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Fairhaven Zoning Board of Appeals

Tuesday, December 1, 2020

FAIRHAVEN,
MASS.

MINUTES OF MEETING

I. ADMINISTRATIVE BUSINESS

The meeting was held remotely via Zoom per the Governor's orders during the pandemic that began in March 2020.

Francis Cox opened the meeting at 6:00p.m and read the recording and open meeting law information.

Quorum/Attendance:

Present: Vice-Chairman Francis Cox, Kenneth Kendall, Darryl Manchester and Jaimie DeSousa

Absent: Chairman Peter DeTerra, Peg Cook, Rui DaSilva, and Alberto Silva

Building Commissioner Chris Carmichael was also present

- Acceptance of Minutes – November 3, 2020 Ken Kendall made a motion to approve the minutes of November 3, 2020 and was seconded by Francis Cox. The motion passed unanimously.

II. PUBLIC HEARINGS:

1. Administrative Appeal by Fairhaven Shipyard – re: 7 Union Street. Seeking reversal of zoning determination by the Town of Fairhaven Building Commissioner dated February 20, 2020. **Continued** from April 7, 2020, May 5, 2020, June 2, 2020, July 7, 2020, August 11, 2020 and October 6, 2020. As there was no representative from the Fairhaven Shipyard present, motion was made to for a **Continuance to January 5, 2021**.

Ken Kendall made a motion to continue and was seconded by Ken Kendall. The motion passed unanimously via roll call vote.

2. Administrative Appeal by A1 Crane – re: 86-88 Middle Street. Administrative Appeal from a letter dated April 7, 2020 from the Building Commissioner stating that the operation on the site is in violation of the Mixed Use zoning regulations. (see attached-Exhibit 3) (continued per applicant's request to September 2, 2020 Meeting, see attached.) **Asking for a continuance to March 2021, at applicant's request.**

Ken Kendall made a motion to continue per the applicants request to March, 2021 and was seconded by Jaime DeSousa. The motion passed unanimously, via roll call vote.

3. 61 Church Street. Owner: Patricia Shurtleff. 198-15: Variance request for 1.3' side setback for a proposed 24'x21.6' addition (continued from November 4, 2020).

Patricia Shurtleff explained that the purpose of the request is for an addition to the existing dwelling for a bedroom, bathroom and full basement. Plans to be sent to the Building Inspector. Engineering drawings made, but no architectural drawings. Chris Carmichael noted the addition will have a distance of more than 30 feet to the next dwelling.

Jaime DeSousa made a motion to approve the variance and it was seconded by Darryl Manchester. The motion passed unanimously, via roll call vote.

4. 87 Shaw Road. Owner: João M. Martins and Iola Martins. 198-22: Variance request for 260' square feet over the 700' sq. feet for an accessory building (40x24 garage).

Jordan Martins, identified himself as the Petitioners' son/representative. Comment was made that there is an existing shed on the property already. Jordan Martins explained that the shed would be removed after the proposed structure is built. Recommendation was made by Chris Carmichael, Building Commissioner for the condition that existing shed be removed in a period of thirty (30) days from completion of construction.

Jaime DeSousa made a motion to approve with the condition of removal of the shed within a period of thirty (30) days from completion of construction. Motion was seconded by Ken Kendall. The motion passed unanimously, via roll call vote.

Ken Kendall made a motion to adjourn and was seconded by Jaime DeSousa. Roll call vote was unanimous, via roll call vote and meeting adjourned at 6:24p.m.

Respectively submitted,

Maria J. Carvalho

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Recording Secretary