the state law you can see how it is distinguishing it is as a B&B. If you look at section D-1 A, it says that the establishment can comply with the minimum requirements of 105 cmr, however in that section it goes on to say “however B&B establishments with 10 guest rooms or more shall comply with all of the provisions of 105 cmr”. The State recognizes the difference between the smaller B&B’s versa the larger ones and they make a consideration for that.

The red paper will show I am a member of a national program to protect the environment I am a green B&B. I recycle and you can see on the next red page from DPW Collections and Disposal reflecting that I was denied collection from the town. I have been required to have some other way to have my trash taken care of. I have resorted to a dumpster which I pay for every year. The next orange page is from the Board of Health and a new policy they just put in. If I had a problem with bed bugs, I was required to have company come in, no signs of infestation, yet I still had to have a contract for bed bugs. The point of this is that the town of Seekonk has recognized the B&B as a business and mandated that I comply.

The next page is on file in the zoning office stating that the town of Seekonk bylaws were modeled after Rehoboth, this is an example to differentiate between a B&B and a B&B home and it doesn’t say anything about acreage. One could argue because the B&B bylaws for this town were written by the owners of the other B&B in town that the bylaws favor their establishment. It is a conflict of interest we met all requirements with the exception of one which has to do with lot size. If you look at the next page, they requested a variance for additional rooms and they were granted it.

The next bright yellow pages were packets that were sent or given to neighbors within 300 feet asking if they had objections to our B&B. We have had not one objection, these are the people whose property actually abut, and they are in support, the next page was the plot plan and they stated to me that it complies.

I received a letter from John Hansen, in this letter he said the town of Seekonk is strained due to the current economic climate and the town was looking for ways to stimulate the economy at this time seeking collaboration with local business owners for ideas to make their businesses more successful. Pawtucket is having a comeback because they decided to comply with the artists and make changes to their zoning.

Unlike the other B&B in town we have one building a considerably smaller structure, no swimming pool, and have, one quarter of rooms. So given the smaller building and decreased amounts of rooms, it would be considered that we would be smaller piece of property. We have been operating for over a decade.

- Ch. Groucke Thank you I think the problem is that the bylaw is very clear it says must be a minimum of 3 acres, your lot is 15,000 sq ft., it seems clear to me that you have a B&B. You gave us a nice presentation with all the inspections you have gone through it seems it is not just a rooming house that you have and not what you want to have either. Your property falls short of the required acreage.
- D. Tameo That is why I am here for relief there is a big difference between 8 rooms and 12 rooms.
- R. Blum Ms. Tameo brings a lot of information to us and though Mr. Chairman you make a good point that it requires 3 acres of land, you are talking 3 bedrooms, I think the difference in size should be factored into the size of the lot needed. If it was 8 bedrooms it can be 3 acres but you are talking a maximum of 3 usable rooms. It is hard for me to argue one thing when several other people in town had already acknowledged it already as a running business and for quite some time.
- G. Sagar I would caution you on that just from a perspective that if you go back according to the recent Building Inspector in August of 2002 there was a cease and desist deposition by the former Building Inspector Paul Stringham and technically it was never released. Mr. Crisafulli issued a permit for a sign and it is my understanding that the other approvals from the other departments in town issued their permits based on his allowing it. So the argument came to me that if he didn't do what he did the Board of Health and everyone else would not have issued what they issued.
- Ch. Groucke The town departments would be doing their jobs they wouldn't be questioning.
- G. Sagar I am troubled we continued the hearing to do another site visit with the Building Inspector and unfortunately she is ill and could not make it. I have questions I would like to ask her.
- Ch. Groucke How many rooms are you seeking to obtain.
- D. Tameo Three.
- R. Blum What has your occupancy been in the recent years you have been operating?
- D. Tameo 8% but with the economy it has been difficult.
- G. Sagar When you say 8 % what does that mean?
- D. Tameo There are 3 rooms' available 365 days a year and 8% of the rooms so 3 x 365 days and you come up with 8% of the time.
- G. Sagar We have seen potential as many as 6.

- D. Tameo In good times sure if I could be an establishment and rent out more rooms.
- G. Sagar If you were granted the relief how would we know how many rooms you are renting out? You have 6 available.
- D. Tameo Because of the inspections (inaudible).
- K. Rondeau That has to be owner occupied (inaudible). One of the first hurdles was she was operating as a B&B prior to 11/6/95 when the bylaws were put in to place. It doesn't seem like there is any evidence from any of the town boards that state that anything took place before 1995. We have 2000 until recent but nothing prior.
- Ch. Grouke The Building Inspector does not see it as a grandfathered use.
- K. Rondeau Look at all the B&B requirements, she meets every one except 19.3, the 3 acre minimum. It could be a historical site being built in 1875.
- D. Tameo The house was there before the towns records.
- K. Rondeau According to the assessor's office, it was built in 1875.
- R. Blum I agree with 19.3 and I think it is relative, she is asking for a significantly lower amount, I think history dictates that her occupancy has not been every night, it's not like the Marriott, I think if we were looking at a house that had 8 rentals, then we would have to consider does she have close to that amount of land.
- R. Read As I understand it, she has the right to have 2 rooms, and looking at the town records, she has been given tacit approval to operate as a B&B all these years and I think it would be difficult to overturn that. I would be in favor of allowing her to use at least 2 of the rooms as a bed and breakfast and probably a third.
- R. Blum To add to that, wasn't your mother letting rooms out?
- D. Tameo Yes people were always coming and going.
- G. Sagar If the board is inclined to give the relief she is seeking what if we amend the application and gave her a variance under 6.11. she would get the relief she is requesting.
- R. Blum I think there is another house that has a B&B permit on Cole street, It is not active it is a home and I don't think it is on 3 acres.
- G. Sagar I wanted to put this to bed tonight but not having a Building Inspector here it hampers things in my mind.

- Ch. Grouke Only this board can allow B&B establishments in this town. The problem I have is letting out 2 rooms is different than a B&B. 6.11 Home Occupations: allowing the boarding of not more than 2 persons. It is not a B&B they are two different things, the bed and breakfast requirement is 3 acres. We have been inclined to issue variances when they need a couple of feet but this is quite different.
- G. Sagar I want to ask the building inspector if we can give her the relief she wants under 6.11.
- R. Blum I don't know because she provides breakfast in the morning as part of the rent. This 6.11 was always interpreted by building inspectors as an in-law use.
- R. Read So if she rents out rooms to 2 boarders she can't serve breakfast?
- R. Blum I'm thinking it might be an issue.
- K. Rondeau The one issue is the three acre lot minimum and one of the issues we have to consider when granting a variance is size shape and topography and certainly size is an issue here and that would be one reason why we would be granting relief. I would rather base this on whether a variance is the right thing to do. I would also say that somebody would be very hard pressed to find a 3 acre parcel anywhere near the north end.
- Ch. Grouke The way it was written says three acres; we don't know why it was written that way. Apparently it was to limit B&B establishments.
- G. Sagar If the petitioner came to this board before opening the B&B what would the outcome have been?
- Ch. Grouke I don't think we should take into account all the issuances of permits.
- R. Read I disagree on that.
- D. Tameo If that were not in the bylaws, what would you see as an objection to limiting it to three acres? It is not a question of me opening it and backlash from neighbors.
- Ch. Grouke It says three acres and you are a third of an acre, it is not close, you don't have a scale.
- D. Tameo This group is the group that makes those decisions.
- G. Sagar Maybe another land owner in town, but the bylaw has to be approved by planning board and town meeting so you would limit the amount and they would not be if we granted a variance under home occupation then we would not be setting precedence.

- R. Blum We might be backing ourselves into a corner.
- G. Sagar Give her a variance under 6.11 for one extra boarder under home occupations
- D. Tameo That was the exact advise years ago, that was the advise he gave me years ago for Nichols guest rooms and if you want to serve breakfast that is up to you.
- Ch. Groucke I see the past Building Inspectors allowed the use as a guest house.
- K. Rondeau If you allow it to go under 6.11 then you allow rooming/boarding only then you don't allow breakfast.
- R. Blum There may be a home occupation bed and breakfast home, rooming/boarding house has a totally different connotation which it could evolve as, and who is to say that Ms. Tameo does not sell the property tomorrow and it becomes a boarding house.
- G. Sagar If we issue a special permit then we could stipulate to that it would end with the sale of the property. What is the definition of boarding, what is the difference?
- K. Rondeau I think she is trying to take the high road by calling it a B&B.
- D. Tameo I was considering if you go the route of boarding people, you get a different caliber of people
- Neal Abelson 1588 Fall River Ave. Room and board means feeding people.
- Eleanora Rezek 120 Jacob Street, sworn in We are the other B&B, and I came down here I feel that I have to defend myself, I didn't write the bylaws, Mr. Yajian did 20 years ago, we had an idea to open a B&B so I went to some people in town and they directed me to Gordon and I asked him about the bylaws to allow for 2 people as a boarding house and at the time,(we have five acres of land not three,) we were only intending to open three rooms. I sat with him, gave him the Rehoboth bylaws and told him it would be great if he could do a Bed & Breakfast bylaw in this town so basically he wrote them, it did not come from us.
- Ch. Groucke I don't think the board necessarily thought it was written by you, it's a bylaw and it goes through the process to get approved by the town and by you asking for a variance has no bearing on tonight's discussion.
- E. Rezek I think he based the 3 acres on the fact they you really do need a little bit of room it gives the neighbors a buffer in a residential area plus you need room for septic and parking. I don't know if Ms. Tameo realizes if there is a parking plan that has to be presented with a certain amount plus room for handicapped parking.

Ch. Grouke Direct the comments to us, I'm not sure if a parking plan is part of what we have seen in our documents which might be another hurdle really.

G. Sagar In fairness to Ms. Tameo why get the parking plan if you can't get the relief first. Also in fairness to this conversation when you were before us and we granted you the relief I said to you now you are going to have to conform to all the up to date codes and rules and regulations. My concern is I think we could grant her the relief she wants under home occupation, but I have an issue with abutting neighbors so to up all those occupants in a 15,000 sq ft area, it goes counter to what the thought process of the town is. I would like to try and find a way to do it under 6.11 to protect everyone's interest.

I am going to make a motion to continue to our next meeting...September 28<sup>th</sup> and make it the first item on the agenda.

E. Rezek Extra rooms, when she overbooks, goes over three rooms, room occupancy tax 11.7 if she is using more than three does she have any intention of collecting room occupancy tax for the town?

Ch. Grouke That is not an issue that we have to decide with this board, it may be for the tax assessor.

E. Rezek I just want to bring it up because it is important, since I am here, if you have any questions since I am the authority on B&B's, and how will you enforce the two rooms.

Ch. Grouke That is something we will address with the Building Inspector.

G. Sagar Another dilemma is if you continue this until September 27 Mr. Blum will not be here.

D. Tameo I came in to see Chris and in her office there is a letter in there from Ms. Rezek stating that she wrote the bylaw.

**G. Sagar made a motion to continued until Tuesday, September 28, 7:00PM**  
**R. Blum seconded and so voted by: G. Sagar, R. Blum, R. Read, Ch. Grouke, K. Rondeau**

**VOTE: (5-0) Approved**

Mr. Gouett 60 Pine Street, spoke in favor.

Nobody spoke against

**2010-15 Seekonk Water Department**, Water Lane, PO Box 97, Seekonk, MA, owner;  
Omnipoint Communications, Inc. a Wholly Owned Subsidiary of T-Mobile USA, 15 Commerce Way, Suite B, Norton, MA. 02765, petitioner, by Peter Cooke, Wellman Associates, 6 Wheeler

Lane, Westford, MA, 01886, requesting an appeal of the Zoning Enforcement Officer's Decision and if necessary, a **Special Permit** under Sections 5.3 and 9.7.5.1 and/or **Variance**, under Sections 6.7.6.8 and 9.7.6.2 to allow the upgrade of an existing wireless facility including the addition of three antennas and two equipment cabinets, at existing wireless site at 960 Taunton Avenue, Plat 17, Lot 104 in an R-2 zone containing 34,848 square feet.

Peter Cook Sworn in. I am a real estate consultant for T-Mobile and I am here with T-Mobile and Shaikh Mahmood radio frequency engineer. I have a couple of issues to take care. This is a radio frequency affidavit document which is signed by S. Mahmood and the other is a letter of consent by the Water Department, and this is agreed with them and the post changes we are looking for were accomplished with the lease.

What we are proposing, we are looking at the water tank, it is a 120' tank, there is an additional tower with Verizon and Sprint. On the water tank at the 103' level with the cat walk, are two carriers, AT&T and T-Mobile. We currently have six antennas, we would like to add 3 at the same level it is a planned expansion, with the original lease but not within the original permitting. At the base of the tank is a 6' x 8' concrete pad with a refrigerated radio cabinet. In addition to the 3 new antennas that we are asking is to add 2 additional cabinets this will help expand our capacity and coverage.

I have Shaikh here to provide you with copies, we are trying to use existing sites, and propose additional sites within a municipality if you look at our existing coverage, and once you add the changes we are looking to make you can see to the south is where you see the most improvements it reaches County street area. We had done a noise study there are essentially four carriers already there, when you add our cabinets we remain 300' away, and do not exceed ambient noise levels day or night despite any weather conditions which come from the fans.

The last thing is the relief we are here before you seeking, previously we were granted a special permit to locate on the existing water tank and we feel we still fall within the bylaw. The Building Inspector feels we need to get relief (inaudible) from two additional portions of the bylaw, in our package her denial letter points to two areas one is 9.7.6.8 the one accessory building requirement, she feels the board may (inaudible) our belief is that what was intended in the bylaw given that it relates to the equipment shelters, an enclosed space you walk in, we do cabinets similar to what is out there, we believe that section relates more to an enclosed shelter not equipment shelters. We think it is important for the following reasons most importantly we are well below the 300 square feet, and secondly I am certain where the noise comes from is the air conditioning units and although we could go back and put a shelter in it is a better solution to do this rather than given the noise consideration with our neighbors. The other thing the Building Inspector said to us under 9.7.6.2 she asks whether or not maximum height of 100 ft and if you are mounting at 103 ft we might need a height variance. Our understanding of the bylaw section 9.7.5.1 specifically calls out

water tanks and that the 100' height relates to new towers and again we would like to encourage the board to look at our presentation as a new, that being my basic presentation I would like to turn it back to the board.

R. Blum Currently how many antennas?

P. Cook We have six, and adding three.

R. Blum So you have six with one cabinet and why do you need two more cabinets for three?

P. Cook Additional call volume, we originally had six and it was underutilized and now we have additional call volume. Secondly we are doing upgrades to the types of capacity which includes email, videos which are things that were not accommodated with the third and fourth generation services we now offer.

R. Blum The direction of the antennas face in what direction?

P. Cook They are in four directions, up and down Rt. 44 and to the north and south. The new antennas are in 3 sectors: south and west, north, east.

R. Blum Because it looks like there will be more coverage to the south and north.

P. Cook Yes, initial coverage was for all carriers were more for roadway use buy now that we are throwing away landlines and use our cell phones we need better coverage at home as well.

G. Sagar The confusing part to me is every time T Mobile comes they send someone new there is no continuity to the discussion.

P. Cook I know why you think that, there was a proposal in the last 12 months for you for a new cell tower to the south and that was proposed in this area here so with the new coverage we are picking up more of County St.

G. Sagar That was a discussion we had at the time and I believe they said no we would still need the tower over there. I believe we asked for the master plan and we did not see that either.

R. Blum We were told it was not capable of doing that they needed to be in that area we said please look at other alternatives and there was help from the community to find alternatives I agree with Mr. Sagar I know the company has a choice of who they use for representation and it has been a different person every time.

G. Sagar It is just frustrating because they went and purchased or erected an abandoned AT&T tower on Leavitt St. I believe and we thought that was great because they were using an existing facility in an industrial zone but we still have not seen a

master plan. We suggested additional antennas on the tower instead of doing all these streets and we were told it could not be done so it is perplexing.

P. Cook We had this discussion internally we are doing our due diligence, we are aware and what we provided here is our current site in terms of our building and in vehicle for coverage. From a master plan perspective, that was denied, they are not pursuing any more in that area, this will help, but it does not make this hole go away, and I am not going to tell you that if you do this you won't need this anymore. We are trying to maximize what we have.

G. Sagar There was also a discussion with another neighbor who owns a farm on Olney St. he was told they were looking at a power line in that area. I would still like to see a master plan for that area.

P. Cook How would you define a master plan? I could tell you were we having holes from a planning perspective.

R. Blum You should go back to your client and tell them that the town of Seekonk is looking for a master plan.

P. Cook We are trying to be consistent here and show you how we are trying to pick up extra coverage which is specific for this site and I specifically have asked for maps that gives you what our current coverage is what it will be after this change and show where the holes will be.

R. Blum On this display you have a blue triangle is that the current location?

P. Cook That is where the denied site was.

Ch. Groucke I am assuming this petition is different than the Olney Street site.

P. Cook We had a preliminary discussion with the board and I think at that time there was some question whether or not the water department was on board at the time, so we pulled it back to wait for their decision. I appreciate the request for the master plan and I know it can be confusing with the different representatives and all, and the engineer changes, and the technology changes some of the things we can do now we could not do 5 years ago. It is difficult for me and I could not tell you right now the only thing in the file is the denial; I am not going to kid you and tell you this will affect County Street.

R. Blum Is the Leavitt Street property completed and in use?

Shaikh Mahmood 15 Commerce Way, Norton, MA sworn in.

R. Blum So this block right here is the Leavitt St. property?

S. Mahmood Yes that is correct.

R. Blum That small area.

S. Mahmood You can surely see that is the most updated information.

G. Sagar Wasn't it the other radio frequency engineer that said he does not know what the criteria was that the marketing department used?

R. Read On page 3 why is that range more southwest of that area? I guess it is because of 4 P R 0360A ? Is that one in operation?

S. Mahmood Yes.

R. Read Well 0015A why on page 4 is that area green because that is not in operation? The one you were saying was rejected.

P. Cook This should substitute for that.

R. Read I have a question about the sound. Did you say that what you are adding is not going to add to the sound?

P. Cook Basically what you can hear is the other equipment. We are well below the current ambient level.

R. Read You state that adding those cabinets will not add to the sound.

P. Cook Yes because the others are louder.

Ch. Grouke You are saying that you could put a shelter out there

P. Cook Yes, there are currently shelters there from AT&T, the town size is that they are a greater size, and now since they are in enclosed space, you have to add the large a/c units if we were to go to a shelter and put in the a/c it would generate considerable noise.

G. Sagar If you read the Building Inspector comments she has questions, I want to continue this until September 28 and do a site walk out there at 6:00PM, we will have the sound engineer, we will have to make arrangements out there and it would be nice if we have a representative from the Water Department.

P. Cook Is there anything we can do to close the concerns on the master plan

G. Sagar We would like to see a projected five year plan.

- P. Cook I can tell you that we want to put one to the south, the north to fill in the hole here, I can give you projected heights.
- G. Sagar And where technology would be in five years.
- R. Blum I am sure the real estate department has some idea where they want to put them up.
- P. Cook I can supply you with criteria, unless we have land that has been leased it is a difficulty, I can show you the ideal spot and height, I don't want to mislead you.
- G. Sagar I think we realize it would be tentative as the players change, some is human error, and some is that the technology has changed.
- R. Read The reason why you want to put up these new antennas is because they would be more affective because the technology has improved.
- P. Cook We were not doing four sector sites we now have that capability, we now have quad pole antennas, it means you have more changes and more ability for more call volume out of a site. The flip side of that is we want to be able to do high speed internet, now we can do that and the town side is that it chews up a lot of band it is a moving target and in fairness to the board I can appreciate your frustration.

**G. Sagar made a motion to continue until September 28 as second item on the agenda with a site walk the same day at 6PM seconded by R. Blum and so voted by: G. Sagar, R. Blum, R. Read, Ch. Grouke, K. Rondeau**

**VOTE: (5-0) Approved**

**2010-16 Eric Miller**, 157 Warren Avenue, Seekonk, MA, owner and petitioner, requesting an appeal of the Zoning Enforcement Officer's Decision and if necessary, a **Special Permit** under Sections 5.3 and/or a **Variance**, under Section 6.6 to allow a 16' x 20' one bedroom addition to an existing dwelling at 157 Warren Avenue, Plat 2, Lot 41 in an R-3 zone containing 14,414 square feet.

- E. Miller 157 Warren Ave. sworn in. Currently two bedroom house kids share a bedroom it would be nice to have a third bedroom it is a growing family. It is non-conforming I think every house in Deborah Circle is non-conforming.
- G. Sagar He is on a corner lot so he has to conform with both.
- E. Miller Where we would do the addition is if you are at the corner on the right, we are not going any closer to Warren Avenue, only Deborah Circle.
- G. Sagar He does not have enough area to conform.

K. Rondeau Did you consider going up?

E. Miller Yes but it is too expensive.

G. Sagar If he puts it in the back, septic is there.

R. Read No matter where he puts it, there will be issues.

E. Miller I came before this board a few years ago, to go up and when I got the quotes it was three times more expensive.

G. Sagar Under our bylaws it does give consideration for size and his size is well under the consideration.

Ch. Groucke That is a big factor he is limited because of the size of his lot.

G. Sagar I don't think any more detrimental and keeping in the character of the neighborhood

Favor none  
Against none

**G. Sagar made a motion to approve as submitted, seconded by R. Blum and so voted by: G. Sagar, R. Blum, R. Read, Ch. Groucke, K. Rondeau**

**VOTE: (5-0) Approved**

**G. Sagar made a motion to close Public Hearing and uphold the decision of the Building inspector seconded by K. Rondeau seconded and so voted by: G. Sagar, R. Blum, R. Read, Ch. Groucke, K. Rondeau**

**VOTE: (5-0) Approved**

**2010-17 Robert A. Sloane**, 11 Bradley Street, Seekonk, MA, owner and petitioner, requesting an appeal of the Zoning Enforcement Officer's Decision and if necessary, a **Variance**, under Section 6.5 to allow a 34' x 16' addition to an existing dwelling at 11 Bradley Street, Plat 6, Lot 394 in an R-2 zone containing 24,570 square feet.

R. Sloane Sworn in. We have wanted to put an addition on for a long time with the layout of current house going up too expensive, there is a lot of intricate woodwork going up not an option. Going out to back towards pool I would not be in accordance with the fifty foot code.

To the right is the septic, to left where garage and driveway is now is not feasible it does not work and is not a nice layout. If I extend out of the front of the house it makes the house look a lot nicer. I need additional living requirements for storage I would be coming out 15' and that would not waste lumber.

G. Sagar How old is that house?

R. Sloane 1940's, it was actually moved there.

R. Read The only issue is the 35'.

R. Sloane I am short 4.8' I explored other possibilities, it would break up the front of the house and this design would dress it up nicely.

K. Rondeau He would be more nonconforming if he put it in the back and you are saying that you would destroy the integrity of the house if you went up,

R. Sloane It is all open beams and if I went up you would destroy the look of the house.

R. Blum This space would be for what?

R. Sloane Master Bedroom and family room.

Ch. Grouke Anyone wish to speak in favor of the petitioner?

Neal Abelson 1588 Fall River Avenue I have been in the house when Terry Hilton occupied the house it would be hard to go up in that house. I would not start playing with the structure it was his grandmother's house.

Ch. Grouke Anyone against? None.

**G. Sagar made a motion to approve as submitted, seconded by K. Rondeau and so voted by: G. Sagar, R. Blum, R. Read, Ch. Grouke, K. Rondeau**

**VOTE: (5-0) Approved**

**G. Sagar made a motion to close Public Hearing and uphold the decision of the Building inspector seconded by K. Rondeau seconded and so voted by: G. Sagar, R. Blum, R. Read, Ch. Grouke, K. Rondeau**

**VOTE: (5-0) Approved**

#### **Discussion items**

G. Sagar In a discussion I had with Chris about the process by which we administer the bylaw and with the terrible state of our post office I would like to throw out for

consideration that we adopt a policy and change our procedures that all the abutters be notified by certified mail rather than by regular mail.

Ch. Grouke The problem I have with certified mail is that regular mail has a better shot at getting received than certified mail because people don't usually pick it up. For example I must confess the last time we had an appeal by certified mail I got it but I didn't pick it up if it came regular mail I would have seen it. So I think certified mail has some drawbacks, and then if you get the return envelope not delivered you have proven that the person did not get the notice The real goal is to notify people.

K. Rondeau Plus the additional cost.

Ch. Grouke You would transfer the cost onto the applicant.

G. Sagar I agree with that perspective some of these people get 25 to 30 abutters it can get costly. I just threw it out there for thought, planning and conservation does it as well as Rehoboth.

Coming up we have a 40b application to be heard on the 20<sup>th</sup> and Mr. Blum is not available I asked Chris to check if the two alternates could be here for the initial meeting, so if one of us could not hear at least they would have heard the information.

**G. Sagar made a motion to adjourn the meeting seconded by K. Rondeau and so voted by: Ch. Grouke, Gary Sagar, Keith Rondeau, Ronald Blum, and Robert Read**

**VOTE: (Approve 5-0)**

Meeting adjourned at 9:35 PM

Respectfully submitted by:

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Christina Testa, Secretary