

TOWN OF MATTAPOISETT  
BOARD OF APPEALS

_____	)	
Application of	)	
Diane M. Normand & Rene P. Rock	)	
55 Long Plain Road	)	
Mattapoisett, MA 02739	)	BOA CASE #1185
relating to property located	)	
at Corner of Mattapoisett Neck Road	)	
and Windward Way	)	
_____	)	

RECORD OF PROCEEDINGS

The public hearing in BOA Case #1185 was called to order by Acting Chairperson Akin on September 16, 2010. Acting Chairperson Akin explained the practice and procedures of the Board. Acting Chairperson Akin stated that the members of the panel to hear and determine this case were Akin, Milott, Lyonnais, Deslandes and Bacon. Board member Milott read the application as filed with the Town Clerk on August 27, 2010.

Douglas Schneider of Schneider Associates represented the applicants at the hearing who were also present. Mr. Schneider stated that his clients would like to separate their existing contiguously held lots into two separate buildable lots due to the presence sewer being available. Mr. Schneider stated that Section 6.2.2 of the Zoning By-Laws allows lots with similar frontage and area to be sub-divided by the granting of a Special Permit by the Board of Appeals. The applicants are not asking to construct any structures at this time even though house plans have been presented, they are simply asking for the sub-division of the lots. Mr. Schneider stated that the applicants must make a decision whether to ask the Water/Sewer Department for two sewer stubs or one by September 17, 2010.

During the public participation phase of the hearing Mr. Schneider stated that the Board

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already set a precedent by a former Board of Appeals Decision (#1045) in which the Board granted the Special Permit to Ms. Meredith Golden. He further stated that this is mirror image of the prior Case, #1184 that the Board just heard.

The applicant's property is shown on Plot 12, Lot 30 on the Assessors Map. The lot contains approximately 10,327 square feet in area with frontage of 113.52. It is further recorded in the Plymouth Registry of Deeds Book 9978, Page 234.

The Board did not receive any written correspondence neither in opposition nor in favor from abutters or parties of interest.

The following Exhibits were entered into the record during the public participation phase of

Board of Appeals Case #1185:

Exhibit "A" – Site Plan

Exhibit "A-1" – Colored Coded Site Plan

Exhibit "B" – Assessors Map

Exhibit "B-1" – Larger Map of Surrounding Lots

Exhibit "C" - Assessors Field Card

Exhibit "D" – Zoning Determination

Exhibit "E" – Order of Conditions

Exhibit "F" – Construction & Elevation Plans

Exhibit "G" – Photographs

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The public participation phase of Board of Appeals Case #1185 closed to testimony at 6:45 P.M. The deliberation phase of Board of Appeals Case #1185 opened at 6:52 P.M. and after much discussion and upon motion duly made and seconded, the Board voted unanimously to GRANT the Special Permit to the applicants.

The Board members found that this proposal will not be detrimental to the neighborhood nor the Town and will be in keeping with the intent of the Zoning By-Laws. Further it will have no adverse effects on the social, economic or community needs and will have no adverse traffic flow or problems in accordance with Sections 7.2.2.2.1 through 7.2.2.2.7 of the Zoning By-Laws.

Acting Chairperson Akin stated that Board of Appeals Case #1185 would be continued to Wednesday, September, 22, 2010 for the sole purpose of signing a written Decision.

On Wednesday, September 22, 2010 Acting Chairperson Akin called to order BOA Case #1185 and all members being present they proceeded to sign the written decision in the form presented.

The hearing adjourned at 6:00 P.M.

Acting Chairperson

Susan Akin

