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Board of Appeals

TOWN HALL 40 Center Street Fairhaven, MA 02719

FAIRHAVEN,
MASS.

MEETING NOTICE – Board of Appeals

PLACE OF MEETING: Town Hall – Banquet Room

Join Zoom Meeting

<https://zoom.us/j/94115137952?pwd=MXpoVWpKTFBEUmluT1pWSCtiVzJCQT09>

or call 1-929-205-6099

Meeting ID: 941 1513 7952

Passcode: 361259

DATE AND TIME: Tuesday, October 5, 2021 at 6:00 p.m.

MEETING: Public Hearing In-Person in Banquet Room or via Zoom

ADMINISTRATIVE BUSINESS

Quorum/Attendance

- Acceptance of Minutes – September 7, 2021

II. PUBLIC HEARINGS:

1. Administrative Appeal by Fairhaven Shipyard – re: 7 Union Street. REF#: ZBA-AA 01:
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, December 1, 2020, August 3, 2021, September 7, 2021 per applicant's request. **Continued to October 5, 2021.**
2. Administrative Appeal by A1 Crane – re: 86-88 Middle Street. REF#: ZBA-AA-02:
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.)
Previously continued to October 5, 2021.
3. **123 Weeden Road. Applicant and Owner: Aguiar, Kyle. REF@ ZBA-2022-009**
Requesting approval of a proposed 1,200 sq. foot addition to extend kitchen and living room. The applicant also seeks a finding from the Board that the existing non-conforming structure may be extended to include the side addition, front addition and rear setbacks; as well as the height to the maximum of 35' and that the alteration is not substantially more detrimental than the existing non-conforming use to the neighborhood, pursuant to MGL 40, Section 6.
Previously continued to October 5, 2021.

4. 5 Almond Street. Applicant: David Armstead; Owner: David M. and Sharon A. Armstead, Trustees. REF#: ZBA-2022-014.

198-9: Applicant seeks a finding from the Board for construction of a 20'x11' enclosed three-season porch on top of the existing sun deck and that the proposed alteration is not substantially more detrimental than the existing non-conforming use to the neighborhood in the RR District pursuant to MGL 40A, Section 6.

5. 8 Mill Road. Applicant: Scott Simpkin; Owner: Susan M. Bergeron, Trustee. REF #: ZBA-2022-015.

198-9: Variance request area and frontage from the required square footage for a proposed construction of a single-family home on the buildable lot in a RA District, which calls for a 100' frontage and lot frontage measures 68.34', and area calls for 15,000 sq. ft, wherein the lot contains 6,004 sq. ft.

6. 43 Francis Street. Applicant: Geoffrey Haworth; Owner: Gary and Tammy Chan. REF #: ZBA-2022-016.

The applicant seeks a finding from the Board the existing non-conforming structure may be extended to include a vertical addition of a second floor, and that the addition of 1,150 sq. ft. is not substantially more detrimental than the existing non-conforming use to the neighborhood, per MGL 40A, Section 6.

7. 56 Balsam Street. Applicant: Edmund N. Lacombe; Owner: Edmond N. and Dawn E. Lacombe [formerly Tavares]. REF #: ZBA-2022-017.

Administrative Appeal request from the Zone Enforcement Officer not to enforce removal of discarded boat and trailer and empty trailer (non-useable) in front of 56 Balsam Street, on and in front of conservation land and water frontage, pursuant to MGL 40A, Section 7.

8. 101 Ebony Street. Applicant: John M. Mota; Owner: John M. and Diane M. Mota. REF #: ZBA-2022-018.

Special Permit request to store a 28.5' mobile home on the premises pursuant to Zoning By-Law 198-28..