Zoning Board of Appeals

July 30, 2015 - 6:00 P.M.– **Agenda**
New Bedford City Hall, Room 314, 133 William Street

1. **MEETING CALLED TO ORDER**

2. **APPROVAL OF MINUTES**
   - June 25th, 2015 Meeting Minutes

3. **OLD AND NEW BUSINESS**

#4179 Notice is given of a continuance of the public hearing on the Petition of: The Tacoma Street Realty Trust c/o David Pina Fernandes (47 Medeiros Lane Dartmouth, MA) who have submitted a petition for a Variance under provisions of Chapter 9 Comprehensive Zoning relative to property located at North Side Tacoma Street, Assessor's Map Plot 130C, Lot 259-260 in a Mixed Use Business District. The petitioner is proposing to build a 44'x45' two family dwelling as plans filed, which will require a Variance under Chapter 9, Comprehensive Zoning Sections 2700 (Dimensional Regulations), 2710 (General), 2720 (Table of Dimensional Requirements, Appendix-B-Minimum Lot Size, Lot Frontage, Rear Yard), and 2753 (Rear Yards).

#4182 Notice is given of a public hearing on the Petition of: Natalia F. Araujo, Trustee of Shaw Realty Trust (123 Nye's Lane Acushnet, MA 02743) who has submitted a petition for a Variance under provisions of Chapter 9, Comprehensive Zoning relative to property located at 220-222 Shaw Street, Assessor's Map Plot 110 Lot 471 in a Residential-C Zoned District. The petitioner has constructed an addition to the existing garage with a building height of 19 feet 2 inches and the maximum allowed Building Height for an accessory structure in Residential-C District is 18 feet therefore this will require a Variance under Chapter 9, Comprehensive Zoning Sections 2330 (Accessory Structures) and 2333 (Height).

#4188 & 4189 Notice is given of the public hearing on the Petition of: Rockdale West LLC (One Lakeshore Center Bridgewater, MA) and Attorney Christopher Saunders (700 Pleasant Street New Bedford, MA) who have submitted a petition for a Variance under provisions of Ch. 9 Comprehensive Zoning relative to property located at 120-122 Oakdale Street, Assessor's Map 74, Lot 68 &95 in a Residential B Zoned District. The petitioner is proposing to demolish the fire damaged building and rebuild a Two-Family Dwelling as plans filed, which will require a Variance under Chapter 9 Comprehensive Zoning Sections 2700 (Dimensional Regulations), 2710 (General), 2720 (Table of Dimensional Regulations-Appendix B-Minimum Lot size/Frontage/Rear Yard), 2750 (Yards in Residence Districts) and 2753 (Rear Yards). And, submitted a petition for a Variance under provisions of Ch. 9 Comprehensive Zoning relative to property located at 120-122 Oakdale Street, Assessor's Map 74 Lot 67 in a Residential-B Zoned District. The petitioner is proposing to demolish the fire damaged building and rebuild a Two-Family Dwelling as plans filed, which will require a Variance under Chapter 9 Comprehensive Zoning Sections 2700 (Dimensional Regulations), 2710 (General), 2720 (Table of Dimensional Regulations-Appendix-B-Minimum Lot Size/Frontage/Side Yard), 2750 (Yards in Residential Districts), and 2755 (Side Yards).

#4190 Notice is given of a continuance of the public hearing on the Petition of: New Bedford Housing Authority (134 South Second Street New Bedford, MA) who have submitted a petition for a Special Permit/Comprehensive Permit under provisions of Chapter 9 and M.G.L. 40B Section 20-23,

Comprehensive Zoning relative to property located at 248,290-292, 296 Hillman Street; 257-261, 265 North Street; 123-131, 137-145 Liberty Street; and 304-328 Tremont Street, Assessor's Map 57 Lot 38 in a Residential-C Zoned District. The petitioner is proposing to demolish existing building and erect 12-units as plans filed, which will require a Special Permit under Chapter 9 Comprehensive Zoning Section 2210 (General), 2700 (Dimensional Regulations), 2710 (General), 2720 (Table of Dimensional Requirements-Appendix-B-Minimum Lot Size/Density of Dwelling Unites/Lot Frontage/Front Yard/Side Yard/Rear Yard/Lot Coverage by Buildings), 2750 (Yards in Residence Districts), 2751 (Front Yard), 2753 (Rear Yard), 2755 (Side Yard), 3100 (Parking and Loading), 3110 (Applicability), 3130 (Table of Parking and Loading Requirements-Appendix-C), 3149 (Special Permit for Vehicular Access to a Building Lot Accessed from Public Way that does not constitute frontage of the Lot), and 5300-5330 & 5360-5390 (Special Permit).

4. SCHEDULED HEARINGS

#4191 Notice is given of a public hearing on the Petition of: Jose A. Vega, Trustee of The Hazard Street Nominee Trust u/d/t (170 State Street New Bedford, MA) who has submitted a petition for a variance under provisions of Chapter 9, Comprehensive Zoning relative to property located at 170 State Street Assessor's Map 72, Lot 14 in a Residential-B Zoned District. The petitioner is seeking approval of finishing the basement as plans filed, which will require a Variance under Ch. 9, Comprehensive Zoning Sections 2700 (Dimensional Regulations), 2710 (General), and 2720 (Appendix B- Table of Dimensional Regulations-Height of Buildings and Number of Stories).

#4192 Notice is given of a public hearing on the Petition of: Brook Street Realty Co. Inc. c/o Robert Bates and Bob's Tire Co. c/o Richard E. Burke, Jr. (P.O. Box 1090 Mattapoisett, MA 02739) who have submitted a petition for an Administrative Appeal relative to property located at 55 Brook Street, Assessor's Map 98 & 92, Lot 128 & 305 in an Industrial-B Zoned District. The petitioner is proposing to appeal a cease and desist order in a letter dated may 29, 2015, which will require an Administrative Appeal under Ch.9, Comprehensive Zoning Sections 5223 (to hear and decide appeal take by any person aggrieved by reason of his/her inability to obtain a permit or enforcement action from any administrative officer under provisions of M.G.L. 40A subsection 7, 8, & 15).

#4194 Notice is given of a public hearing on the Petition of: Mathew Arruda (118 East Clinton Street New Bedford, MA) who has submitted a petition for a Variance under provisions of Chapter 9, Comprehensive Zoning relative to property located at 118 East Clinton Street, Assessor's Map 45, Lot 451 in a Residential A Zoned District. The petitioner is proposing to construct a driveway in front of a dwelling as plans filed, which will require a Variance under Ch. 9 Comprehensive Zoning section 3000 (General Regulations), 3100 (Parking and Loading), and 3145 (Open air off street parking facilities may be located in a residential district, no open air off street parking space shall be located in front of the dwelling or principle building).

5. ADJOURNMENT

The next Zoning Board of Appeals Meeting is scheduled for August 27th, 2015.

The matters listed are those reasonably anticipated by the Chair to be discussed at the meeting. Not all items listed may, in fact, be discussed. Other items not listed may be brought up for discussion to the extent permitted by law. Massachusetts General Laws, chapter 30A, Section 20(e) requires any person making a video or audio recording of the meeting to notify the Chair at the start of the meeting.