

Zoning Board of Appeals
Tuesday, August 11, 2020 – 6:00p.m.

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FAIRHAVEN,
MASS.

1. ADMINISTRATIVE BUSINESS

Quorum/Attendance: Present: Peter DeTerra, Kenneth Kendall, Darryl Manchester, Francis Cox and Rui DaSilva

Absent: Joe Borelli, Peg Cook and Al Silva

Minutes: July 27, 2020 – Mr. Cox made a motion to accept the minutes and was seconded by Ken Kendall. The motion passed unanimously via roll call vote (5-0.).

Reorganization of the Board:

Chairperson: Ken Kendall made a nomination for Peter DeTerra for Chairperson and was seconded by Francis Cox. The motion passed unanimously via roll call vote (5-0.)

Vice Chairperson: Peter DeTerra nominated Francis Cox and was seconded by Ken Kendall. The motion passed unanimously via roll call vote 5-0.

Fran Cox made a motion to close nominations and continue with meeting and was seconded by Ken Kendall. The motion passed unanimously via roll call vote 5-0.

2. PUBLIC HEARINGS

a. Administrative Appeal by Fairhaven Shipyard – re: 7 Union Street. Asked for continuance until September 1, 2020.

Francis Cox made a motion to continue Fairhaven Shipyard, Administrative Appeal per the applicant's request and was seconded by Ken Kendall. The motion passed in favor via roll call vote. 5-0.

b. Administrative Appeal by A1 Crane – re: 86-88 Middle Street. Continued per applicant's request to September 1, 2020.

Francis Cox made a motion to continue the Administrative Appeal by A1 Crane per the applicant's request and was seconded by Ken Kendall. The motion passed unanimously via roll call vote 5-0.

c. 28 Holiday Drive. Plotczyk, Carol A. 198-22 (A): Variance for short 14' short of the 30' street setback requirement to Holiday Drive and Sunrise Court (a paper street) for a 1-stall garage addition. (continued from July 7, 2020).

Carol Plotczyk was present, along with her engineer, Dave Davignon. Application was submitted in June and continued to tonight. He stated it was a house at the end of Holiday Drive that bordered an undeveloped paper street – Sunrise Court, which is being used currently as lawn area by the applicant. Ms. Plotczyk is looking to install a 1-stall garage addition.

Francis Cox made a motion to approve the variance and was seconded by Ken Kendall. The motion carried unanimously via roll call vote – 5-0.

d. 1 Smuggler's Road. Decker, Keith & Kimberly. 198-22(A): Variance for 3' over the 20' height maximum allowable for an accessory structure (detached garage). (continued from July 7, 2020).

Mr. Davignon was present for the applicant. He stated they were looking for a variance for height for storage above the garage. He stated the cupola is not counted toward the height and had that verified with the Zoning Officer, Kristian White, as it is not part of the structure. The location is easterly on the property and nestled in the tree line, so there won't be any blocking of line of sites. Mr. Davignon stated line sites are not protected by any state by-laws, but it wouldn't impact any neighbors.

Abutter, Eric Baumann has concerns of development of Scoticut Neck Road. He said there is further evidence of elements that neighborhoods don't want happening in that area.

Abutter, Janice Rose stated she was not opposed to the structure but just felt that a 20' garage is high enough. She stated that the Town has bylaws for a reason. Ms. Rose stated there are other issues in that area and think this only adds to people thinking they can do and build what they want.

Francis cox made a motion to grant the variance and was senconded by Ken Kendall. The motion passed unanimously per a roll call vote, 5-0.

e. 205 Farmfield Court. 198-22(A): Variance needed for 15' short on south side where 20' is needed in a RR District for an addition and breezeway.

Joanne Reedy, applicant explained that the distorted property line cuts into where the addition will go.

Ken Kendall made a motion to approve the variance and was seconded by Francis Cox. The motion passed unanimously 5-0 roll call vote.

f. 83 Mill Road. Eleanor Charpentier. 198-22(A): Variance needed for 15' short on south side where 20' is needed in a RR District for an addition and breezeway.

Mr. Tim Charpentier was present on behalf of his sister, who said he was short for the addition and breezeway.

No questions from the board.

Francis Cox made a motion to approve the variance and was seconded by Ken Kendall. The motion passed unanimously with a roll call vote 5-0.

3. Bills

Francis Cox made a motion to have Peter DeTerra sign the bills, with a one signature during COVID if necessary and was seconded by Ken Kendall. The motion carried unanimously with a 5-0 roll call vote.

Ken Kendall made a motion to adjourn and was seconded by Fran Cox. The motion passed unanimously at 6:29pm via roll call vote 5-0.

Respectively,
Patricia A Pacella