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**Fairhaven Zoning Board of Appeals**  
**Wednesday, January 5, 2021**  
***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.

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

**Quorum/Attendance:**

**Present:** Peter DeTerra, Chairman, Jaime DeSousa, Rui DaSilva, Darryl Manchester, and Alberto Silva.

**Absent:** Peg Cook, Kenneth Kendall, Francis Cox and Joe Borelli

Building Commissioner and Zoning Enforcer Chris Carmichael was also present

Acceptance of Minutes – December 1, 2020 Jaime DeSousa made a motion to approve the minutes of December 1, 2020 and was seconded by Rui DaSilva. The motion passed unanimously via roll call vote.

**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. (Application attached) – ***Continued*** from April 7, 2020, May 5, 2020, June 2, 2020, July 7, 2020, August 11, 2020, September 2, 2020 and December 1, 2020). ***Asking for a continuance to February 2, 2021.***

Jaime DeSousa made a motion to continue per the applicants request to February 2, 2021 and was seconded by Rui DaSilva. 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. ***Continued*** per applicant's request to September 2, 2020, November 3, 2020, and December 1, 2020. ***Asking for a continuance to March 2021.***

Upon request by the Chairman of Building Commissioner Chris Carmichael's opinion, it was determined that the matter be continued to February 2, 2021.

Jaime DeSousa made a motion to continue February 2, 2021 and was seconded by Alberto Silva. The motion passed unanimously via roll call vote.

3. 6 Lawton Street, Owner: Roger Caron. 198-21(c): Variance request to extend a conforming structure on a non-conforming lot.

a. 198-18: Variance request for 6' variance on the rear addition, whereas 30' required.

b. 198-16: Special Permit request for an in-law apartment in a RA District.

The owner was present via Zoom and explained that his elderly mother-in-law is in need of constant care, and the need for the construction of an in-law apartment.

Jaime DeSousa made a motion to approve the variance (a) and was seconded by Alberto Silva. This motion was passed unanimously via roll call vote.

Jaime DeSousa made a motion to approve the special permit (b) and was seconded by Alberto Silva. This motion was passed unanimously via roll call vote.

4. 14 Wigwam Beach Road, Applicant: Luis Pacheco. 198-32.2(a): Special Permit request for 50' over 75' maximum; total length of pier, gangway, and float 125' to achieve 2.5' of water at mean low water per Zoning By-Law.

Michael Koska, Registered Land Surveyor appeared on behalf of the owner and presented the proposed project, gave measurements of the proposed structure adhering to all the regulations in force. Tim Cox, Shellfish Warden was present via Zoom and opined about the project, including the fact that the oyster beds in the vicinity would be relocated without a problem.

Nancy Dunlop present via Zoom questioned the distance to Girl Scout Island, wherein Michael Koska informed that said distance being about 500 feet from the proposed project.

Jaime DeSousa made a motion to approve the special permit and was seconded by Rui DaSilva. This motion was passed unanimously via roll call vote.

5. 7 Pine Avenue, Filipe Garcia, owner. 108-18: Variance request for 2.6' on side setback for addition in a RA district.

Filipe Garcia was present and made the request for the variance.

Jaime DeSousa made a motion to approve the variance and was seconded by Alberto Silva. This motion was passed unanimously via roll call vote.

Mr. DeTerra made a motion to adjourn and was seconded by Alberto Silva. Roll call vote was unanimous and meeting adjourned at 6:35p.m.

Respectively submitted,  
*Maria J. Carvalho*  
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Recording Secretary