

ZONING BOARD OF APPEALS

April 23rd, 2015

**Brooklawn Senior Center at Brooklawn Park
1997 Acushnet Avenue
New Bedford, MA 02745**

6:00 P.M.

MARKED AGENDA

1.) **MEETING CALLED TO ORDER 6:06pm**

MEMBERS IN ATTENDANCE: I. COMERFORD, A. DECKER, D. TRAHAN, R. SCHILLING, L. SCHICK

2.) **APPROVAL OF MINUTES**

- February 26th, 2015 Meeting minutes **APPROVED 5-0; MOTION BY BOARD MEMBER DECKER, SECONED BY ASSOCIATE BOARD MEMBER SCHICK.**
- and March 26th, 2015 Meeting minutes **APPROVED 4-0; MOTION BY BOARD MEMBER DECKER, SECONED BY ASSOCIATE BOARD MEMBER SCHICK. (BOARD MEMBER DECKER ABSTAINED FROM VOTING)**

3.) **SCHEDULED HEARINGS**

#4176 Notice is given that a public hearing on the Petition of: R&G Pizza Enterprises Inc. C/O Ryan Lemmer (35 Wood Duck Road Acushnet, MA) and 37-31 Rockdale Avenue LLC (200 South Street New Providence, NJ) who have submitted a petition for a Special Permit under provisions of Chapter 9, Comprehensive Zoning relative to property located at 37 Rockdale Avenue, Assessor's Map Plot 19 Lot 49 in a Mixed Use Business Zoned District. The petitioner is proposing to open a Little Caesars fast food take out establishment as plans filed, which will require a Special Permit under Chapter 9, Comprehensive Zoning Sections 2000 (Use and Dimensional Regulations), 2200 (Use Regulations), 2210 (General), 2230 (Table of Use Regulations, Appendix-A-Commercial #18 Restaurant Fast Food), and 5300-5330 & 5360-5390 (Special Permit).

**SPECIAL PERMIT GRANTED WITH CONDITIONS 4-0;
MOTION BY BOARD MEMBER DECKER, SECONED BY ASSOCIATE BOARD MEMBER SCHICK.
BOARD MEMBER TRAHAN RECUSED HERSELF FROM THIS CASE HEARING.**

#4177 Notice is given that a public hearing on the Petition of: Joseph E. and Eileen Raposa (59 Evelyn Street Dartmouth, MA) who have submitted a petition for a Variance under provisions of Chapter 9, Comprehensive Zoning relative to property located at 69 Sycamore Street, Assessor's Map Plot 65 Lot 265 in a Residential B Zoned District. The petitioner is proposing to perform code upgrades and to renovate the third floor for a cottage style set up as plans filed, which will require a Variance under Chapter 9, Comprehensive Zoning Sections 2700 (Dimensional Regulations), 2710 (General), and 2720 (Table of Dimensional Requirements, Appendix-B-Height of Building, # of stories).

**VARIANCE GRANTED WITH CONDITIONS 5-0;
MOTION BY BOARD MEMBER DECKER, SECONED BY ASSOCIATE BOARD MEMBER SCHICK.**

- #4178 Notice is given that a public hearing on the Petition of: Michelle Conlan (7 Westview Street Westport, MA) and Steven Alves (591 County Street New Bedford, MA) who have submitted a petition for a Special Permit under provisions of Chapter 9, Comprehensive Zoning relative to property located at 591 County Street, Assessor's Map Plot 58 Lot 149 in a Mixed Use Business District. The petitioner is proposing to operate a dog grooming business as a home office at the premises as plans filed, which will require a Special Permit under Chapter 9, Comprehensive Zoning Sections 2500 (Home Occupation), 2520-2528 (Home Occupation by Special Permit), and 5300-5330 & 5360-5390 (Special Permit).
SPECIAL PERMIT GRANTED WITH CONDITIONS 5-0;
MOTION BY BOARD MEMBER DECKER, SECONED BY ASSOCIATE BOARD MEMBER SCHICK.
- #4179 Notice is given that a 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).
CASE CONTINUED TO MAY 28TH, 2015.
- #4180 Notice is given that a public hearing on the Petition of: Bay Coast Bank (330 Swansea Mall Drive Swansea, MA) and Local Media Group, Inc f/k/a Down Jones Media Group, Inc. f/k/a Ottaway Newspapers (25 Elm Street New Bedford, MA) who have submitted a petition for a Variance under provisions of Chapter 9, Comprehensive Zoning relative to property located at 25 Elm Street, Assessor's Map Plot 53 Lot 27 & 289 in a Mixed Use Business District. The petitioner is proposing to erect a ground sign which will exceed maximum amount of square footage by section 3255 as plans filed, which will require a Variance under Chapter 9 Comprehensive Zoning Sections 3200 (Sign Regulations), 3201 (Purpose), 3250 (Regulations Governing Particular Types of Signs), and 3255 (Area Restrictions for Ground Sign).
VARIANCE GRANTED WITH CONDITIONS 5-0;
MOTION BY BOARD MEMBER DECKER, SECONED BY ASSOCIATE BOARD MEMBER TRAHAN.
- #4181 Notice is given that a public hearing on the Petition of: Mary S. Rapoza (129 E. 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 129 East Clinton Street, Assessor's Map Plot 45 Lot 219 in a Residential A Zoned District. The petitioner is proposing to erect a 5'x7' shed as plans filed which will require a Variance under Chapter 9, Comprehensive Zoning Sections 2700 (Dimensional Regulations), 2710 (General), 2750 (Yards in Residential Districts), and 2755 (Side Yards).
VARIANCE GRANTED WITH CONDITIONS 5-0;
MOTION BY BOARD MEMBER DECKER, SECONED BY ASSOCIATE BOARD MEMBER SCHICK.

5.) OLD AND NEW BUSINESS

6.) ADJOURNMENT

The next Zoning Board of Appeals Meeting is scheduled for May 28th, 2015