

Zoning Board of Appeals – Minutes
December 4, 2025
Location: Town Hall, Moitoza-Petty Hearing Room
Time: 6:00pm to 7:30pm

Board Member Attendees: Meghan Connolly- Chairman, Antonio Carmo Vice-Chairman, Sal Botelho- Alt Member & Mark Petty Jr.-Member.

Board Member Out: Patricia Dougherty- Alt Member- The board had a quorum.

Attendees: Atty. Adam Costa, Superintendent- Melissa Ryan, T.A.- Matthew Chabot, Robert Taylor- Taylor & Burns Architects, & Emanuel Eduardo- Civil Engineer

Topic	Discussion:
Mail & Minutes:	6:22pm- M. Connolly opened up the meeting, introduced herself and the Board members that were present. This was a joint meeting with the Planning Board. T. Carmo made a motion to move the Mtg. Mins., Bills, & Correspondence out of order on the agenda. M. Petty seconded. Meeting Minutes: The meeting minutes from 8/12/25 were reviewed by the Board. T. Carmo made a motion to accept the minutes as read. M. Petty seconded. Bills: Local IQ for Derco Inc 27 Locust St. Map 11 Lot 37- ad ran on 7/24/25 & 7/31/25 the amount of \$484.72 was paid on 8/26/25. Correspondence: None Secretary told the Board the deed was signed by Con Comm for the Town of Berkley for the take over of the National Heritage Land which is part of the Berkley Meadows LLC property. All copies are in the file. An informative meeting will be held by the BOS on 12/10/25 in regards to a proposed Athletic Complex at 111 & 107 Myricks St. – ZBA members were invited to attend. No other New Business came in front of the Board at this time.

Town of Berkley/Berkley Public Schools-Owner Taylor & Burns Architects- Robert Taylor- Applicant 59 South Main St. Map 4 Lot 66 & Map 12 Lot 7	6:22pm- Chairman Marc Oliveira of the Planning Board opened the Public Hearing for Town of Berkley/ Berkley Public Schools and Taylor & Burns Architect 59 S. Main St. Map 4 Lot 66 & Map 12 Lot 7. The newspaper ad ran in the Taunton Daily Gazette on 11/19/25 & 11/26/25. All certified mailings were mailed out to abutters. The newspaper article was read into the record by the Chairman of the Planning Board. There were no abutters present. Chairman Olivera stated there was a variance for building height being requested from the ZBA and a Special Permit for an internal lit sign and the size of the sign & Site Plan Review. Robert Taylor- Taylor & Burns Architects and Emanuel Eduardo- Civil Engineer had a slide-show presentation to explain all the needs and requests. The presentation included pictures of the building in all phases, traffic plan, storm water management, and both 1st and 2nd floor plans. A Special Permit will be needed for the outside digital sign that will be internally lit. The sign will be 54 sq. ft. which is larger than the 9 sq. ft. that is allowed in the by-laws. It will be an LED sign that will be controlled from inside the building. The building height will be 39ft.3 in. instead of 35ft. that is allowed in the by-laws. The higher height is due to the HVAC equipment on the rooftop. They have already met with the Fire Chief about this situation. M. Oliveira stated he had also spoke with the Fire Chief about this situation and there is no problem. The fire dept. will have access in the back of the building; it is all taken care of. The HVAC equipment on the roof is more efficient instead of on the ground. The equipment adds the 4ft. extra. M. Connolly stated her only concern would be to make sure to have roof top water for any emergency. D. Leary of the PB asked Atty. Adam Costa to explain the Dover Amendment. Atty. Adam Costa stated it protects educational uses, gives zoning exemptions, it reserves some authority but limited. He then stated there are 3 requests for the PB Site Plan Review. He read the Zoning By-Laws and the Dover Amendment uses. This situation 100% qualifies for education. Site Plan Review 3 requests: Grant the Site Plan Review approval, permission for the signage- larger than 9ft. and internally lit, not allowed in residential area, and roof height- 35ft. the roof exceeds to 39ft., under the Dover Amendment can't require a variance. Both board; PB & ZBA need to take a vote for the height of the building. The ZBA is very limited under the Dover Amendment. T. Carmo from the ZBA stated for the PB to dissolve all the issues, besides the ZBA will handle the building height issue. Atty. Adam Costa further explained hardship still needs to come in, in this situation it is hard to find topography hardship. M. Oliveira asked more about the Site Plan Review all discussed and reviewed the plans further. Other questions were discussed: total amount of roof height that was being asked for, if the total was 42ft, the sign will not be lit all night, it will be on a timer & it will be on school property, 11 ft. from the roadway. M. Connolly suggested the roof height allowance should be 45ft. just in case of any changes or equipment goes higher. Robert Taylor stated he would like to amend his request and now request to seek relief for the 45ft. roof height. A motion was made for the Site Plan Review that the use qualifies under the Dover Amendment, the plan as designed is reasonably requested no further changes, the building height includes the amended request of 45ft. acceptable to the Board- all motioned and approved. Another motion was made to grant relief for an internally lit sign that exceeds the 9ft. size regulation, no substantial detriment based on findings. PB all motioned and approved, a motion was made to have Donna Leary as the signatory for the Planning Board to sign the decision- all approved. M. Oliveira made a motion to allow the building height of 45ft., no substantial detriment based on findings. ZBA members all approved. Another motion was made to have Mark Pettey as the signatory for the ZBA to sign the decision- all approved. Both Boards made a motion to close the hearing for Berkley Public Schools at 7:04pm- all approved.

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