

**MINUTES OF BOARD OF APPEALS MEETING OF February 5, 2013: Town Hall, East Room**

**I. ADMINISTRATIVE BUSINESS**

Chairman Peter DeTerra – Opened the meeting at 6:00 p.m.

Quorum/Attendance

Members Present – Chairman Peter DeTerra, Daryl Manchester, Peg Cook, Ken Kendall (Assoc.), and Jaime DeSousa (Assoc.)

Members Absent – Francis Cox, Jr., Al Silva, Rene Fleurent, Jr., Joseph Borelli

Minutes: Chairman DeTerra asked for a motion to accept the minutes of January 2, 2012. Mr. Kendall motioned to accept the minutes. Mr. DeSousa seconded. The vote was unanimous.

**II. PUBLIC HEARING:**

1. Petitioner: Kathleen M. Gallant for Lydon Family Trust, 48 Bellevue Street, Plat 24, Lot 45; Book 9945 and Page 170; Special Permit for continued use of a non-conforming use.

The petition was read and there were 23 abutters notified. The petitioner was represented by Attorney Joseph Michaud of New Bedford who stated the request is to maintain an existing basement apartment within the dwelling. The family has owned the property for 27 years and purchased it as it is presently. It was recently brought to the family's attention that the use is not allowed without a Special Permit. Attorney Michaud stated the request does not create an intensification of use, is within the existing footprint, does not derogate from the By-Law and abuts a much commercialized area of town. Mr. Fostin, Building Commissioner, stated he has done an interior inspection of the dwelling and observed there is no new construction throughout. He believes the dwelling with the basement apartment has been in use for a long time. Dr. Brian Bowcock, abutter at 84 Huttleston Avenue, stated he is in favor of the request. There has never been any problem in the area and no negative impact.

Mr. Kendall motioned to grant the Special Permit. Mr. DeSousa seconded.

Members voting to grant the Special Permit: Ms. Cook, Mr. Kendall, Mr. DeTerra, Mr. Manchester and Mr. DeSousa.

The Special Permit is GRANTED with a vote of five (5) in favor and none (0) opposed.

2. Petitioner: Kathleen Melanson, 87 Green Street, Plat 8, Lot 56; Book 56 and Page 2692; 198-23; Special Permit for a Home Occupation in the Building Trades.

The petition was read and there were 42 abutters notified. The petitioner was represented by her husband David Melanson. He is just starting out as a contractor and would like to use the existing space in his home as an office. There will be no storage of materials and no trucks. He will comply with the requirements of the By-Law.

Ms. Cook motioned to grant the Special Permit. Mr. Manchester seconded.

Members voting to grant the Special Permit: Ms. Cook, Mr. Kendall, Mr. DeTerra, Mr. Manchester and Mr. DeSousa.

The Special Permit is GRANTED with a vote of five (5) in favor and none (0) opposed.

**III. OTHER BUSINESS:**

None

**ADJOURNMENT**

Mr. Kendall moved to adjourn the meeting. Ms. Cook seconded. The vote was unanimous. The meeting was adjourned at 6:15 PM.

Respectfully Submitted,  
Patricia Fowle, Secretary  
To the Board of Appeals