**DECISION**: Variance granted to allow the construction of a three open-sided carport on Lots 246 & 247, Assessor's Plan 23A to be attached to the west end of the dwelling house with a minimum of four (4') feet set-back from the side property line.

East Beach Road Richard/Patricia DiBonaventura 10/18/01

**DECISION**: Variance granted to allow the location of a trailer on Lot 6, Assessor's Plan 76A.

East Beach Road/ Farley Lane Margaret McCloskey

04/24/79

**DECISION**: Variance granted to allow the location of a trailer on Lot 16, Assessor's Plan 76A.

2 East Beach Road Michael Shia 09/30/05

**DECISION:** Administrative Appeal of the commercial pre-exisiting non-conforming use has been abandoned; that Lot 2 East Beach Road does not fall within the granfather statute; that the Board hereby overturns the Building Inspector's decision on the grounds that the owner did not intentionally abandon his prior residential use; that the Applicant is therefore, limited to reconstruct on the prior footprint and prior residential use, namely: one (1) bedroom, single-family dwelling, on the original footprint, one (1) story, with no increase in square footage of the structure; that the plan submitted by the Applicant shows the remains of the structure and is filed herewith and known as "Sketch of land surveyed in Westport, MA surveyed for Michael Shia, 19 Prince Street, Cambridge, MA, by Danson d/b/a ADM Surveying Associates, dated June 14, 2005"; that said plan is incorporated herein by reference and made a part of this decision, showing a structure with the dimensions of 30' x 20'. Assessors' Map-76A, Lot 2.

5 East Beach Road Alma Drewniak 07/06/76

**DECISION**: Variance granted to allow the location of a trailer on Lot 5, Assessor's Plan 76A.

# 8, 11, 12, East Beach Road Brenda McNeil et ali

04/26/94

**DECISION**: Variance granted to allow the location of a trailer on Lot 8, 11, 12 Assessor's Plan 76A.

**DECISION 05/22/96**: Variance transferred from Lot 79 to place one trailer on Lot 8 and one will remain on Lots 11 & 12. No structure is allowed on Lot 12 and Lot 79 is abandoned for trailer purposes.

# 10 East Beach Road Mary & Martin Demling

06/16/82

**DECISION**: Variance granted to allow the location of a self-contained trailer for summer use only on Lot 10, Assessor's Plan 76A.

## 13 East Beach Road (north side) Jacques & Rosemary Dandeneau

10/21/81

**DECISION:** Variance granted to allow the location of a self-contained trailer for land located on Lot 13, Assessor's Plan 76A.

## 24 East Beach Road/Farley Lane (west side) Bruce A. Bennett

04/27/77

**DECISION**: Variance denied for a trailer on Lot 24, Assessor's Plan 76A on the basis that the petitioner failed to present sufficient evidence that there were special conditions affecting this particular parcel of land and that the petitioner failed to demonstrate that a hardship exists; that desirable relief could not be granted without derogating from the intent or purpose of the Zoning By-Laws.

25 East Beach Road

Mr. & Mrs. Robert Nydam

08/15/84

**DECISION**: Variance granted to allow the location of a self-contained trailer for summer use only on Lot 25, Assessor's Plan 76A.

#### 29 East Beach Road

#### William & Elizabeth McNamara

10/10/91

**DECISION**: Variance granted to allow the location of a self-contained trailer for six months only on Lot 29, Assessor's Plan 76A.

#### 33 East Beach Road

# Horace Davis & Robert & Barbara Allen

12/23/88

**DECISION**: Variance granted to allow the location of a self-contained trailer for six months use only on Lot 33, Assessor's Plan 76A.

#### 34 East Beach Road

#### **Uriah & Almira Monroe**

06/22/77

**DECISION**: Variance granted to allow the location of a self-contained trailer for six months only on Lot 34, Assessor's Plan 76A.

#### 35 East Beach Road

## **Steven Plante**

06/17/80

**DECISION**: Variance granted to allow the location of a self-contained trailer on Lot 35, Assessor's Plan 76A.

#### 37 East Beach Road (north side)

#### Alton Wood

06/12/78

**DECISION**: Variance granted to allow the location of a trailer on Lot 37, Assessor's Plan 76A.

#### 38 East Beach Road

# George A. Deignan

03/28/86

**DECISION**: Variance granted to allow the location of a self-contained trailer for summer use only on Lot 38, Assessor's Plan 76A.

# 42 East Beach Road (north side) Paulina Carpano

06/15/81

**DECISION**: Variance granted to allow the location of a self-contained trailer on Lot 42, Assessor's Plan 76A.

#### 48 East Beach Road

## **Mary Elizabeth McKinney**

09/05/85

**DECISION**: Variance granted to allow one trailer on Lot 48, Assessor's Plan 76A containing 104.30' of frontage and 41,400 sq. ft. of area subject to the following conditions: 1) The parcel be rejoined to its former size and shape that existed prior to the deeds dated July 31, 1985 and; 2) This variance will not take affect until the lot is rejoined by deed and recorded in the Bristol County (S.D.) Registry of Deeds.

#### **50 East Beach Road**

#### **Walter & Deborah Thomas**

02/07/97

**DECISION**: Variance granted to allow a six months trailer on Lot 50 as shown on Assessor's Map 76A.

#### 51 East Beach Road

#### John Westerman

06/21/06

**DECISION:** Variance granted to allow a mobile home to be placed on Lot 51 East Beach Road for a period of six months, seasonal use, on an annual basis based on the hardship provided and the fact that they cannot build a structure on this lot. Also, all structures are to be removed from this property in the off season, with the season being defined by the Board of Selectmen. Also, applicant is to comply with all other Town departments and their proper procedures in the permitting process.

#### 54 East Beach Road

## B. Woods, J. Gabarra,

06/19/85

## B. Linhares, & C. Prodian

**DECISION**: Variance granted to allow the location of a self-contained trailer for summer use only on Lot 54, Assessor's Plan 76A.

**DECISION**: Variance granted to allow the substitution of a trailer or mobile home to replace the wood frame dwelling unit previously located on Lot 56, Assessor's Plan 76A to be used as a year-round dwelling without being elevated and without Flood Plain elevations upon the following conditions: 1) That the Town can order removal of the trailer or mobile home in the event of a storm warning; and 2) That if the owner does not remove the trailer or mobile home when so ordered, the Town can remove it and charge the costs to the owners.

**57 East Beach Road** 

#### **Edward Doran**

08/20/85

**DECISION**: Variance granted to allow the location of a self-contained trailer for summer use only on Lot 57, Assessor's Plan 76A.

**59 East Beach Road** 

## **Mary Bradley & Ruth Clayton**

08/04/88

**DECISION**: Variance granted to allow the location of a self-contained trailer for six months use on Lot 59, Assessor's Plan 76A.

**60 East Beach Road** 

## George Deignan

03/28/86

**DECISION**: Variance granted to allow the location of a self-contained trailer for summer use only on Lot 60, Assessor's Plan 76A.

**61 East Beach Road** 

#### **Alton & Walter Wood**

10/28/88

**DECISION**: Variance granted to allow the location of a self-contained trailer for six months use on Lot 61, Assessor's Plan 76A.

62 East Beach Road (south side) Steven & Gary Plante

06/27/79

**DECISION**: Variance granted to allow the location of a trailer on Lot 62, Assessor's Plan 76A.

63 East Beach Road (west side)

# Uriah & Almira Monroe

06/14/70

**DECISION**: Variance granted to allow the location of a trailer on Lot 63, Assessor's Plan 76A.

**64 East Beach Road** 

## Horace Davis & Robert & Barbara Allen

12/23/

**DECISION**: Variance granted to locate a self-contained trailer for six months use on Lot 64, Assessor's Plan 76A.

65 East Beach Road

## Rose DeNadal

07/14/83

**DECISION**: Variance granted to allow the location of a self-contained trailer for summer use only on Lot 65, Assessor's Plan 76A.

66 East Beach Road

## Wilfrid C. Daigle Trust

03/10/92

**DECISION**: Variance granted to allow the location of a trailer for six months on Lot 66, Assessor's Plan 76A.

**68 East Beach Road** 

#### Jan Pietraszek

08/22/84

**DECISION**: Variance granted to allow the location of a self-contained trailer for summer use only on Lot 68, Assessor's Plan 76A.

## 69 East Beach Road (south side) William Small

10/19/81

**DECISION:** Variance granted to allow the location of a self-contained trailer for summer use only on Lot 69, Assessor's plan 76A.

11/22/91

**DECISION**: Variance granted to allow self-contained trailer for summer use only on Lot 71, Assessor's Plan 76A

#### 72 East Beach Road

## Norman D. Fletcher & Sharon L. Nunes

**DECISION**: Variance granted to allow the location of a self-contained trailer for summer use only on Lot 72, Assessor's Plan 76A.

## 79 East Beach Road

#### Brenda McNeil et ali

04/26/94

**DECISION**: Variance granted to allow the location of a self-contained trailer for summer use only on Lot 79, Assessor's Plan 76A.

**NOTE**: This lot was abandoned for trailer use by the Appeals Board on 05/22/96 and the right was transferred to Lot 11. This was allowed due to the severe erosion of Lot 79 in the winter 1995/1996.

#### **80 East Beach Road**

## **Allan and Jeanne Campbell**

05/16/05

**DECISION:** Variance granted to allow a mobile home to be placed on Lot 80 East Beach Road for a period of six months, on an annual basis. No permanent structure be placed on the property. Property located on Assessor's Map-76A, Lot 80.

#### 88 East Beach Road

# Stephen Pobzeznik c/o Dr. Thomas Pobzeznik

09/03/86

**DECISION**: Variance granted to allow the location of a self-contained trailer for summer use only on Lot 88, Assessor's Plan 76A.

## 91 East Beach Road

## **Gordon & Elinor Lawrence**

07/09/85

**DECISION**: Variance granted to allow the location of a self-contained trailer for summer use only on Lot 91, Assessor's Plan 76A.

## 91 East Beach Road

## **Jaime & Beatriz Medeiros**

08/18/87

**DECISION**: Variance granted to allow the location of a self-contained trailer for summer use only on Lot 91, Assessor's plan 76A.

# 93 East Beach Road (north side) Harold Kay & Jeanne Wolf Albert & Maria Dubois

09/22/82

**DECISION**: Variance granted to locate a self-contained trailer for six months use on Lot 93, Assessor's Plan 76A.

#### **102 East Beach Road**

## Jim Machado & Timothy Barreira

05-30-07

**DECISION:** That the application for a variance for a seasonal trailer on Lot 102 East Beach Road be approved under the conditions that the applicant not be allowed to construct a dwelling on the property and that the hardship exists that the property can't be used for a single family residence; there will be no permanent structure; and that the property will be subject to uses allowed by the Board of Selectmen in their trailer permitting process.

#### 104 East Beach Road

## Goldie I. Nydam

12/19/91

**DECISION**: Variance granted to locate a self-contained trailer for six months use only on Lot 104, Assessor's Plan 76A.

#### 108 East Beach Road

# **Manuel & Mary Vargas**

01/29/92

**DECISION**: Variance granted to locate a self-contained trailer for six months use only on Lot 108, Assessor's Plan 76A.

#### 109 East Beach Road

## **Carlos & Ginette Sardinha**

07/17/86

**DECISION**: Variance granted to locate a self-contained trailer for summer use only on Lot 109, Assessor's Plan 76A subject to the condition that the pilot house can be used for storage purposes only and not for human habitation.

## 111 East Beach Road

## **Warren Berg**

08/06/98

**DECISION**: A variance was granted allowing the use of Lot 111 as shown on Assessor's Map 76A for the placement of a trailer for six months summer use.

#### 123 East Beach Road

## **Joseph & Lawrence Livernois**

03/02/88

**DECISION**: Variance granted to locate a self-contained trailer for six months use on Lot 123, Assessor's Plan 76A.

## 133 East Beach Road

## Edward & Arlene Rybicki

11/05/92

**DECISION**: Variance granted allowing the construction of an addition to the existing dwelling subject to the condition that the proposed addition must be constructed in strict compliance with the plans presented.

## 135 East Beach Road

## **Edward & Shirley Tobol**

06/24/92

**DECISION**: Variance granted to locate a self-contained trailer for six months use on Lot 135, Assessor's Plan 76A.

## 138 East Beach Road

## Mary R. Schmidt Pres. TM, Inc.

05/23/94

**DECISION**: The Board found and determined that the proposed use of the first floor of the existing non-conforming structure for retail sales limited to the uses provided on the attached sheet would not be substantially more detriment to the neighborhood and would not nullifying or substantially derogating from the intent and purpose of the By-Law. The approval is conditional in that the proposed local produce and convenience store is limited in area to 15' X 19' and the hours of operation for the entire "Shops" are not to exceed 10:00 a.m. to 8:00 p.m.

**DECISION:** 11/30/94: The Board found that the service of liquor on the deck would be substantially more detrimental than the existing non-conforming use to the neighborhood as well as the use of the first floor for acustic musicians and artist; and found that the seasonal increase in hours from Memorial Day to Columbus Day from 8:00 a.m. - 8:00 p.m. for the convenience store only would not be substantially more detrimental on Fridays, Saturdays, Sundays and Holidays.

**DECISION: 4/29/97**: Allowed to withdraw without prejudice a request for a finding that the service of alcoholic beverages to patrons seated and eating on the second-floor deck is not more detrimental that the existing permitted use.

**DECISION:** 7/25/97: Allowed the additional businesses such as inside-take-out ice cream parlor with conditions; beach toys; umbrellas; towels and related beach items; sportswear sales; video sales and rentals.

#### 25 Elmwood Avenue

#### **Maurice Jusseaume**

08/02/71

**DECISION**: Building permit granted for an addition to the present dwelling.