

MINUTES
ZONING BOARD OF APPEALS
June 23, 2022 at 6:00 PM
at 15 Summer St- City Hall

Members Present: Dennis Ackerman, Steve Vieira, Wayne Berube, Craig Faria, Seth Turner, George Moniz and John Joyce.

Meeting opens at 6:02 PM

Chairman Ackerman explains the ZBA process. They hear presentation from petitioner, hear opposition and in favor and then go back to petitioner to answer any questions. They do not go back and forth.

Steve made motion to accept minutes of May 19th meeting, seconded by Craig. All in favor.

Case # 3626 – Requesting a 6-month extension – 27 Blinn’s Court
Steve made motion to grant 6-month extension, seconded by Craig. All in favor.

Case # 3664 **Camara** **Worcester Street 35-82**
For: A Variance from Section 440-602 and 440 Attachment # 3 of the Zoning Ordinance for the development of a lot having 125 feet of frontage & lot width (instead 150’ of frontage and 100’ of lot width) and 26,663 sq. ft. of lot area & dry area (instead of 60,000 sq. ft. lot area & 43,560 sq. ft. dry area) on premises on **Worcester St. known as Prop. I.D. 35-82.**

For the Petitioner: Atty. Brianna Correira, 123 Broadway, Taunton, Ma.
Josh Borden, Arthur Borden & Associates, Inc, 305 Broadway,
Raynham, Ma.

Opposition: None
In favor: None

Atty. Correira stated they are back tonight because the Board continued the last hearing and they have changed the proposal. They are now just asking to develop the lot along Worcester Street for one single family house. The lot is questions is compatible to the surrounding lots. Atty. Correira stated the lot was created in 1977 by a Form A under the old Suburban Residential District and then the zoning changed to Rural Residential and they did not build within the timeframe. The lot is identical to others in the area and the neighbor voiced their concerns last time if it was for one lot they would be in favor. Chairman Ackerman read dept. letters from the City Planner, Engineer, Conservation Commission, Water Dept. and B.O.H. into the record. No one appearing in favor or opposed.

Motion made and seconded to grant as presented;
Vote: Ackerman, Berube, Moniz, Turner, Faria.....Yes
Petition Granted

Case # 3674 Rodrigues Chandler Ave., 54-459

For: A Special Permit from Section 440 Attachment #1 of the Zoning Ordinance for a three -family use in a Business District and a Variance from Section 440 Attachment #3 of the Zoning Ordinance for a 14 foot front yard setback from W. Adams St .and an 11 foot front setback from Chandler Ave. (instead of 25 feet) and a 6 foot side setback (instead of 15 feet)

For the Petitioner: John DeSousa, NorthCounty Group, 4 Court St., Taunton, Ma.

Opposition: None

In favor: None

John stated they were before the Board for a 4 unit building and a variance was granted then they went to the Conservation Commission and they wanted them to reduce the impact to the wetlands. They reduced the number of units from 4 to 3 units. By reducing the number of units the zoning changes relative to setbacks and now they need relief from front and side setbacks. Steve asked if this is next to the Self storage place and it was answered yes. John stated they will need to improve West Adams Street because that is their access. Wayne asked now they need variance for setbacks because they reduce the number of units and John answers yes.

Chairman Ackerman read dept. letters from the City Planner, Engineer, Conservation Commission, Water Dept. and B.O.H. into the record. No one appearing in favor or opposed.

Motion made and seconded to grant with dept. comments:

1. Strict compliance with Conservation Commission's approval.
2. A Roadway Improvement Plan is required for West Adams Street to allow for two-way traffic and address any stormwater issues.
3. The property must be serviced by municipal water and sewer. All dwelling units must comply with the Minimum Standards of Fitness for Human Habitation, State Sanitary Code, Chapter II.
4. City water is available for the proposed 4" ductile pipe to the existing 8" city water main on Chandler Avenue.
5. Plan are required and need to be submitted to DPW for the proposed water services, gate valves and curb stop for each property.
6. DPW Permits are required including, City licensed contractor, road opening and or trench.
7. DPW specifications apply including pressure testing, materials, installation, new water meter with an updated radio frequency unit, inspection and approval.
8. DPW specifications apply including any backflow devices must be inspected by the Plumber Inspector or City Inspector.

Hart St, stated people used to swim in that lot. He submitted petition signed by 38 people and all are within a 3 minute walk. 80% of the people has sump pumps and the pipe is not tied into anything? Mary O'Brien, 86 Hart St., also opposed. Anything on that lot will be bad. John Shaw, 80 Hart St. stated that has flooded for 39 years. Lois Shaw, 80 Hart St., stated the picture show a lot of flooding. In 1983 this property was part of the Chistolini property. When his parents passed away they kept this piece. Jeremy Shaw, Trustee of 80 Hart St., opposed.

Motion made and seconded to grant as presented with the following condition:

1. Single family dwelling as presented.

Vote: Ackerman, Vieira, Berube, Faria, Turner.....NO

Petition Denied

Case # 3677

Wessells

Robert W. Boyden Road 18-43

A Variance from Section 440 Attachment #3 & Section 440-702 of the Zoning Ordinance for a side setback of 24 feet (instead of 35 feet) and a 10 foot front yard landscaping buffer (instead of 20 feet) and a 5 foot side yard landscaping buffer (instead of 40 feet)

For the Petitioner: Scott Wessells, 34 Robert W. Boyden Rd., Taunton, Ma.
Josh Borden, Arthur Borden & Associates ,LLC, 305 Broadway,
Raynham, Ma.

Opposition: None

In favor: None

Josh states they are here tonight for a setback variance and landscaping buffer requirements. This is due to the wetlands and river they are restricted to where they can build. This the best design while staying away from the wetlands. Chairman Ackerman stated he's happy to see this site being occupied in that it's just outside the Industrial Park. Chairman Ackerman read dept .letters from the City Planner, Engineer, Conservation Commission, Water Dept, and B.O.H. into the record. No one appearing in favor of opposed.

Motion made and seconded to grant as presented;

Vote: Ackerman, Berube, Vieira, Turner, Faria.....Yes

Petition granted

Georg asked if the Board is going to take a month off in summer and it was answered they will keep to the schedule.

Next meeting will be July 28th at 6 PM

Meeting adjourned at 6:50 PM