



TOWN OF DIGHTON
ZONING BOARD OF APPEALS
Meeting Minutes

February 17, 2016

Members Present:

Peter Caron Kenneth Pacheco
Robert Adams Sr. Greg Logan
Brett Zografos Zachary Caron

Call to Order:

Chairman Peter Caron called the meeting to order at 7:00 P.M. and asked vice-chairman Kenneth Pacheco to Chair tonight's meeting.

New Business:

Case # 01-16 2027 County Street Variance

Clerk of the Board Robert Adams Sr. picked voting members:

Brett Zografos Greg Logan Robert Adams Sr.

Kenneth Pacheco read the legal notice posted in the Taunton Daily Gazette.

Atty. John White, Taunton Mass, representing the Fall River Catholic Diocese presented the case. He stated that the original plan that was submitted had been amended to reflect any concerns regarding the Correa's carport. He then gave a brief background of the property stating that the Diocese purchased the property in 1928. It was the rectory for the priests of St. Peters Church. With the merging of St. Peters Church with St. Joseph's Church the rectory is no longer needed and they would like to sell it.

When they went to sell it they found that a little of the house is owned by Mr. & Mrs. Correa and a little pieces of the septic system is too. The Correa's offered to sell a piece of their property to the church to make it compliant. Atty. White explained that the Correa's have a mortgage on their

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property and they will need to get a partial release of that mortgage to release the piece of property that will be sold.

Typically the applicant is the entity seeking to do something and that is the Dioceses that is why they are the applicant. Mr. & Mrs. Correa have co-signed the application. Even through it is their property being sub-divided the Dioceses is the applicant they are the ones seeking to have something done.

DISCUSSION: re filling in the churches abandoned septic system on the Correa's property and new boundary markers showing revised property lines at the expense of the Dioceses per Deacon Thadeu.

It was moved by Robert Adams Sr, seconded Greg Logan and VOTED to approve the variance with the condition that new boundary line markers be put in per the new delineated plan.

Vote: UNANIMIOUS

Reasons for Approval:

Greg Logan: In favor because it takes away any future litigation on the boundary lines of the property seeing that it was already a non-conforming lot and we are giving them a piece of another property.

Robert Adams Sr.: In favor because we are correcting a bad situation. Both lots are non-conforming. One a little more than the other and there is no detriment to the neighborhood.

Brett Zografos: Stated that the applicants are good family friends and that he had discussed this with Chairman Caron and it was decided that it was not an issue and he did not need to recuse himself from this case.

Robert Adams: Please let me know next time.

Peter Caron: We are correcting a wrong

Brett Zografos: I think that it would be better for the Correa's to not have the Bishops property on their property. It would be good to separate it.

Old Business:

Case # 25-15 1209 Somerset Avenue Special Permit

Chairman Caron explained to the Board that there was an error in the submittal of the application for 1209 Somerset Avenue. The necessary permit should have been for a variance not a special permit creating a legal issue because in the newspaper it was listed as a special permit not a variance. The Board will be conducting another hearing for 1209 Somerset Avenue and will be paying all associated fees.

Chairman Caron read a letter to withdraw without prejudice the special permit case # 25-15 submitted by Atty Robert Fredericks who represents the applicant.

Approval of Minutes:

The board discussed questions that they had with the minutes and edits that they would like to have made.

Kenneth Pacheco discussed with the Board that he and Brett had spoken with Rosalind and they have requested that after meeting minutes are approved and signed they be posted on the Town web site. Brett Zografos offered to help posting the minutes.

Chairman Caron stated that he would like the posting of minutes to only be after they have been voted on, approved, and the chairman has signed them. The posting of previous ZBA meetings will be done starting with the most current meetings and work back to July of 2015. They also discussed posting meeting agenda's on the web site and that they would like the public notified on all notices that the agenda is subject to change.

Brett Zografos: asked if the public often requested copies of minutes.

Chairman Caron stated that the Somerset Woods appeal had been overturned and the applicant will need to redesign their layout and come back to the Board

Public Input:

None

Adjournment:

It was moved by Zachary Caron, seconded Robert Adams Sr. and VOTED to adjourn the meeting at 7:45 P.M.

Vote:

UNANIMIOUS

Respectfully Submitted

Rosalind Grassie