

Zoning Board of Appeals
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David Pereira - Chairman
John Scanlon - Vice Chairman
Richard Panofsky - Clerk
Richard Barrett
Antonio Oliveira
Raymond Olivier, Assoc. Mbr.
Stephen Silva, Assoc. Mbr.

ZONING BOARD OF APPEALS MEETING
Meeting Minutes –June 17, 2021

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Call to order at 6:00 PM by David Pereira, Chairman.

In attendance: Chairman David Pereira; Richard Panofsky, Clerk; member Antonio Oliveira; associate member Raymond Olivier.

The meeting was held remotely, via Zoom.

The agenda was reordered to use time before the public hearing.

Chair Pereira declared Associate Member Raymond Olivier will vote. By roll-call vote, D. Pereira, R. Panofsky, and A. Oliveira assented.

GENERAL BUSINESS

1. Buckley — File #819 — 140 By State Road. Vote on findings. R. Panofsky moved to approve the draft as distributed, R. Olivier seconded; the motion carried unanimously on a roll call vote: D. Pereira, aye; R. Panofsky, aye; A. Oliveira, aye; R. Olivier, Aye.

MINUTES

On a motion by A. Oliveira and seconded by R. Olivier, the minutes of May 20, 2021, were approved unanimously as written and distributed by email, on a roll call vote: D. Pereira, aye; R. Panofsky, aye; A. Oliveira, aye; R. Olivier, Aye.

PUBLIC HEARINGS AND MEETINGS

File #820 – Gaudreau – 157 Tremont Street – Variance. The request is to be allowed to build a building addition bringing the total square footage above the 15% maximum allowed. At 6:07, A. Oliveira moved to open the public hearing; R. Panofsky seconded; the motion passed unanimously on a roll-call vote: D. Pereira, aye; R. Panofsky, aye; A. Oliveira, aye; R. Olivier, Aye.

Wayne M. Gaudreau attended via an audio link. Initial discussion among Board members brought out concerns whether a variance or a special permit would best fit the case. Mr. Gaudreau clarified that his lot is pre-existing non-conforming, being 35,000 square feet.

His business is all that is served on the site. The existing building is too small for his expanding business. The proposed addition brings the total building area to about 7,500 square feet, which exceeds 15% of the lot size. The existing well will be relocated. All other requirements of frontage and setbacks are met, and the appearance of the property from the street is almost entirely unaltered. The two abutters were notified, but neither attended the hearing. Mr. Gaudreau reported that abutter Curtis Douglas told him he has no objection; Mr. Gaudreau is not acquainted with the other abutter. R. Panofsky asked about a "gravel pathway" shown on the survey drawing, which the addition will cover; it extends to the edge of the property and then goes over onto Mr. Douglas's property. Mr. Gaudreau explained that by "gentlemen's agreement" Mr. Douglas was able to use it as a shortcut to that portion of his land only for convenience and that no easement exists.

D. Pereira moved to close the public hearing; R. Panofsky seconded; the motion carried unanimously by roll-call vote: D. Pereira, aye; R. Panofsky, aye; A. Oliveira, aye; R. Olivier, Aye. Discussion emphasized the absence of objections, lack of visual impact from the road, and the long-standing presence of this business in town. A. Oliveira moved to approve the construction of the proposed building in excess of the 15% limit; R. Olivier seconded; the motion passed unanimously on a roll-call vote: D. Pereira, aye; R. Panofsky, aye; A. Oliveira, aye; R. Olivier, Aye.

NEXT MEETING

The next meeting of the Board is scheduled for Thursday, July 15, 2021, 6 PM.

ADJOURNMENT

On a motion by D. Pereira and seconded by R. Panofsky, the Board voted to adjourn at 6:26 by roll call vote: J. Scanlon, aye; R. Panofsky, aye; Oliveira, aye; R. Olivier, Aye, S. Silva, aye.

Respectfully submitted by Richard Panofsky, Clerk



David Pereira, Chairman



John Scanlon, Vice-Chairman