

Chairman Peter Caron: Explained that he wanted to go on record to let everyone know that Pam works here at the town hall and all of the Board all knows her.

Pamela Waller: Presented the case she explained that she would like to add a garage on to her house. She went to the building inspector to ask what the process would be for her the build an attached garage. The building inspector said that she didn't have enough side yard setback and that she would need to go to the Zoning Board to request relief.

Kenneth Pacheco: How close would the garage be to the boundary line at the closest point?

Pamela Waller: (3) Feet.

Kenneth Pacheco: Stated that he had gone out to the property with the Building Commissioner to see how it would impact the neighbor on that side and to see if it could be moved to a different position. Looking at the location of the septic system this is the only possibility for a (2) stall garage on this property. He also mentioned that he did not meet Pam's mother but it was his understanding that one of the main reasons why Pam wanted to add the garage was because of her mother. Does the Board have any questions?

Greg Logan: Why is the garage set back so close to the boundary line?

Building Inspector: Center Street is a very busy street so the intent was to maintain the 55' foot setback from the centerline. That would give her room to adequately maneuver the vehicles so that she can drive out onto Center Street rather than back out. There is only (1) one setback that she needs relief from as opposed to (2) two and it would be safer for her to enter and exit Center Street.

Greg Logan: The Town of Dighton owns the property to the right of the house?

Building Inspector: Yes, she is extremely limited with her options. I have scoured the site and tried to find another location there is just nowhere to put this thing. She has a very small lot.

Peter Caron: My concern is the construction of this with only a (3) foot setback from your neighbor's property. I understand the Town of Dighton is the neighbor but still you cannot bring a backhoe onto that property. What is there for boundary there now? There is no fence it is just trees, right?

Building Inspector: The boundary is a stone wall.

Peter Caron: How do you propose that a slab foundation be installed without interfering with the abutter's property?

Building Inspector: The orientation of the garage on the property is angled. I conversed with foundation contractors and they said because you have a small corner of the building in close proximity to the stone wall they could adequately install the footings and the form work without damaging the stone wall. Yes she will have to excavate right up to the property line in that one area.

Abutters:

None

Greg Logan: Is this a single story garage with no living space?

Pam Waller: No living space just a little extra storage space.

The Board discussed the need to take this case under advisement and it was decided that it would not be needed.

Motion Zachary Caron second Robert Adams Sr. to approve.

All in Favor

Aye

Robert Adams Sr.: The evidence that was presented and the location of the septic system this is the only area on the property that they could actually put this garage. They moved it back 55' feet to make it more conforming and more appealing. No abutters opposed it.

Greg Logan: I agree

Zachary Caron: I also agree

Case #24-15 537 Hart Street Special Permit

Kenneth Pacheco read the Legal Notice posted in the Taunton Daily Gazette.

Voting members Peter Caron-Kenneth Pacheco-Greg Logan.

Jeff Medeiros from INO Electrical Service presented the case. He stated that they were proposing a fixed ground mount solar array consisting of 52 modules. It is behind the meter system. They are not selling any of the power generated for a fee. It is for their own personal use.

Kenneth Pacheco: How many Kilowatts will this produce?

Jeff Medeiros: Roughly 14 KW

Kenneth Pacheco: For what time period?

Jeff Medeiros: Typically between 9AM -2PM is the best time. This is a fixed system so 9 and 2 is pretty dead on with the system facing dead south. No tracking none of that.

Peter Caron: Why 52 panels?

Jeff Medeiros: The usage of his house requires 45 plus and we added a little bit of fluff in case the usage increases.

Robert Adams Sr.: what are the dimensions?

Jeff Medeiros: 72' feet long by 10' feet on a birds eye view. It is on a 32 degree tilt. If you laid it flat it would be about 13' feet.

Peter Caron: How tall is it?

Jeff Medeiros: About 12' feet high.

Peter Caron: What is the growth around the array like facing south? This is what happens when you apply for a special permit. There has to be a real good reason for the Board to not approve a special permit. 98% of the time a special permit is approved with a list of conditions. When you are applying

for a special permit you are saying to the town I have a right to do this give me the ok and I realize there might be some restrictions on it. It is an open field. These things are an eye sore. In a residential neighborhood something that is 72' feet long is going to stand out.

Bill Biss: 537 Hart Street: The array will not be seen from the road either Hart Street or Elm Street or any other houses in the area.

Peter Caron: Susan Enfield, isn't there a house on her property?

Jeff Medeiros: Showed the Board the property lines and where Mrs. Enfield house is located. The panels face south and Mrs. Enfield house is north. There are trees on the boundary line that are the Enfield's and the thick brush on Mr. Biss's property.

Peter Caron: I think some kind of greenery/shrubs will need to be planted.

Kenny Pacheco: I have some of the same concerns that peter has. Would the petitioner have any interest in planting evergreens on the north east side of the array?

Peter Caron: I think the only way that I would approve this is if you were to plant evergreens on your property that would grow to be at least 12' feet in height, they would have to be of substantial height going in and they would have to be properly maintained in a healthy manner for the life of the trees as well as for as long as the project is there the trees must remain. They will be determined by the building inspector as well as the Tree Warden. The Board discussed many options with the petitioner, moving the array away from the property line, the visibility from the neighbor's house and barn, the possibility of a roof mounted system. It is the Boards responsibility that if we issue this permit to protect the interest of the neighborhood.

Jeff Medeiros: Does that me today they have to be 12' feet tall.

Peter Caron: You are going to have to buy trees of substantial height that will grow to 12' feet in five years.

Greg Logan: We are in the 110 MPH wind zone and this is only designed from 100.

Peter Caron: You have not showed us site maps or the grade of the property

Jeff Medeiros: I have those topographical maps right here.

Building Commissioner: it would have to be designed to withstand 100 mph to issue a building permit.

Jeff Medeiros: What was submitted was basically a template it will be able to withstand 110 mph wind gusts.

Abutters:

Bill Frenette 563 Hart Street: If he has to plant arborvitaes on the north side of the array the only view you are going to impair will be his. If they were in my yard I would want to be able to see them. If you make him plant arborvitaes on the north side of the array he won't be able to see the panels.

Kenneth Pacheco read Zoning Bylaw 4600 Ground Mounted Solar

Photovoltaic Installations:

B) To minimize the impacts of Large-scale and small scale ground-mounted solar photovoltaic installations on adjacent properties and residential neighborhoods;

C) To minimize impacts on scenic, natural and historic resources. So we have to take that into consideration.

I would be interested in going to the property to take a look at it.

Kenneth Pacheco: Mr. Frenette is there anything else that you would like to comment on?

Bill Frenette: Absolutely. There are some large trees on my property that will be blocking his sunlight and the petitioner has promised to help cut them up and drag them away for firewood. Could you add that in your conditions? Then I know that he will have to do it. **I am in Favor.**

Motion Kenneth Pacheco second Robert Adams Sr. to continue the public hearing until Saturday November 14, 2015 at 8:00 AM at 537 Hart Street.

All in Favor

Aye

Building Commissioner: They met with the Planning Board earlier tonight. The Board was without their secretary and asked me to notify this Board that they have met with them and they have approved been approved with (1) condition so they are all set with the Planning Board.

Peter Caron: What is the condition?

Building Commissioner: They wanted to reserve their right if there was any costs incurred with any reviews that needed to take place that they be able to bill the client.

Old Business:

Case # 15-15 1820 Pine Hill Road Variance
Decision was signed

Case # 17-15 1820 Pine Hill Road Special Permit
Decision was signed

Case # 09-15 883 Main Street Variance
Decision was signed

The Board discussed the procedure for talking to legal counsel with retired ZBA Chairman Joe Pacheco. The procedure should be if you need to speak with Town Counsel David Gay you need to go through or get approval from the Selectmen. If you need to speak with ZBA Legal Counsel Marguerite Mitchell you need to go through the Chairman.

Peter Caron stated that he was going to make the proposal for the pay increase for the Board. Which puts us on par with the Planning Board. He explained that the Planning Board gets paid monthly instead of semi-annually. My recommendation to the Board is that we adopt that policy of being paid monthly.

Motion Zachary Caron second Kenneth Pacheco accepts the policy of being paid monthly instead of semi-annually.

All in Favor

Aye

Kenneth Pacheco asked the Board about Tammy Ross and the increase in the Application fee. He stated that she had been talking with the

Board since July regarding the need for a special permit for her property on Pleasant Street.

Peter Caron stated that sewer is going to be an issue because she is down by the water.

Building Commissioner: I would suggest when the Board hears her case that a member of the Board of health be present so that we can discuss that.

Peter Caron: We are trying to save her money. She lives in Florida so that is a hardship to get her up here at a convenient time.

The secretary stated that she had spoken with Mrs. Ross today and she would like to be place on the December 16th Agenda.

Kenneth Pacheco: I contacted her and explained the Boards concerns with the sewage, in case of an emergency evacuation plans, renting the trailer was not an option that it had to be owner occupied. She mentioned the possibility of a Port-a-John.

Building Commissioner: Allowing a Port- a- John would open up all kinds of issues. We can't allow a Port-a-John.

Kenneth Pacheco: Please send Ms. Ross a copy of By-law 2323 regarding mobile homes.

Public Input:

None

Building Commissioner: Stated that he had met with the Planning Board tonight regarding the discussion we had last meeting about the digital signs and they are receptive to altering the signage by-law for the next Annual Town Meeting.

Peter Caron asked if they would be looking for input from the Zoning Board or are they just to create the by-law and put it to the public.

Building Commissioner said that it should be a collective effort. They agreed that we can work together to come up with a by-law that will help the businesses as well as keep some control. We can put this on an agenda on a short meeting night and toss some ideas around.

Peter Caron: What about rewriting the Solar By-law it is still pretty vague. I know both Boards are going to be an intricate part of these requests.

Kenneth Pacheco: please add to the December meeting discuss digital signage.

Adjournment:

Motion Robert Adams Sr. second Zachary Caron to adjourn the meeting at 8:50 PM

All in Favor

Aye