

1-15-15

**CITY OF TAUNTON
ZONING BOARD OF APPEALS
JANUARY 15, 2015 – 6:00 pm.**
(held at Maxham School, 141 Oak St, Taunton, Ma.)

Members Present: Dennis Ackerman, Wayne Berube, Steven Vieira, Joseph Amaral, Michael Staples and George Moniz.

Meeting opens at:6:01 PM

Motion made and seconded to accept minutes of 11-13-14 and 12-11-14. (Secretary to check minutes of 44 Dean Street to reflect correct members)

Election of Officers: Chairman & Clerk

Wayne nominates Dennis Ackerman for Chairman, Seconded by Steve. .All in favor. Dennis abstains from vote.

Wayne nominates Steve Vieira for Clerk, seconded by George. All in favor All in favor. Steve abstains.

Case #3259 Freitas & Barbosa 46 Cherry St.

For: A Special Permit from Section 5.3.4 of the Zoning Ordinance for the change of a pre-existing non-conforming use which included convenience store/meat market business and four (4) apartments to all residential use consisting of six (6) apartments.

For the Petitioner: Atty. Matthew Costa, Gay & Gay, P. O. Box 988, Taunton, Ma.
Reinaldo Barbosa, 46 Cherry St., Taunton, Ma.

In favor: None
Opposed: None

Atty. Costa stated this property is located on the corner of Cherry Street and Winter Street. The property currently has 4 apartments and a store. They wish to remove the store and make 2 more apartments. They need special permit because the use is pre-existing non-conforming. Atty. Costa stated converting the store to apartments will make it more conforming since it's in a residential district. He stated the store generates more traffic than the residential use. They have 9 parking spaces and they never had any problems with parking. They submitted preliminary floor plans which haven't not been finalized. The City Engineer's letter spoke about that. Atty. Costa state they would obviously have to comply with the building code. The dumpster will remain and they will coordinate times. Joe asked if they are using lot across the street and it was answered yes. The new apartments will be on the first floor and will have entrance off Cherry Street. Wayne asked if they were going to put privacy wall between 2 units. Mr. Barbosa answered yes. George asked what size is the store and Mr. Barbosa answers 2,000 square feet. Joe asked if approved how would the apartments be laid out? Atty. Costa answers 2 on first floor,2 upstairs and 2 in store. Chairman Ackerman read letter from the City Planner, Conservation Commission, Eng. And B.O.H were read into the record. No one in opposition or in favor of petition.

Motion made and seconded to grant with the following conditions:

- Petitioner must comply with all building code

Petitioner must provide privacy wall between the 2 new units.

Vote: Staples, Ackerman,Berube, Amaral.Moniz.....Yes
Petition granted.

Case #3260

Khan

32 Mason St.

For: A Variance from Section 5.2 of the Zoning Ordinance to allow retail (convenience store with food preparation-takeout only) See Case # 2369 in an Urban Residential District.

For the Petitioner: Aesha Khan, 32 Mason St., Taunton, Ma.

In favor: None

Opposed: None

Mrs. Khan stated they wish to open store on first floor and they live on upper floor. They closed in 2012 and spent \$40,000 for improvements that were required by the Building Inspector. They only wish to re-instate approval in Case # 2396. Wayne asked what time would they be opening? They are ready to open and can file business certificate. There is a big new housing complex across the street which will bring in business. The Board remembers there has always been some sort of store here. Steve asked if it would be run like before and she answered yes. Chairman Ackerman read letters from the City Planner, Conservation Commission, Eng. And B.O.H were read into the record. No one in opposition or in favor of petition.

Motion made and seconded to grant as Presented:

Vote: Vieira, Staples, Ackerman, Berube, Amaral,..... ...Yes
Petition Granted.

Meeting adjourned at 6:28 pm

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JANUARY 15, 2015 – 6:00 pm.**
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Election of Officers: Chairman & Clerk

Wayne nominates Dennis Ackerman for Chairman, Seconded by Steve. All in favor. Dennis abstains from vote.

Wayne nominates Steve Vieira for Clerk, seconded by George. All in favor All in favor. Steve abstains.

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Reinaldo Barbosa, 46 Cherry St., Taunton, Ma.

In favor: None
Opposed: None

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Motion made and seconded to grant with the following conditions:

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Petitioner must provide privacy wall between the 2 new units.

Vote: Staples, Ackerman, Berube, Amaral, Moniz.....Yes
Petition granted.

Case #3260 Khan 32 Mason St.

For: A Variance from Section 5.2 of the Zoning Ordinance to allow retail (convenience store with food preparation-takeout only) See Case # 2369 in an Urban Residential District.

For the Petitioner: Aesha Khan, 32 Mason St., Taunton, Ma.

In favor: None
Opposed: None

Mrs. Khan stated they wish to open store on first floor and they live on upper floor. They closed in 2012 and spent \$40,000 for improvements that were required by the Building Inspector. They only wish to re-instate approval in Case # 2396. Wayne asked what time would they be opening? They are read to open and can file business certificate. There is a big new housing complex across the street which will bring in business. The Board remembers there has always been some sort of store here. Steve asked if it would be run like before and she answered yes. Chairman Ackerman read letters from the City Planner, Conservation Commission, Eng. And B.O.H were read into the record. No one in opposition or in favor of petition.

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