



# Zoning Board of Appeals

January 21<sup>st</sup>, 2016 – 6:00 PM - **MARKED AGENDA**

City Hall, Room 314

133 William Street New Bedford, MA

## 1.) MEETING CALLED TO ORDER

2.) **Board Members in Attendance: James Mathes, Debra Trahan, Allen Decker, Leo Schick, John Walsh, and Sherry McTigue. John Walsh departed 6:30pm. Sherry McTigue arrived 6:30pm.**

## 3.) APPROVAL OF MINUTES

- December 17<sup>th</sup>, 2015 Meeting Minutes - **Approved**

## 4.) OLD BUSINESS

**#4203** Notice is given of a public hearing on the Petition of: Panagakos Development c/o Michael Panagakos (133 Faunce Corner Road Dartmouth, MA) who have submitted a petition for a Special Permit under provisions of Chapter 9, Comprehensive Zoning relative to property located at 1771 Acushnet Avenue, Assessor's Map 108, Lots 42, 43, and 44 in a Mixed-Use-Business and Residential-C Zoned district. The petitioner is proposing to construct two (2) new commercial buildings as plans filed, which will require a Special Permit under Chapter 9, Comprehensive Zoning Sections 2400 (Nonconforming Uses and Structures), 2410 (Applicability), 2430-2431 (Nonconforming Structures, Other than Single-and Two-family Structures), 3149 (Special Permit for Commercial Parking in a Residential District), and 5300-5330 & 5360-5390 (Special Permit).

**GRANTED, WITH CONDITIONS. All board members recorded in favor; vote tally: 5-0.**

## 5.) SCHEDULED HEARINGS

**#4215** Notice is given of a public hearing on the petition of: Heather Brito (47 Charlotte Street New Bedford, MA) and Melissa F. Coelho (4334 Acushnet Avenue New Bedford, MA), who have submitted a petition for a Special Permit under provisions of Chapter 9 comprehensive zoning sections 2200 (use regulations), 2210 (general), 2230 (table of use regulations-appendix-A, #20-medical offices, center or clinic), and 5300-53330 & 5360-5390 (special permits); relative to property located at 4334 Acushnet Avenue, assessor's map 137B, Lot 76 in a mixed use business zoned district. The petitioner proposes to move counseling practice to the proposed location as plans filed.

**GRANTED, WITH CONDITIONS. All board members recorded in favor; vote tally: 5-0.**

**#4216** Notice is given of a public hearing on the petition of: Peter Cruz (133 Butler Street New Bedford, MA) and Bruce M. Foucart (813 Beverley Drive Alexandria, VA) who have submitted a petition for a Variance under provisions of Chapter 9 comprehensive zoning sections 2700 (dimensional regulations), 2710 (general), 2750 (yards in residential district), and 2755 (side yards); relative to property located at 117 Swan Street, assessor's map 10, lot 134 in a residential B zoned district. The petitioner proposes to build an attached one car garage with a master bedroom above the garage as plans filed.

**GRANTED, WITH CONDITIONS. All board members recorded in favor; vote tally: 5-0.**

**Recusal by Sherry McTigue.**

**#4217** Notice is given of a public hearing on the petition of: YWCA of Southeastern Massachusetts Inc. c/o Gail Fortes (20 South Second Street New Bedford, MA) and Marc R. Deshaies Esq. (115 Orchard Street New Bedford, MA) who have submitted a petition for a Special Permit under provisions of Chapter 9 comprehensive zoning sections 2400 (nonconforming uses and structures), 2410 (applicability), 2430-2432 (nonconforming structures, other than single-and two-family structures), and 4500-4572F (Downtown Overlay District-DBOD); relative to property

located at 20 South Sixth Street, assessor's map 46, lot 69 in a mixed use business zoned district. The petitioner proposes to expand the existing structure to enable it to provide needed social services and daycare, meeting rooms for programs services and single resident occupancy units on the upper floors as plans filed.

**Request by applicant to CONTINUE the case to the FEBRUARY 18th, 2016 meeting was approved; vote tally: 5-0.**

**#4218** Notice is given of a public hearing on the petition of: Maria C. Goulart (101 Seymour Street New Bedford, MA) who has submitted a petition for a Variance under provisions of Chapter 9 comprehensive zoning sections 3100 (parking and loading), 3110 (applicability), 3145 (no driveway in a residential district shall exceed eighteen (18) feet in width; relative to property located at 101 Seymour Street, assessor's map 4, lot 59 in a residential A zoned district. The petitioner proposes to widen the driveway to 22 feet as plans filed.

**GRANTED, WITH CONDITIONS. All board members recorded in favor; vote tally: 5-0.**

#### **6.) NEW BUSINESS**

- Election of 2016 Officers – **Officers were elected as listed below; vote tally: 5-0.**
  - Chairperson: James Mathes
  - Vice-Chairperson: Debra Trahan
  - Clerk: Allen Decker

#### **7.) ADJOURNMENT**

- The next Zoning Board of Appeals Meeting is scheduled for February 18<sup>th</sup>, 2016.