

9 Mackady Court

Nelson Pereira

10/24/2018

DECISION: Applicant requests a Special Permit to keeping more than three dogs, but less than seven, three months old or over for non-commercial/recreational purposes. The property is located at 9 Mackady Court and is shown on Assessor's Map 66, Lot19C.

Motion made, seconded, and voted unanimously to grant the special permit to allow Mr. Pereira to have less than 7 adult dogs over the age of 3 months, for non-commercial recreational purposes only. This approval is subject to the following conditions:

- 1) All dogs must be annually registered with the town and have their required health vaccinations.
- 2) Mr. Pereira must allow the Animal Control Officer access to the dogs.

Madison Court/ Monroe Street Rene L. Choquette 01/31/66

DECISION: Variance granted on the basis of hardship caused by the taking of a portion of their property for the construction of Interstate Route 195.

Madison Court/ Monroe Street Francisco & Mary Santos 06/04/65

DECISION: Variance granted to divide Section 39 in the Plan of Railroad Park into four lots of 100 foot frontage on both Madison Street and Monroe Street by 160 foot depth.

9 Madison Court Laudalino Sousa 08/03/83

DECISION: Building permit denied to construct a single family dwelling on Lot 65, Assessor's Plan 23 on the basis that this lot did not fall within the grandfather's clause or exception due to the fact that it was not an isolated lot.

0 Main Road Victoria Black, Trustee 03/02/11

DECISION: Petitioner allowed to withdraw without prejudice. Map 53, Lot 02, Sublot: 11

0 Main Road Mary M. DeFrias-Hirst / Victoria Black, Trustee 11/02/16

DECISION: Petitioner allowed to withdraw without prejudice. Map 79, Lot 23

Main Road (west side) Henriette I. Chardon 06/11/73

DECISION: Variance granted to allow a single family dwelling to be placed or erected and to be used as a guest house.

Main Road (west side) John Fernandes 03/07/78

DECISION: Variance granted to construct a single family dwelling on the north side of the laneway on Lot 22, Assessor's Plan 68. This variance is granted upon the express condition that no determination was made of the status or rights of the land owner on the laneway leading to the petitioner's premises. This variance shall not be construed to grant or authorize the petitioner the right to use such laneway for access or utilities or future subdivision purposes.

Main Road Raymond L. Holt 03/03/71

DECISION: Variance granted for the conversion of a storage shed into a single dwelling on Lot 37, Assessor's Plan 58.

Main Road Earl A. Posey 10/27/66

DECISION: Variance granted to allow the owner of the 20' strip to use the road as a way to and from Main Road.

Main Road (west side) Freda Tripp & Paul Erickson 01/26/82

DECISION: Variance granted to allow the subdivision of Lots 14 and 15, Assessor's Plan 67 as shown on the plan of land entitled, "Division of Land of Freda G. Tripp, Main Road, Westport, Massachusetts, November 1st 1981" drawn by Joseph T. Azar R.L.S. This variance is granted upon the express condition that the rear parcel containing 15.68 acres will be restricted to a single family dwelling with no further subdivision unless the provisions of the Zoning By-Laws are complied with.

Main Road F.L. Tripp & Sons, Inc. & 04/27/05
National Grid Communications, Inc.

DECISION: Variance and Special Permit for construction of a telecommunications facility were allowed to withdraw application without prejudice. Property located on Assessors Map-67, Lot 14.

Main Road Central Village Realty Trust 03/30/94

DECISION: Denied variance to allow the creation of lot 22A as shown on plan on file with the Appeals Board containing 5.39 acres and 69.86 feet of frontage on Main Road for a senior center and allow creation of lots 22B and 22C without complying with frontage requirements and multi-dwelling requirements for 24 one bedroom units for senior citizen housing.

4 Main Road Antonio & Vernancio Ferreira 08/22/84
& Gerald & Vivian Coutinho

DECISION: Special permit granted to allow the use of the first floor, including the garage, on Lot 8, Assessor's Plan 51 for the combination of any two businesses as shown on the attached list subject to the following conditions: 1) No businesses other than those on the attached list will be allowed without approval of the Board of Appeals; 2) No outside storage of materials and equipment; 3) Freestanding signs will be limited to two (2), not to exceed 28 square feet each; 4) This special permit is personal to Gerald S. and Vivian C. Coutinho and will expire when such persons are no longer responsible for the operation of this premises.

DECISION 05/01/92: Additional allowed uses at 4 Main Road - (to be added to those uses in list approved in August 1984 by ZBA) AGRICULTURAL CONSULTANT AND SERVICE - BABY & CHILD ACCESSORIES & SALES - BROADCASTING STATION - BROKERS - BUILDING PRODUCTS SALES - BUSINESS SERVICES - CANDY, CONFECTIONERY, & BEVERAGE SALES - CARRY OUT FOOD SALES - CATERER - CHAUFFEUR SERVICE - CHURCH & CLERGY SUPPLIES - CLOSET & STORAGE SYSTEMS SERVICE - COFFEE SHOP - COLLECTIBLE SALES - COMMUNICATION PRODUCTS SALES & SERVICE - CONTRACTOR SALES OR SERVICE - COSMETIC SALES - COSTUME RENTALS - DAIRY PRODUCTS SALES - DELICATESSEN - DIVING SERVICE - DOUGHNUT SHOP EDUCATION, TRAINING, INSTRUCTIONAL SERVICE - ELECTRICAL EQUIPMENT & SUPPLIES SALES - ENERGY CONSERVATION & MANAGEMENT SERVICES - ENGINE PARTS SALES - ENVIRONMENTAL AND ECOLOGICAL PRODUCT SALES ETHNIC FOOD PRODUCT SALES - FENCE PRODUCT SALES - FINANCIAL SERVICES FITNESS AND EXERCISE SERVICES - FLAGS, BANNERS, AWNINGS, & SUPPLIES & SALES - FROZEN DESSERT SALES - FRUIT, VEGETABLE, & NUT SALES - GAMES & GAME SUPPLIES SALES - GARDEN TRACTOR & MOWER SALES - GENERAL STORE - GENERATOR SALES & SERVICE - GIFT SERVICE - GLASS & MIRROR SALES - GOURMET SALES SHOP - GROCERY AND FOOD SALES - HEALTH CARE EQUIPMENT & SUPPLIES SALES - HEALTH FOODS, VITAMINS, & NUTRITION SALES STORE -

HEATING & COOLING SERVICE - HOIIAE BREWING SUPPLIES - HOUSEHOLD ITEMS SALES - HYDRAULIC PARTS SALES - ICE CREAM PARLOR - ICE CREAM TAKE-OUT - ICE SALES - IMPORT ITEMS SALES – LABORATORIES - LANDSCAPE SERVICE - LAW ENFORCEMENT/FIREFIGHTER SUPPLY SALES - LEASING AGENT SERVICES - LIGHT LUNCH SALES - MASONRY PRODUCT SALES MEAT PIE SALES - MEAT, POULTRY, SEAFOOD SALES - MECHANICAL EQUIPMENT & SUPPLIES SALES - MEDICAL AND HEALTH OFFICE OR SERVICE - MEETING ROOM RENTAL - MOVING EQUIPMENT SERVICE - NOVELTIES SALES – OFFICES - OUTBOARD MOTOR SALES SUPPLIES AND SERVICE - PARCEL SHIPPING - PARTS SALES - PERSONAL SERVICES (NAILS, SKIN CARE, WEIGHT CONTROL, ETC.) - PEST CONTROL - SERVICES PET GROOMING - PIPE, CIGAR, & NEWSSTAND SALES - POOL SUPPLIES - PRESERVES, JAMS, JELLIES SALES - PRODUCE SALES - PROPELLER SERVICE - PROVISIONS SALES - PUBLICATIONS SERVICE - REDEMPTION SERVICES - RELIGIOUS GOODS SALES - RENTAL SERVICE STORE - RETAIL WHOLESALE PRODUCT SALES - RIDING APPAREL & EQUIPMENT SALES - SANDWICH SHOP (INCLUDING HOT DOGS & PIZZA) - SECRETARIAL SERVICES - SNACK FOOD SALES - SOCIAL SERVICE AGENCY - SODA & SNACK BAR - SOUP & SALAD SALES SHOP - SPA, POOL, PATIO, & SAUNA SALES - SPECIALTY DESSERTS SALES - STATUARY, SUNDIAL, & MONUMENT SALES - SURVIVAL PRODUCTS AND SUPPLIES SALES - TAXI SERVICE - TICKET SALES - TOOL SALES - TRAILER HITCH SERVICE - VARIETY STORE CONVENIENCE STORE (INCLUDING HOT DOGS & PIZZA) - VEHICLE ACCESSORIES SALES - VEHICLE APPEARANCE SERVICES - VENDING MACHINES – VETERINARIAN - WINDOW & DOOR SALES

In addition, the Board determined that removing the restriction that the structure be limited to two (2) approved uses would not be substantially more detrimental to the neighborhood as it would be confined to the size of the structure. The Board also determined that to allow the erection of one additional 28 sq. ft. sign located on the northeast portion of the premises would not be substantially more detrimental. All of the above findings were made by a unanimous vote by James M. Morton III, Clayton Harrison, Eliot C. Holden, Raymond Medeiros and Joseph L. Keith III. In addition, the Board voted unanimously to remove the condition of no outside storage of materials and equipment and to place the following conditions upon the special permit (finding): 1) The special permit (finding) shall remain personal to Gerald S. & Vivian C. Coutinho and will expire when such persons are no longer responsible for the operation of the premises; 2) No businesses other than those on the above-mentioned lists (1984 & 1992) will be allowed without approval of the Board of Appeals; 3) Hours of operation will be confined to 6:00 a.m. to 9:00 p.m. 4) The special permit (finding) is issued subject to compliance with all town by-laws and in compliance with plans on file with the Board of Appeals.

DECISION 05/27/92: Based upon the above findings of fact, the Board determined that the use of the structure designated as 4 Main Road in its present size and shape and the proposed 25' X 40' two-story addition for the following additional uses approved unanimously by the Board of Appeals would not be substantially more detrimental than the prior non-conforming use.

COUTINHO FINDING 11/23/92 DECISION: The above finding was amended to allow approved businesses, other than food-type businesses, to remain open until 11:00 p.m.

DECISION 04/19/17: A Finding was made to remove the names (Gerald S. and Vivian C. Coutinho) on all previous decisions particularly those dated August 22, 1984, May 01, 1992, May 27, 1992 and November 23, 1992 and to remove from those particular decisions, wherever noted, the following: “will expire when such persons are no longer responsible for the operations of these premises” and with the Board noting, that the zoning is particular to the use of the land and not individuals.

46 Main Road **Philip Medeiros** **12/23/64**
DECISION: Variance denied for lot size exception.

58 Main Road **Otto & Florence Croy** **05/05/83**
DECISION: Variance denied to allow the construction of a single family dwelling on a lot containing another single family dwelling without meeting Intensity Regulations on Lots 5 & 5A, Assessor's Plan 51 on the basis that the petitioner failed to demonstrate and/or prove conditions that especially affected the land, but not affecting generally the zoning district in which it is located which would prove a substantial hardship under the provisions of Massachusetts General Laws, Chapter 40A.

111 Main Road **Manuel Alexandre** **11/04/09**
DECISION: The Board of Appeals voted to uphold the Zoning Enforcement Officer's letter dated 04-30-09 in regards to the Cease & Desist of soil screening on the subject property/premises. That the Board of Appeals overturns the Zoning Enforcement Officer's letter dated 04-30-09 in regards to the storage of piles of soil, rock materials and construction equipment (trucks, trailers, backhoes, bobcats). A motion was defeated that a limit be placed on the equipment onsite.

213 Main Road **Michael J. Wilding** **11-03-10**
DECISION: Petitioner allowed to withdraw without prejudice the application for a variance.

431 Main Road **James K. Cordeiro, Jr.** **11/20/21**
Petition of James K. Cordeiro, Jr. for a finding that the operating his business known as J C Electric, Inc., utilizing the existing buildings to assemble and store electrical parts and other equipment, shall not be substantially more detrimental to the neighborhood than the existing non-conforming use, as mandated by Zoning Bylaw Article 5, Sections 5.2.0, 5.2.3. The subject property is located at 431 Main Road and is shown on Assessor's Map 68, Lot 12.

DECISION: A Board member stated that there are positive factors that support the granting of a finding, namely: much less stress on the neighborhood, utilizing the property as storage of electrical supplies will be much less stress on the neighborhood than the prior use of an auto body shop and since the Petitioner lives next door to the property, he is more likely to maintain the property.

Motion made to **Grant** the request for a finding that the operation of an electrical business known as J C Electric, Inc. is not substantially more detrimental to the neighborhood than the existing non-conforming use. The motion was seconded and the Board voted unanimously to grant the finding.

440 Main Road **Stephen & Rosamond Marshalek** **04/12/82**
DECISION: Variance granted to allow the conversion of the existing barn on Lot 8, Assessor's Plan 69 into a restaurant and the sale of beer and wine to be consumed on the premises.

438-440 Main Road **Bittersweet Farm, Inc.** **02/19/98**
DECISION: Based upon the above evidence and findings, with five members present and voting throughout, it was unanimously voted, with Clayton Harrison making the motion and seconded by Gerald Coutinho, to grant the application for a variance to allow the renovation and reconstruction of the existing single-family dwelling into shops and offices, including

signage for the restaurant at 438 Main Road and shops and offices on land located at 440 Main Road as shown on Assessor's Plan 53, Lot 8 (the subject premises), subject to the following conditions: 1) No neon or similar signs will be allowed; 2) The hours of operation will be within the hours of 8:00 a.m. to 10:00 p.m. 3) The character and footprint of the existing structure is to be maintained and no physical addition(s) will be allowed with the exception of open porches on the southerly and easterly sides of the structure; 4) All approved businesses must be conducted inside the building with nothing displayed outside; 5) Parking is to be in accordance with the Town's parking by-laws; 6) The revised plan dated January 29, 1998 and entitled, Fleet Bank, Plat #53, Lot # 8, location 438 Main Road, Westport, MA drawn by Danson Surveying & Engineering Inc., 201 Middle Street, New Bedford, MA is to be kept on file in the Board of Appeals as well as pictures of the existing building; and 7) The following businesses and/or offices were approved for use inside the present building: Accountants Floor Covering & Carpeting Sales - Actuaries & Service - Advertising Agency/Counselors Formal Wear-Rental Addressing Machines/Supplies Fireplace Equip. & Supplies - Antique Sales Gift Shop - Aquarium & Aquarium Supplies Government Offices - Architects Greeting Card & Stationary Supplies - Art Gallery and/or Dealers Hardware – Retail - Artist's Material & Supplies Hobby & Model Supplies - Banks or Financial Inst. Insurance Agency - Banking Equipment & Supplies Interior Decorator - Blueprinting Investment Services - Blueprinting Equip./Supplies Jewelry Sales - Bookkeeping Service Lawyers - Bridal Shop Lettering Shop Services - Burglar Alarm Sales/Systems Music Store - Business Forms & Supplies Office Equipment & Supplies - Cabinet Sales – Optician - Camera Sales & Service – Optometrist- Children's Apparel-Retail Paper Sales & Supplies - Chiropractic Physician Pharmacy/Physician - Clothing Store - Podiatrists - Coin and/or Stamp Dealer - Printer's Supplies - Fabric Shop – Psychologist - Dental Laboratory - Public Relations Counselor - Detective Agency - Real Estate Agency - Drapery & Curtain Sales - Shoe Store and/or Repair - Employment Agency - Sign Shop - Engineering Consultants Surveyors - Employment Agency - Travel Agency - Engineering Consultants - Wallpapering & Wall Covering-Retail - Fabric Shop - Florist

525 Main Road **Octavio deOliveira** **10/06/82**

DECISION: Variance granted to allow the construction of a single family dwelling on the existing foundation located on Lot 22, Assessor's Plan 68 without meeting frontage requirements. This variance is granted upon the express condition that no determination was made of the status or rights of the land owner on the laneway leading to the petitioner's premises. This variance shall not be construed to grant or authorize the petitioner the right to use such laneway for access or utilities, or for future subdivision purposes.

592 Main Road **George F. Mosher** **04/13/89**

DECISION: Variance granted to allow the petitioner to subdivide the property on Lot 21, Assessor's Plan 53 to create one lot for a single family dwelling utilizing the 146.64 feet of frontage lying between the north line and the cemetery as the frontage for such lot providing the area of the lot contained at least the required minimum of 60,000.

604 Main Road **Agnes Potter** **12/12/96**

DECISION: The Board and determined that the proposed 30' X 40' addition to the existing garage on the easterly side would not be substantially more detrimental to the neighborhood and would not nullify or substantially derogate from the intent and purpose of the by-law.

651-655 Main Road **John & Louise Soares** **02/15/17**

DECISION: Petition for a variance was allowed to be withdrawn without prejudice.

683 Main Road **Carlton Lees** **01/27/86**

DECISION: Variance granted on Lot 13A, Assessor's Plan 70 to allow the construction of an entrance on the south side of the building without meeting set-back requirements from Main Road and to allow the construction of a furnace room on the northwest side of the building without meeting set-back requirements from the abutting property line on the north.

767 Main Road	George & Helen Costa	05/21/81
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DECISION: Variance granted to allow the reconstruction of a farm house on Lot 17, Assessor's Plan 56.

786 Main Road	Silas Brown Inc. - Norma K. Judson, President	06/18/90
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DECISION: Request for a decision as an aggrieved party by reason of its inability to obtain enforcement action by the Building Inspector of the Town of Westport to prohibit the use of the ten foot set-back zone for the conduct of commercial activity on land located at 790 Main Road, Westport, MA, premises of Durfee-Attleboro bank, Lessee, and owned by Albert E. Lees, Jr., and more specifically the ten (10) foot set-back zone located northerly of said premises used for a drive-in window. The Board concluded that the petitioner had failed to support her position due to the lack of sufficient evidence that the set-back area could not be used for commercial purposes and upheld the decision of the Building Inspector.

790 Main Road	Albert E. Lees, Jr. & Durfee Attleboro Bank	11/26/89
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DECISION: Petitioners allowed to withdraw without prejudice their application for a variance to allow the installation of a drive-in window without meeting set-back requirements on Lot 10, Assessor's Plan 54.

809 Main Road	George & Helen Costa – VSH Realty, Inc.	06/20/85
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DECISION: Variance granted to allow George J. and Helen F. Costa and V.S.H. Realty, Inc. to swap parcels of land containing 479.25 square feet each as shown on a plan of land entitled "Plan of Land, Main Street, Westport, Mass., Scale line.=30 ft., dated June 10, 1985, William M. King & Associates, Land Surveyors, Scituate, Mass."

855 Main Road	Gerald & Ellen Ventura	08/10/83
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DECISION: Variance granted to allow the property to be used with the main house in front to consist of two family units and the apartment and/or dwelling unit in the rear to consist of a separate single family dwelling unit on Lot 18, Assessor's Plan 77.

866 Main Road	Bradford & Sheryl Amaral	07/06/99
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DECISION: The Board allowed withdrawal without prejudice on the petition to allow the subdivision of one lot into two lots, each containing structures, without meeting frontage requirements.

915 Main Road	Westport Lobster Company	09/28/67
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DECISION: Variance denied on the basis that no substantial hardship to the town land has been shown regarding its present and possible future use under existing zoning regulations.

918 Main Road	Edith Bowman	03/09/83
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DECISION: Variance granted to allow the subdivision of Lot 32 as shown on Assessor's Plan 54 into two lots as shown on a preliminary plan entitled "Preliminary Plan of Subdivision of Land owned by Edith M. Bowman dated February 1, 1982, Norman J. roy R.L.S., N.A.S.R. Co., Fall River, MA, scale: 1"=80'."

977 Main Road **Pauline B. Dooley** **05/20/09**
DECISION: Appeal was dismissed for lack of jurisdiction, as the matter is not yet ripe for an appeal to the Zoning Board of Appeals; and, if legal to do so, appeal was dismissed without prejudice.
DECISION OF 10-15-14: Administrative Appeal was denied.

1114 Main Road (west side) **John & Evelyn Swartz** **05/06/70**
DECISION: Variance granted pertaining to Lot 3, Assessor's Plan 82 providing there be a minimum of 20' right-of-way granted and incorporated as part of the deed for a single family dwelling.

1151 Main Road **Silas Brown, Inc.** **08/24/77**
DECISION: Variance denied to allow the construction of an additional apartment or dwelling unit on Lot 4, Assessor's Plan 82 without subdividing the present parcel, whereas, the petitioner failed to demonstrate that a substantial hardship exists.

1154 Main Road **Robert & Virginia Edgecomb** **09/21/84**
DECISION: Variance granted to allow the construction of a barn/guest cottage on Lot 28, Assessor's Plan 55 subject to the following conditions: 1) In event the property is ever subdivided, the two dwellings shall remain on the same parcel, which parcel shall be a minimum of five (5) acres in area.

1156 Main Road **George & Agnes Raposa** **07/08/77**
DECISION: Variance granted to allow the construction of a garage to the existing building upon the condition that said addition shall not be constructed closer than one foot from the right-of-way as taken by the Commonwealth of Massachusetts.

1344 Main Road **William & Nancy McDonald** **04/04/07**
DECISION: Variance granted to allow the demolition of current motel and cabins and to be reconfigured and rebuilt into eleven one bedroom condominium units. The Board finds that due to the configuration and shape of the existing structures and their positions on the land, it would be a substantial financial hardship for the petitioner's to rehabilitate the structures to conform to current building codes protecting the health, safety and welfare of inhabitants and this approval shall not substantially derogate from the spirit and intent of the zoning bylaws. This approval is subject to the following conditions and restrictions:

- 1) The proposed loft areas of each unit shall be unheated.
- 2) There will be no door on the proposed office/den area.
- 3) Basements are to be eliminated from all units, however, a crawl space will be allowed.
- 4) A vegetated evergreen buffer is to be maintained on the northern and southern boundaries as indicated on the plans.
- 5) As indicated by the applicant, the Condominium Documents will restrict all units to one bedroom with two permanent residents.
- 6) The habitable area of any unit is not to exceed 1,040 sq.ft.
- 7) Any material changes to the approved decision would require Zoning Board of Appeals review.
- 8) All dormers on the rear of the structures should be eliminated.
- 9) All decks and porches shall remain open.
- 10) Lighting shall be low intensity and directed away from abutting properties.
- 11) The Condominium Documents shall show that no campers, motor homes or boats shall be allowed storage on the property.

- 12) The applicant will forfeit and return to the Town of Westport, all licenses related to the operation of a motel and there shall be no commercial activity on the parcel including the main house.
- 13) There is to be no in-law or accessory apartment on any structures on the property.
- 14) A revised set of plans be submitted to the Zoning Board of Appeals.
- 15) A set of Condominium Documents are to be submitted for filing with the variance.

AMENDMENT – 09/30/09 - Condition # 3 of Decision of April 4, 2007

To amend the variance decision of April 4, 2007 specific to Condition # 3 pertaining to crawl spaces by deleting Condition #3, which provided as follows: Basements are to be eliminated from all units, however, crawl spaces are not to exceed four feet in height will be allowed AND substituting therefore the following new Condition #3: No unit shall contain a basement; however, each unit may have a non-habitable crawl space, provided that no such crawl space shall have head room that exceeds a maximum of 73”, including Unit 4, which shall have the head room in the crawl space reduced from 94” to 74”; and provided further that access to any such crawl space shall be from the exterior of a unit only and provided further that any access opening to the crawl shall not exceed a maximum width of 36” on all new units, with units 1-4 and 9-11 to have maximum dimensions of 44” x 48”. The purpose of this provision is to allow sufficient headroom to allow installation of gas water heaters and utilities.

To amend the variance decision of April 4, 2007 to allow an exterior access to crawl spaces, with a maximum width of 36” on all new units to be built. Units 1, 2, 3, 4, 9, 10 and 11 are to remain at a maximum of 44”x 48”; there will be no interior access from any units into the crawl spaces; this amendment is subject to review and approval by Town Counsel.

AMENDMENT - Condition # 15 of Decision of April 4, 2007

To amend the variance decision of April 4, 2007, by deleting Condition # 15, which provides as follows: A revised set of plans, which comply with this decision must be submitted to the Zoning Board of Appeals prior to the commencement of construction AND substituting therefore the following new condition: Before any new building permits or occupancy permits are issued, a revised set of plans and condominium documents showing the corrected property lines shall be submitted to the Zoning Board of Appeals and the Building Commissioner as the Board has no objections to where the buildings are built in the area of the boundary dispute, provided that all units shall meet the applicable zoning setbacks.

1344-1346 Main Road **Paul Costa/Carol Lortie** **10/28/09**
DECISION: Petition was closed and went to litigation.

1345 Main Rd **David Sunderland** **4/17/2019**
DECISION: Applicant requests an Administrative Appeal, requesting relief from the decision of the Zoning Enforcement Officer regarding alleged violations of Zoning Board of Appeals decisions as to the property located at 1346 Main Road, Units E, F, G and H and shown on Assessor’s Map 56, Lots 10-5, 10-6, 10-7 and 10-8 known as Underwood Farm Development.

Motion made, seconded, and voted unanimously to grant the request of David P. Sunderland to withdraw the administrative appeal without prejudice.

1399-1403 Main Road **Joan Casey-Amaral Trustee** **11/13/13**
DECISION: Variance was granted due to the fact that a financial hardship was demonstrated by the applicant of not being able to sell the property for a number of years as is and having to provide for the upkeep without an income; and the change of use to residential will be a nicer addition to the area; and final plans for the building and property, which will be submitted to the Building Department must also be submitted to the Zoning Board for permanent file also.

DECISION: Petition granted for a variance from the set-back requirements for the dwelling/dwellings labeled as duplex in accordance with a plan of land entitled "Definitive Plan" Subdivision of Land in Westport, Mass. owned by Sarah P. Manchester Tripp, Scale 1" = 50' dated January 20, 1985, Allen D. Quintin, R.L.S., 28 Costa Street, No. Dartmouth, MA."

1933 Main Road **Jones B. Shannon** **08/06/73**

DECISION: Special permit granted to construct an additional dwelling unit in the present single family dwelling.

1934/1936 Main Road **Nelson Trust/Boutwell** **11/05/98**

DECISION: Variance granted to allow conveyance of 2,861 sq. Ft. of land located at 1936 Main Road (Trust) to 1934 Main Road (Boutwell) as shown on plan on file with Town Clerk and appeals Board - Assessor's Plan 58, Lots42/42A.

1936 Main Road **Ursula & Charles Nelson** **12/10/85**

DECISION: Variance requested to sever Lot 42 as shown on Assessor's Plan 58 from the remaining land formerly owned by Dr. & Mrs. Raymond L. Holt, being Lots 41 and 44 of Assessor's Plan 58, so that it may be owned as an existing separate lot, and transferred as such land on the east side of Main Road approximately 312 feet south of Drift Road. The Board made a determination that Lot 42, Assessor's Plan 58 is a lawful, individual house lot, separate and apart from other lands abutting it and was determined a variance as such was not required.

DECISION: 12/10/85 Petitioner allowed to withdraw without prejudice petition to sever Lots 38, 40 and 41, Assessor's Plan 598 from each other and from the remaining land of applicant being Lots 36A, 36B, 37 and 44, Assessor's Plan 58 so that they may be transferred as existing separate lots, although they individually are smaller than the minimum lot size and have less frontage on Main Road than required on land located on the east side of Main Road beginning approximately 759 feet south of Drift Road and extending northerly for approximately 450 feet, but excluding Lot 39, Assessor's Plan 58.

1948 Main Road **Herbert Camara** **12/28/62**

DECISION: Building Inspector's decision to deny permit to construct apartment over garage upheld.

1965 Main Road **John & Sylvia McDonough** **12/10/87**

DECISION: Variance granted to allow an addition to be constructed to the present dwelling on Lot 50, Assessor's Plan 83 to continue in the same 6 feet set-back side line as the existing dwelling.

1966-70 Main Road **David & Barbara Lees** **07/09/85**

DECISION: Petitioners allowed to withdraw without prejudice petition for a finding that the alteration of the non-conforming use by permitting use of the third building as a two family dwelling on Lots 31 & 31A, Assessor's Plan 58 is not substantially more detrimental to the neighborhood than the previously existing non-conforming use of said three buildings where the third building was used as a barn.

DECISION: 01/08/88 Variance denied to allow the alteration of said non-conforming structures be allowing the use of said third building to continue to be used as a two-family dwelling on the basis that the petitioners failed to demonstrate a substantial hardship to the property or the structure sufficient to warrant the granting of a variance or that the construction and maintenance of additional apartments was in harmony with the intent and purpose of the Zoning By-Laws.

1968 Main Road Anthony & Evelyn Raposa d/b/a Westport Point Market 03/12/76

DECISION: Special permit granted to allow the sale of beer and wine for consumption off the premises.

1968 Main Road Daniel D. Pamela & Ian Tripp 12/06/01

Finding: Two (2) Professional offices would not be substantially more detrimental to the neighborhood than the existing non-conforming use (market). List of potential tenants, occupying two (2) offices, is as follows: Accounting-Appraisal Service-Architectural-Graphic Artist (no printing allowed on the premises)-Internet Services (web developer)-Contractor (business office only)-Building Inspection Service-Business Consulting-Financial Consulting-Engineering-Insurance-Legal Office-Real Estate-Interior Design-Tailoring-Data Processing.

1985-B Main Road A. Read Bragg 08/24/77

DECISION: Variance denied to allow the subdivision of Lot 31, Assessor's Plan 83 presently containing a single family dwelling into two separate parcels, one of which is to contain the dwelling unit, without complying with the current area requirements, whereas, the petitioner failed to demonstrate that a substantial hardship exists.

1992 Main Road Sibley Reppert & Christine Vezetinski 06/24/85

DECISION: Variance granted to alter and rehabilitate the A-frame building on Lot 24, Assessor's Plan 58 subject to the site, building and ground plan as submitted.

1994 Main Road Robert M. Haines 08/16/01

DECISION: Finding that the proposed extension of prior non-conforming use would not be substantially more detrimental to the neighborhood than the existing use, in that the addition will be for inside storage purposes. Determination made subject to the following conditions: (1) A fifty-foot (50') buffer zone of trees around the perimeter of the property and in accordance with the plan submitted with the application for a finding. (2) The new addition is to be used for storage purposes only. (3) No more than 30 employees at any time. (4) This will be the last expansion at that location for a non-conforming use. (5) Shrubbery/trees are to be planted along Pine Hill Road to beautify the area and obscure the building and grounds. (6) The addition - expansion is to be strictly in conformance with the plans submitted as on file with the Appeals Board.

2056 Main Road William Tongue 11/03/86

DECISION: Variance granted to allow the use of the former building known as the Paquachuck Inn on Lot 4, Assessor's Plan 58 for a bed and breakfast for rental of seven (7) bedrooms for overnight guests with the serving of breakfast to such guests subject to the following conditions: 1) Food service is for breakfast only limited to the overnight guests of the inn; 2) The number of bedrooms for the overnight guests is limited to a maximum of seven (7) and no other rooms shall be utilized for sleeping quarters for guests; 3) The owner must occupy the premises and physically reside in the building at all times; and 4) In event the present well located on the adjoining property becomes inadequate to service both properties, the then owner of the petitioner's property shall provide a new source of water for the petitioner's property.

2056 Main Road William Tongue & Brenda Figuerido 01/13/89

DECISION: Variance granted to allow the use of seven bedrooms for overnight guests with the serving of breakfast to such guests subject to the following conditions: 1) Food service is for breakfast only limited to the overnight guests of the Inn; 2) The number of bedrooms for the

The Board voted unanimously to accept the petitioner's request to withdraw the petition without prejudice.

2058/2062 Main Road

Robert M. Haines

06/08/95

DECISION: Special Permit granted as follows: Based upon the issues of the hearing and the above findings of fact the Board determined the following: a) The Board considers each application on its individual merits and, therefore, the granting or denial will not serve as a precedent for future permits. b) The requested use is a use which may be permitted by the Board of Appeals in accordance with the regulations under Article 4 (4.0.1.D.). c) The requested use being a water-dependent use may be a permitted use in a Residential area. d) The proposed use is in harmony with the general purpose and intent of the by-law providing the following conditions, safeguards and limitations are met. 1) No commercial activity beyond the one (1) charter boat operation and renting of slips, with the exception of commercial fishing boats; 2) No house boats; 3) Signage is restricted to six (6) square feet; 4) One port-a-john or other approved sanitary facility must be provided; 5) No physical expansion of the existing slips (size or number). 6) The number of boats shall not exceed twenty-five (25); 7) On premise parking will be provided for twelve (12) auto vehicles; 8) The permit will be restricted to the present petitioners; 9) The petitioners' properties (lots 2 and 3) are to remain in one ownership; and 10) A parking plan must be submitted to the Board of Appeals, considered at a public meeting, and approved by the Board of Appeals before the permit becomes effective. Therefore the Board voted unanimously with Joseph L. Keith III, Raymond Medeiros, Clayton Harrison, and Gerald Coutinho voting in the affirmative to grant the permit subject to the above conditions, safeguards and limitations.

DECISION 7/6/95: The Board of Appeals approved the parking plan required of Robert M. Haines and Robert M. Haines, Jr., 1994 Main Road, Westport Point, MA. The issuance of the special permit is now final and effective for permitting the wharf and floating docks located at 2062 Main Road and the floating docks at 2058-2060 Main Road, Westport Point as shown on Assessor's Plan 58, Lots 2 and 3. Said property is recorded in Bristol County (S.D.) Registry of Deeds Book 2303, Page 196 (2062 Main Road) and Book 2858, Page 306 (2058-2060 Main Road).

2065 Main Rd

Kerian & Kristen Fennelly

5/9/2018

Decision: Applicant requests an Administrative Appeal to the denial by the Zoning Enforcement Officer for the right to operate an oyster tasting room under Right to Farm By-Laws. Relief is requested to hold farm related events, specifically an oyster tasting room and related commercial activities. This is regarding a purported appeal of the Zoning Enforcement Officer's failure to provide a written zoning determination with 35 days under G.L. c. 40A, §13. The property is located at 2065 Main Road (Assessor's Map 83, Lot 1).

Motion made, seconded, and voted unanimously to accept the applicant's withdrawal without prejudice.

Masquesatch Road

William Porter

01/27/83

DECISION: Variance denied to allow the construction of a single family dwelling without meeting area requirements on land located in Masquesatch Meadows as shown on Assessor's Plan 58, Lot 122 on the basis that the petitioner failed to demonstrate and/or prove conditions that especially affected the land, but not affecting generally the zoning district in which it is located which would prove a substantial hardship under the provisions of Massachusetts General laws, Chapter 40A. Additionally, the petitioner failed to prove that the granting of a

variance would not be more detrimental to the public good and would not nullify or substantially derogate from the intent and purpose of the By-Laws.

67 MASQUESATCH ROAD MUNICIPAL COMMUNICATIONS 8/30/21

Application by Municipal Communications, LLC for a Special Permit with Site Plan Approval and Variances pursuant to Section 6.3 of the Town of Westport Zoning Bylaws to construct a wireless communications facility on the real property located in the Residence/Agriculture Zoning District at 67 Masquesatch Road, Westport, Massachusetts, Assessors Map 58, Lot 173.

After completion of several hearings, the Zoning Board made numerous findings and determined as follows:

Motion: On August 18, 2021, following deliberation and consideration of the information and documentation presented during the public hearings on the Application, a motion was made and seconded to approve the Application and to grant the requested Special Permit with Site Plan Approval and Variances pursuant to Section 6.3, 6.3.5, 6.3.5.c, 6.3.5.d and 7.7 of the Zoning Bylaws to allow the construction of the Facility on the Subject Property, subject to the conditions:

1. The Applicant shall construct the Facility in substantial conformance with this Decision and the plan entitled "Site Name: Westport 2 67 Masquesatch Road Westport, MA 02790 Bristol County," prepared by Daniel P. Hamm, dated January 23, 2020, revised through February 21, 2020.

2. The Tower shall be of a monopole design with flush-mount antennae, to be as unobtrusive and similar to the existing tower on Horseneck Road as is feasible.

3. The Tower shall not exceed 150 feet in height.

4. The Applicant shall permit installation, maintenance and upgrades by the Town of a single antenna on the Tower, together with the ground space necessary for related equipment within the secure, fenced-in area of the Facility, at no charge to the Town for the use thereof. The Town shall have 24-hour access to the Facility for purposes related to its antenna.

5. In the event that the Facility is abandoned or not used for a period of six (6) months, the Applicant shall, within ten (10) days, notify the Board of such and shall, within ninety (90) days thereafter, dismantle and remove all aspects of the Facility and return the Subject Property to its natural state. If the Facility is not timely removed, the Town may, to the extent permitted by law, cause the Facility to be removed at the Applicant's expense.

6. Prior to obtaining a building permit, the Applicant shall provide a bond from a surety authorized to do business in Massachusetts, issued to the Town in the amount of \$25,000 for the cost of dismantling and removing the Facility in the event that the Applicant fails to do so upon abandonment or discontinuation of use. The Applicant shall maintain that bond in perpetuity or until the dismantling and removal of the Facility as provided herein.

7. The Applicant shall plant and maintain in perpetuity additional non-invasive plantings on all sides of the outside of the Facility's security fence on the Subject Property to provide additional screening. Existing on-site vegetation and natural screening shall be

preserved to the maximum extent possible. Prior to obtaining a building permit, the Applicant shall present to the Board for its approval, a planting plan including non-invasive plantings consistent with the local New England plantings.

8. The shed to be located on the Subject Property shall be of a design consistent with New England architecture. The Applicant shall install and maintain in perpetuity fencing or screening around the on-ground secured area of the Facility consistent with that New England design. Prior to obtaining a building permit, the Applicant shall present the shed and fencing/screening design to the Board for its approval.

9. The Applicant shall maintain and operate the Facility in a safe and well-maintained manner and in conformance with all applicable laws, Bylaws, orders, rules and regulations.

10. Night lighting of the Facility, including the Tower, is prohibited except as mandated by any authorized governmental agency or law, rule or regulation.

11. No exterior signs, logos or advertising shall be installed on the Facility or the Subject Property, except as necessary for security or safety or to identify the ownership of the Subject Property or persons to contact with respect to the Facility; such signs shall comply with applicable laws or regulations.

12. Noise levels, as measured at the property line, shall comply with the provisions of 310 CMR 7.1, with the exception of noise from construction, maintenance and emergency alarms.

13. The Facility and use thereof shall not generate any noxious fumes.

14. Prior to obtaining a building permit, the Applicant shall record this Decision at the Bristol County (S.D.) Registry of Deeds and shall provide the recording information to the Board.

15. The Applicant shall timely obtain any and all other necessary permits, relief and approvals.

16. During construction, the Applicant shall conform to all local, state and federal laws regarding noise, odor, vibration, dust and blocking of ways. The Applicant shall at all times use all reasonable means to minimize inconvenience to residents in the general area. Construction shall be limited to the hours of 8:00 a.m. to 5:00 p.m. on weekdays. There shall be no construction on Saturdays, Sundays or any state or federal legal holiday. Construction shall include, but not be limited to, site work, the installation of utilities and the erection of structures and improvements on the Subject Property.

17. Prior to the commencement of construction, the Applicant shall provide, and update as necessary, to the Town's Building Department or its designee, the name, address and 24-hour contact information for an on-site construction manager who shall have primary responsibility for the oversight of day-to-day construction activities on the Subject Property.

Prior to obtaining a building permit, the Applicant shall provide the Board with proof that the Subject Property and Facility are adequately insured.

Discussion:

1. The Applicant is seeking to construct a wireless communications facility on the Subject Property including a 150-foot tall tower (the “Tower”) and associated equipment to be located within a secure, fenced-in area on the Subject Property.
2. The Tower is proposed to be located on the Subject Property, 25 feet from the westerly property line abutting Route 88, a state highway; 179 feet from the southern property line abutting 69 Masquesatch Road; 39 feet from the northerly property line abutting Drift Road; and 302 feet from the easterly property line abutting Masquesatch Road. The generator pad and equipment shelter proposed as part of the project will be located within 25 feet of the property line abutting Route 88. The Subject Property is not located in the Town’s Telecommunications Facilities Overlay District. The Applicant proposed to construct either a monopole or monopine Tower with space for at least three (3) carriers.
3. One of purposes of the Bylaws as set out in Section 1.1.C is “the preventing of blight and polluting the environment.”
4. Pursuant to Section 6.3.5 of the Bylaws, the Tower “shall be setback from property lines a distance at least equal to its height.” Bylaws Section 6.3.5.c has a similar requirement. The Tower will be 25 feet from the westerly property line and 39 feet from the northern property line, thus variances from the requirement that the Tower be 150 feet from those property lines are required.
5. Bylaws Section 6.3.5.d requires that the Tower “shall be set back from any public way, except interstate highways, a distance of at least equal to one and one-half times the vertical height of the tower, measured at the mean finished grade of the tower base.” The Tower will be 50 feet from Drift Road and approximately 50 feet from Route 88, thus variances from the requirement that the Tower be 225 feet from those property lines are required.
6. Section 7.7 of the Bylaws requires a minimum 25-foot setback for side and front yards. The equipment shelter proposed as part of the Facility will be within the minimum required 25-foot side and front setback and thus variances from that requirement are required.
7. As noted above, and confirmed by the Applicant, the specific relief and approvals sought by the Applicant are as follows:
 - a) A use variance to allow the Facility outside of the Telecommunications Facilities Overlay District;
 - b) A special permit with site plan approval pursuant to Section 6.3.5 of the Bylaws;
 - c) Dimensional variances from Sections 6.3.5, 6.3.5.c and Section 6.3.5.d as to the applicable setback requirements from property lines and public ways and
 - d) Dimensional variances from the side and front yard setback requirements of Section 7.7.

8. The Applicant provided the Board with documentation based on data provided by AT&T, which intends to locate equipment on the Tower, that it says demonstrates that a significant coverage gap exists in the area of the Subject Property. The extent of the coverage gap was not validated.
9. The Applicant contends that it undertook an exhaustive search and that the Facility is the only feasible solution to address that coverage gap.
10. The Applicant provided documentation indicating that the Tower is designed such that if it were to fall, the Tower has a fall radius of 25 feet.
11. During the public hearing process, members of the public suggested potential alternative sites including: 0 Drift Road, 1838 Drift Road, 211 Cherry and Webb Lane, and 1912 Main Road.
12. Isotope Wireless submitted a report to the Board in behalf of a resident group disputing some of the Applicant's claims and identifying suggested feasible alternative locations for a tower.
13. The owners of 1838 Drift Road are not interested in making their property available for a tower.
14. The Applicant submitted documentation in support of its contention that none of the suggested alternative sites is a feasible alternative to the Subject Property.
15. The Applicant conducted a balloon test to demonstrate the visibility of the Tower at various locations.
16. Members of the public attended the public hearing, submitted written comments and raised concerns both with visual and safety impacts from the Tower and its location near Route 88 and Drift Road.
17. The Applicant's proposal fails to meet the variance criteria pursuant to G.L. c. 40A, §10, because the Applicant failed to demonstrate that the Subject Property suffers from sufficiently-unique characteristics of soil, shape or topography and the 150-foot tower located approximately 50 feet from a state highway and 50 feet from Drift Road, and well in the view of the public and abutters, will cause substantial detriment to the public good and will nullify and substantially derogate from the intent and purpose of the Bylaws, including to prevent blight and pollution of the environment. The dimensional variances sought by the Applicant are an extreme deviation from that required by the Bylaws. In addition, the Subject Property nearly abuts and is across Route 88 from the Westport Point Historic District and the Tower will be visible from that Historic District.
18. Similarly, the Applicant's proposal fails to meet the criteria for a special permit with site plan approval pursuant to G.L. c. 40A, §9 and Section 6.3.5 of the Bylaws because the proposed use is not in harmony with the intent and purpose of the Bylaws to prevent blight and pollution of the environment as it will result in the construction of a 150-foot tower located 50 feet from a state highway and 50 feet from Drift Road and well in the view of the public and abutters. The Applicant did not adequately demonstrate why the Tower needs to be 150 feet in height and, as such, failed to establish that the design of the Tower will minimize adverse visual effects on the environment to the extent feasible.

19. The Applicant submitted to the Board that the variances request must be evaluated and granted pursuant to 47 USC 332(7), the Telecommunications Act (“TCA”). There is established case law in which courts have held that the provisions of the TCA can supplant the necessary finding of unique hardship required under c. 40, §10 in the case of wireless communications facilities.
20. Pursuant to 47 U.S.C. 332(c)(7)(B)(i)(II), “The regulation of the placement, construction, and modification of personal wireless service facilities by any State or local government or instrumentality thereof . . . shall not prohibit or have the effect of prohibiting the provision of personal wireless services” if the Board finds both that a significant coverage gap exists and the application presents the only feasible plan to address that significant coverage gap.
21. While the Applicant indicated that the Tower is designed to fall within a radius of 25 feet, it acknowledged that, in event of a fall, antennae or other equipment on the Tower might land outside that area. Given the proposed location of the Tower relative to Route 88 and Drift Road, the proposed Facility is not consistent with the intent and purpose of the Bylaws to reduce hazards from fire and other dangers and could cause substantial detriment to the public good. The Applicant indicated that monopole failure is very rare; however, there is evidence of monopole catastrophic failure at its base which would cause the entire monopole to fall, potentially blocking a major highway which is the emergency evacuation route from the Horseneck Beach area.
22. During the second public hearing on March 31, 2021, the Board, seeking technical assistance with its review of the application, asked the Applicant to pay for peer review costs as permitted by law. The Applicant refused to do so, but months later, on June 23, 2021, agreed to fund a peer review. Given that delay, the time necessary to identify an independent consultant capable of performing peer review within the time limit imposed, and the applicable deadline for the Board to act on the application, the Board was only able to use limited peer review assistance, over a period of approximately one (1) week, with its review.
23. The Applicant did not identify any alternative locations that it considered for the Facility and it initially failed and refused to provide the Board with any documentation about the effectiveness of a lower tower on the Subject Property. Ultimately, on August 17, 2021, the Applicant submitted a conclusory letter indicating that “the lowest optimum height for a tower [on the Subject Property is] 146’ which requires a 150’ structure” and “that a reduction to 136’ would accomplish the majority of AT&T’s goals but it would have a measurable impact on coverage area, particularly neighborhoods on the perimeter of the target area.” Given the Applicant’s late filing of this information and the lack of any supporting data or documentation, the Board was not able to have that contention peer-reviewed. The Applicant reiterated several times that its requirements, as set by AT&T, limits it from any site further than 300 yards from the Subject Property.
24. Based on information provided by the Applicant, and reviewed by the Board’s peer reviewer, it appears that a 100-foot tower on 0 Drift Road would provide approximately 75% of the coverage to be gained by the Tower. The Applicant did not provide information about a higher tower on that property. In addition, the combination of a 50-foot tower on the property at 211 Cherry and Webb Lane and a 100-foot tower on 0 Drift

Road would provide at least 90% of the coverage to be gained by the Tower. Both of those property owners indicated a willingness to host a tower.

25. The Westport Point United Methodist Church located at 1912 Main Road is willing to consider raising the height of its existing steeple to accommodate wireless communications equipment.
26. The Board found that the Applicant failed to establish that the proposed Facility on the Subject Property is the only feasible plan to address the existing coverage gap because it did not identify any other properties that it considered and there appear to be at least two (2) feasible alternative locations to address the coverage gap. Further, the Applicant did not adequately demonstrate why it needs a 150-foot tall tower on the Subject Property. The Applicant continued to mandate the Subject Property as the only site that would meet all of the requirements, without identifying the requirements. The Applicant specifically noted that the only site appropriate for this Tower would be at 67 Masquesatch Rd and this was the only site they were concentrating on. The Board repeatedly urged the Applicant to investigate alternative locations, to provide documentation regarding its need for a 150-foot tower on the Subject Property and to speak with the owners of specific properties suggested as potential alternative locations. The Applicant refused to do so and the conclusory statements and limited documentation opportunity for peer review that the Applicant provided to the Board was not sufficient for the Board to find that the Subject Property is the only feasible location.
27. A review of AT&T's website clearly showed that AT&T already has 100% coverage in the area which would be covered by the Tower. During the hearings, AT&T identified large areas that had no coverage. While there is no doubt that there are some areas with marginal or minimal service (a coverage gap), it is not clear that the gap is as substantial as AT&T suggests.
28. Given the approximately 55-foot-high tree cover in the area, and based on information provided by the Applicant, it appears feasible to construct a tower of less than 150 feet in height on the Subject Property and still provide space for at least three carriers.

Decision: The Board voted: 1 in the affirmative and 4 in the negative. The motion failed and the Application is therefore denied.

81 Masquesatch Road	Paul E. Maurice	09/18/70
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DECISION: Building permit granted to construct a summer cottage on Lot 65, Plan of Masquesatch Meadows.

106 Masquesatch Road	Elizabeth Booth	10/12/77
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DECISION: The Board after hearing and upon request of the petitioner, voted unanimously due to the absence of a five man Board, to postpone the hearing until October 4, 1977 and/or accept a withdrawal without prejudice upon request of the petitioner on or before October 4, 1977. The petition was withdrawn upon receipt of a letter dated October 3, 1977 from George A. Yeoman and Mrs. E. H. Booth, the petitioner.

Monique Drive	Charles A. Peters	11/10/72
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DECISION: Variance granted to construct a single family dwelling on Lot 16, Assessor's Plan 61.

Mouse Mill Road (east side) Joseph & Rolande Bastille 03/01/72

DECISION: Variance granted to change the property lines and construct a single family dwelling on Lot 12A, Assessor's Plan 31.

Mouse Mill Road Stanley Gaisford 08/30/71

DECISION: Building permit granted to construct a single family dwelling on Lot 12A, Parcel B, Assessor's Plan 35 provided there is a forty foot way and ninety feet of frontage.

Mouse Mill Road (west side) Robert S. Viana & 06/15/90

Betsey MacDonald & Bill Connelly

DECISION: Petition for a variance to allow the construction of a companion animal shelter and allow the use of the premises for same as well as riding for the handicapped stable and pet cemetery on Lot 4, Assessor's Plan 31 allowed to be withdrawn without prejudice.

Mullen Hill Road Terry & Margaret Quick 1/8/81(Little Compton).

DECISION: Variance granted to allow the construction or maintenance of a garage and a portion of the breezeway and/or dwelling on Lot 10, Assessor's Plan 87. The granting of this variance does not waive the requirement of obtaining a building permit and complying with the Massachusetts State Building Code.
