

Zoning Board of Appeals – Minutes

April 23, 2024

Location: Town Hall Hearing Room

Time: 5:30pm to 6:30pm

Board Member Attendees: Antonio Carmo Chairman, Meghan Connolly Member, Marc Oliviera Member, & Lucas Tourgee Alt Member

Board Member Out: Sal Botelho Alt Member- The board had a quorum.

Attendees: Carl Malloch- Malloch Construction, Ellen Lafrance, Nyle Zager- Zenith Consultant Engineers & Atty. Mark Bobrowski-Via Phone

Topic	Discussion:
Mail & Minutes:	<p>5:30pm- Antonio Carmo opened up the meeting, introduced himself and the Board members that were present. The Chairman verified the voting members will be himself, Marc Oliviera, & Meghan Connolly.</p> <p>Meeting Minutes: The meeting minutes from 12/14/23 were reviewed by the Board. M. Connolly made a motion to accept the minutes as read. L. Tourgee seconded.</p> <p>Bills: 1/9/24-Atty.Mark Bobrowski- \$2,000.00 for legal services re: 1 Crystal Dr. Map 16 Lot 64-01, paid from ZBA account. 1/10/24-Local IQ- Leite/Belchior 1 Crystal Dr. Map 16 Lot 64-01 newspaper ad for public hearing ran 10/6/23 & 10/13/23 for \$458.24. 3/26/24-Escrow balance paid to Joseph & Pam Leitie 1 Crystal Dr. Map 16 Lot 64-01 in the amount of \$541.76.</p> <p>Correspondence: Letter from Delphic Associates- Re: Berkley Meadows- changes to the Comprehensive Permit- will be reviewed, on agenda</p> <p>No other New Business came in front of the Board at this time.</p>

Berkley Meadows
LLC/ Delphic Assoc.
Review request for
insubstantial change.

5:45pm- The Chairman read the letter from Delphic Assoc. in regards to Berkley Meadows, a change to the Comprehensive Permit. The Board is to decide if it is a substantial or insubstantial change to the permit. Atty. Mark Bobrowski was present via phone. Carl Malloch from Malloch Construction was present representing Berkley Meadows. Atty. Mark Bobrowski explained the letter to the Board, all discussed. The number of duplexes will go to 27 from the 20 on the permit. Atty. Mark Bobrowski explained the rules of determining the type of change, and need to review if it is more than a 10% increase of the original project. The Project Eligibility Letter was reviewed and discussed. The Chairman discussed the affordable houses, Atty. Bobrowski and Carl Malloch stated affordable housing needs to be 25% of the project. The Board and Atty. Mark Bobrowski further discussed if it is a substantial or insubstantial change. The Board just gets notice now of an owner transfer, different than before. All further discussed. M. Connolly made a motion to acknowledge and accept the request to consider the Comprehensive Permit changes to be insubstantial. M. Oliviera seconded. Atty. Mark Bobrowski stated he will write up a letter and to have the changed plans forwarded to him. The Letter and plans will then be recorded at the Registry of Deeds.

Malloch Group Inc./
Malloch Construction
Co. Inc 120 Padelford
St. Map 16 Lot 85-
40A Public Hearing

6:04pm- Chairman Antonio Carmo opened the Public Hearing for Malloch Group Inc./ Malloch Construction Co. Inc. 120 Padelford St. Map 16 Lot 85 requesting two variances for parking. The newspaper ad ran in the Taunton Daily Gazette on 4/5/24 & 4/12/24. All certified mailings were mailed out to abutters and all were returned. The newspaper article was read into the record. There was one abutter present. Carl Malloch from Malloch Construction Co. Inc. introduced himself to the board. He told the Board he previously had two variances granted to him on this property but the time had lapsed. He is in front of the Board to renew those two variances. The first variance is for parking in the setbacks. He wants to be able to park in front of the building. There is also a drop in the property into the wetlands, so the buildings can't be constructed any further back. The second variance is to reduce the amount of parking spaces that are required. He only needs 23 parking spaces instead of the required 72 parking spaces. There will only be two buildings used for storage and one of the buildings will have a small office in it. The Chairman opened the hearing to any abutters. Mrs. Ellen Lafrance of 106 Padelford St. asked what would be the use of the buildings. Mr. Malloch stated the buildings would be used for storage, equipment, and lumber. He is cleaning up the storage containers on his other property.
L. Tourgee made a motion to close the hearing. M. Connolly seconded. The Board further discussed. M. Oliviera made a motion to accept the two variances as proposed on the plans. M. Connolly seconded.



Sardinha Family Trust & 130 Myricks St. LLC/ Sardinha Family Trust 128 & 130 Myricks St. Map 23 Lots 4 & 5-40A Public Hearing

6:10pm- Chairman Antonio Carmo opened the Public Hearing for Sardinha Family Trust & 130 Myricks St. LLC/ Sardinha Family Trust 128 & 130 Myricks St. Map 23 Lots 4&5 Requesting a variance for parking. The newspaper ad ran in the Taunton Daily Gazette on 4/7/24 & 4/14/24. All certified mailings were mailed out to abutters. The newspaper article was read into the record. There were no abutters present. Nyles Zager from Zenith Consultant Engineers introduced himself to the board. He discussed and explained the plans for the property to the Board. Mr. Sardinha wants to combine the two properties and construct a new building, which would be a proposed retail building. The new construction will bring the property in compliance with the Zoning By-Laws. The parking area now is not good. The old building that is now on the property will be removed. This will make the parking lot a much safer situation. He is looking for a variance to allow for parking in the front setback. The parking will mimic what is there now at the retail building of 128 Myricks street. Allowing the variance will make the property less non-confirming and it will make it a better design. It will improve the current parking layout at the site, also combining the properties together will make it safer. This will be going to the Planning Board for Site Plan Review next. M. Connolly asked if the amount of parking spaces is all set and if so, a variance will only be needed for the setback. Mr. Zager said the amount of parking is fine. All deliveries and the Fire Department will be able to drive around the back of the building. He told the Board this is also a benefit to the town and much safer situation. The petitioner's engineer answered all of the questions in a manner that seemed to satisfy the Board. M. Oliviera made a motion to close the hearing. M. Connolly seconded. The Board further discussed. M. Connolly made a motion to grant the variance that was being requested for parking. L. Tourgee seconded.

All Motioned the next meeting date May 28, 2024-6:00pm

Motion to adjourn was made by M. Oliviera @ 6:30pm

Signatures

1. 
2. 
3. 