Zoning Board of Appeals – Minutes
May 24, 2022
Location: Town Hall Annex Conference Room
Time: 7:00 to 8:00pm

Board Member Attendees: Marcus Baptiste Chairman, Jeanne Russo Member, & Tony Carmo Alt Member

Board Member Out: Marc Oliviera Alt Member & Lucas Tourgee Alt Member - The board had a quorum.

Attendees: Debra Robbins- Outdoor Ventures, LLC, Nyles Zager – Zenith Consulting Engineers LLC, Atty. Michael O'Shaughnessy, Robert Chamberlain- Abutter, & Ron Medeiros

Topic	Discussion:
Mail & Minutes	**7:00pm**- M. Baptiste opened the meeting by introducing the Board and himself. The meeting minutes from 5/3/22 were reviewed by the Board. T. Carmo made a motion to accept the minutes as read. J. Russo seconded. The Bills and Correspondence were moved to the end of the meeting. **Bills**: **7:45pm-** A bill for Local IQ William & R.Ann Church 14 Forrest St. Map 4 Lot 75- Newspaper Ad $429.60 the ad ran on 4/15/22 & 4/22/22 bill was paid on 5/16/22. A bill from Atty. Mark Bobrowski for $1,803.66 was paid on 5/24/22 fees for services on 3/8/22 M. Ricardo 1 Ricardo Way Map 16 Lot 18-5. An amount of $127.56 was taken from Ricardo's escrow account and $1,676.10 was taken from the ZBA's account. **Correspondence**: Marcus Baptiste- Chairman read his letter of resignation to the Board. Secretary told the Board at the next meeting Berkley Meadows will be discussed, the next meeting date was discussed. **No other New Business came in front of the Board at this time.**

Outdoor Ventures, LLC 96R & 100R Bay View Ave & 0 &0R Shoves Neck Map 14 Lots 8,17,18, & 28 40A Public Hearing	**7:05pm**- Chairman Marcus Baptiste opened the 40A Public Hearing for Outdoor Ventures, LLC 96R & 100R Bay View Ave & 0 & 0R Shoves Neck Map 14 Lots 8,17,18, & 28 requesting a variance for frontage and a variance for circle diameter to allow a new two family dwelling to be reconstructed on the property and convert the existing dwelling into a game room/garage. The newspaper ad ran in the Taunton Daily Gazette on 5/6/22 & 5/13/22. All certified mailings were mailed out to the abutters. Atty. Michael O'Shaughnessy, Nyles Zager of Zenith Consultants, LLC, and Debra Robbins of Outdoor Ventures, LLC came in front of the Board. A few abutters were present. Mr. Baptiste presided. The petition, plan, and the submissions were reviewed by the Board. Atty. Michael O'Shaughnessy introduced himself, Nyles Zager of Zenith Consultants, LLC, and Debra Robbins of Outdoor Ventures, LLC to the Board. Atty. O'Shaughnessy told the Board they are looking for two variances. They need a frontage variance and a circle diameter variance. As far as the circle diameter they have 79.9ft. for the circle but need 180ft. The required frontage is 200ft. the property has 81.45ft of frontage. There is a pre-existing two family structure on the property. They are looking to construct a new two family dwelling and convert the existing structure into a game room/ garage. If they get the variances they are requesting from the Zoning Board of Appeals their next step would be with the Selectmen. They will need to get a Special Permit to build the two family dwelling. They need the variances from the ZBA to be able to get the Special Permit to build the two family dwelling that is why the ZBA is the first step. The pre-existing dwelling is already a two family and there will always be a two family on the property. The circumstances of the shape and the topography would be that the lot is a very odd shaped lot. The property is 55 acres and they want to improve the pre-existing dwelling. There is no other way to build on the property due to the odd shape so it also causes a hardship to the owner. The use of the property is not going to change. If the variances are granted nothing is going to change on the property and it doesn't take away from the By-Laws. The property is an island. M. Baptiste asked about the background of the pre-existing lot. Atty. O'Shaughnessy told the Board the owner tried putting in a campground on the island about 10 years ago, but it got turned down. They did try for a Special Permit, but need the variances to build the new two family dwelling. The pre-existing, non-confirming lot will remain but the variances are needed to construct the new two family dwelling on the parcel. T. Carmo had a question about the frontage. It was explained to the Board the frontage is a long narrow existing gravel part. It is over 50 years old, the part, road is drivable and passable. Ms. Robbins told the Board she has two tenants living in the existing dwelling now. Everyone further reviewed and discussed the plans. The Chairman opened the hearing to the abutters for any questions or comments. Bob Chamberlain 12 Friend St. asked the Board if any of these plans will affect his property. He doesn't care what Ms. Robbins does on her property. Mr. Chamberlain came up to the plans and showed everyone where his property was located. Everyone agreed this would have no disturbance to Mr. Chamberlain's property. He then asked about right of ways, the Board told him that would be a private matter. T. Carmo questioned about the existing structure on the property. Ms. Robbins stated to the Board the tenants will be out once the construction of the new two family and the old two family stays. M. Baptiste told the Board and everyone in attendance once the ZBA makes their decision it falls on the Zoning Enforcement Officer of what gets built on the property. It also has to go to the SPGA for the Special Permit for the two family dwelling. The ZBA could put in a condition in the decision to grant lot buildable for the two family dwelling. J. Russo made a motion to close the hearing. T. Carmo seconded.

Outdoor Ventures, LLC – 40A Public Hearing cont.	The Board further discussed. Chairman M. Baptiste stated it has always been a two family, it is ok to build a two family but he feels a Special Permit is not needed to build a garage. He does know in this situation Atty. Bobrowski at other meetings states a Special Permit is needed. They all discsussed the possible conditions to put in the motion: 1.) Subject to BOS granting Special Permit for new two family structure 2.) Only one two family dwelling on property, other structure for accessory use. Everyone agreed it is a very unique shaped lot with an abundance of property acerage. T. Carmo made a motion to approve the petition for the variances submitted, re: frontage and circle diameter. Subject to the BOS granting the new two family structure and the existing structure to a garage and any other allowed accessory use. Atty. Michael O'Shaughnessy will draft the decision and email over to the secretary.
Riverbend Estates/ Berkley Fine Homes Map 2 Off Berkley St. Ron Medeiros 2 Karen's Way	Ron Medeiros 2 Karen's Way came in front of the Board to discuss Riverbend Estates. He passed out a sheet to the Board with ideas he has for the project. Everyone discussed the history of the 40B project. He told the Board he understands the property has a lot of issues but something can be done to finalize it. He feels the road way should be shortened, reduce the number of units, and only single family units in phase 2. He has met with Brad Mackenzie about the current ORAD. He stated to the Board it would be a Major Modification. He would like to try to use the perc tests that have already been done, the Board told him he would have to discuss that with the Board of Health. He feels flag like lots would work, he explained how they look and has previously done them on Pleasant St. in Middleboro, MA. Another way to reduce the cost would be to have "Country Drainage" – swales next to the road. Chairman M. Baptiste explained to Mr. Medeiros Atty. Bobrowski has already drafted a document that organized everything that has been done as far as the Comprehensive Permit and all Modifications on the 40B, it just needs to be signed. The process would be to have a formal hearing with the Board, at that time the Board would have to determine a Major Modification and a full new review. Everyone agreed many residents and the Board would like something finished. Mr. Medeiros stated possible 26-30 range for the amount of houses. He has a letter of intent to purchase with the owner as of right now. He knows the whole project would need to be taken on, not just phase 2. M. Baptiste told Mr. Medeiros an As-built needs to be done and a bond, does not have to be a cash bond. Mr. Medeiros told the Board at this time he would like to move to the next stage by doing a site walk and have a rough draft of plans to bring back to the Board. He will notify the Board when he is ready to come back.
	All Motioned the next meeting date will be on June 22, 2022 @ 7:00pm
	Motion to adjourn was made by T. Carmo @ 8:05pm
Signatures	1. Antonio Carmo
	2. Jeanne Russo
	3.