

**Sanford Road** **Eddie Berube** **01/31/66**  
**DECISION:** Variance denied on the basis of the lack of information provided to the Board.

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**Sanford Road** **Edna Kingman** **12/02/69**  
**DECISION:** Lot size exception granted.

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**Sanford Road** **Richard & Barbara Machado** **12/23/74**  
**DECISION:** Variance denied due to the fact that the property involved is a new construction, previously unoccupied single family dwelling located on Lot 20E, Assessor's Plan 22 designated for such purpose in a residential area and that the petitioner has failed to demonstrate that a hardship exists of a nature that relief could be granted without nullifying or derogating from the intent and purpose of the Zoning By-Law.

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**Sanford Road (east side)** **Antone & Elizabeth Tavares** **05/14/75**  
**DECISION:** Special permit granted to allow on Lot 309, Assessor's Plan 16 the sale of food for consumption on the premises and the sale of beer and wine for consumption off the premises.

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**Sanford Road (Russell Davis Farm)** **Westport United Youth Soccer** **08-04-10**  
**DECISION:** Special Permit granted to allow the Westport United Youth Soccer, at the site formerly known as the Russell Davis Farm for the use of soccer fields with the following conditions:

1. Allowed maximum hours of operation will be 8:00 AM to ½ hr. before sunset.
2. No lighting.
3. No public address system or amplified sound.
4. The addition of handicapped parking spaces to conform with appropriate current standards or regulations.
5. The property is to be utilized only for the purpose of sport venues, primarily youth sports activities.
6. No permanent concession; only mobile concessions.
7. A minimum of two (2) port-a-johns or more as deemed appropriate.
8. Special Permit is valid for 3 years from the effective date of filing with the Town Clerk and with a re-application at that time.
9. Approval based on the submitted parking and layout plans dated 07-29-10 but subject to more potentially restrictive provisions from the Planning Board which may be imposed during the Site Plan Review process.
10. Upon completion of the site plan review process with the Planning Board, a copy of the Site Plan Review Plan is to be submitted as part of the permanent record of the Zoning Board of Appeals file.

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**0 Sanford Road** **Raymond C. Green / Sara Ann Ivy Estates** **04/06/11**  
**DECISION:** to grant the variance for specific relief sought from Article 13 of the bylaws as originally adopted with any other relief not being granted; hardship being shown as unforeseeable bedrock and underlying ledge making project unfundable and Zoning Bylaw Article 13 being deficit and amended at Town Meeting; no new lots are to be added to the project or any change in lot size; as amended with the following conditions: any previous stone walls to be reestablished and boundary markers to be re-established before any other work commences onsite. No lot releases shall be issued for lots within the Sarah Ann Ivy Estates subdivision until the owner replaces the survey bounds and stonewall along the property line of Map 19, Lot 18 owned by Sara Lou Motta and Richard Carvalho; and to re-survey the entrance to the subdivision and replace the bounds and wall as necessary at the Christopher Circle property of David Aguiar.

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prove that desirable relief could be granted without substantial detriment to the public good. In addition, the petitioners failed to prove that a substantial hardship exists that especially affected the land or structure under the provisions of Massachusetts General Laws, Chapter 40A, Section 10.

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**356 Sanford Road**

**Walter & Joan Golembewski**

**04/02/92**

**DECISION:** The Board determined that the use of the structure designated as 356 Sanford Road in its present size and shape for the following uses approved unanimously by the Board of Appeals would not be substantially more detrimental than the prior non-conforming use: Accountants, Floor Covering & Carpeting Sales, Actuaries & Service of Adding, Calculating Machines, Formal Wear-Rental & Supplies Fireplace Equip. & Supplies Advertising Agency & Gift Shop, Counselors Government Offices Addressing Machines/Supplies Greeting Card & Stationary Supplies, Antique Sales Hardware – Retail, Aquarium & Aquarium Supplies, Hearing Aid Services, Architects Hobby & Model Supplies, Art Gallery and/or Dealers, Hospital Supplies, Artist's Material & Supplies, Insurance Agency, Banks or Financial Institutions, Interior Decorator, Banking Equipment & Supplies, Investment Services, Barber, Jewelry Sales & Engraving, Barber Equip. & Supplies, Kitchen Appliances & Equipment, Beauty Salon, Lawyers, Bicycle Dealer and/or Repair, Lettering Shop Services, Blueprinting, Locksmith, Blueprinting Equip./Supplies, Music Store, Bookkeeping Service, Office Equipment & Supplies, Bridal Shop, Optician, Burglar Alarm Sales/Systems, Optometrist, Business Forms & Supplies, Florist, Cabinet Sales, Paper Sales & Supplies, Camera Sales & Service, Pet Supplies, Carpet Sales & Service, Pharmacy/Physician, Cash Register Sales/Service, Plumbing Supplies, Children's Apparel & Retail, Podiatrists, Chiropractic, Physician, Printer's Supplies, Clothing Store, Psychologist, Coin and/or Stamp Dealer, Public Relations, Counselor, Fabric Shop, Radio & TV Sales & Service, Copying Machines & Supplies, Real Estate Agency, Dental Laboratory, Shoe Store and/or Repair, Detective Agency, Sign Shop, Drapery & Curtain Sales, Surveyors, Telephone Answering Service, Electrical Appliance Sales, Tool Rental, Upholsterers, Travel Agency, Employment Agency, Wallpapering & Wall Covering-Retail and Engineering Consultants. In addition, the Board voted unanimously not to allow any physical addition to the existing building without first applying to the Board of Appeals as shown on the plan presented and off-street parking must be provided.

**DECISION: 11-30-11:** the Board does not find the request for an alteration of the current existing, non-conforming structure to be more detrimental than the current existing, non-conforming use.

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**421 Sanford Road**

**Eugene Benoit**

**07/08/65**

**DECISION:** Building permit granted to construct a garage six feet from the northern boundary of the property.

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**422 Sanford Road**

**James & Madeline Wilkins**

**05/09/78**

**DECISION:** Special permit granted to allow the construction of an addition to the existing garage building approximately 28' X 28' in size on Lot 14C, Assessor's Plan 23 to be used as an extension or expansion of the existing business use subject to the following conditions: 1) The proposed addition would be to the rear of the present garage; 2) This permit is personal to the applicants and shall not run with the land; 3) No noisy operations to be conducted on the premises after 6:00 p.m. General hours of operation are to be between the hours of 8:00 p.m. and 6:00 p.m.; 4) Off-street parking is to be provided. No more than ten motor vehicles are to be on the premises for business purposes, including the owner's vehicles; 5) Outside help shall be limited to one non-family member; 6) No outside storage of parts or junk cars; 7) No operation of the business on Sundays and Holidays; 8) Evergreen trees shall be placed along the applicant's north bound between the garage building and the abutting property to the north between the northeast corner of the cemetery to the northeast corner of the proposed garage.

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**436 Sanford Road Russell & Julliette Plourde & Marie DeSormier 05/20/85**

**DECISION:** The Board determined that the conversion of a portion of the building into a second dwelling unit was a permitted use due to the area and frontage and required no variance and/or special permit. The conversion of the remaining of the commercial area consisting of the sales area and repair shop into two offices is not substantially more detrimental to the neighborhood than the prior non-conforming use.

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**526 Sanford Road Antone & Carol Pacheco 05/05/83**

**DECISION:** Special permit denied to allow the existing, attached garage on Lots 314-316, Assessor's plan 23A into an ice cream parlor on the basis that the proposed use with its increase in traffic and parking problems would be more detrimental to the neighborhood than the present use for storage in a highly residential area.

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**526 Sanford Road Victor & Elisa Arruda & Edward & Beatrice Tavares 09/19/87**

**DECISION:** The Board made a determination that the proposed use of the area formerly used for an insurance agency on Lots 314-316, Assessor's Plan 23A, for a tanning and toning salon would not be more substantially more detrimental than such prior non-conforming use with the stipulation that the hours of operation would be restricted no later than 9:00 p.m. and the operation of the tanning and toning salon would be limited to the 15' X 34' portion of the building on the south side in the area that was formerly used by the insurance agency.

**DECISION 3/23/92:** The Board determined that the proposed use of the area formerly used for a toning and tanning salon for a consignment shop and/or other uses shown below as approved by the Appeals Board and the use of the area formerly used for storage for uses shown below approved by the Appeals Board would not be substantially more detrimental than such prior non-conforming use with the stipulation that the hours of operation would be restricted to no later than 9:00 p.m. The Board further determined that the use of the entire structure in its present size and shape for the following uses approved unanimously by the Board of Appeals would not be substantially more detrimental than the prior non-conforming use with the stipulation that the hours of operation would be restricted to no later than 9:00 p.m.:

Accountants Floor Covering & Carpeting Sales - Actuaries & Service - Adding, Calculating Machines - Formal Wear-Rental & Supplies - Garden & Lawn Sales & Supplies - Advertising Agency & Gift Shop - Counselors Government Offices - Addressing Machines/Supplies Greeting Card & Stationary Supplies - Antique Sales Hardware – Retail - Aquarium & Aquarium Supplies Hearing Aid Services - Architects Hobby & Model Supplies - Art Gallery and/or Dealers Hospital Supplies - Artist's Material & Supplies - Insurance Agency - Banks or Financial Inst. - Interior Decorator - Banking Equipment & Supplies - Investment Services - Barber Jewelry Sales & Engraving - Barber Equip. & Supplies - Kitchen Appliances & Equipment - Beauty Salon – Lawyers - Bicycle Dealer and/or Repair - Lettering Shop Services - Blueprinting – Locksmith - Blueprinting Equip./Supplies - Music Store - Bookkeeping Service - Office Equipment & Supplies - Bridal Shop – Optician - Burglar Alarm Sales/Systems - Optometrist - Business Forms & Supplies - Paint Sales & Supplies - Cabinet Sales - Paper Sales & Supplies - Camera Sales & Service - Pet Supplies - Carpet Sales & Service - Pharmacy/Physician - Cash Register Sales/Service - Plumbing Supplies - Children's Apparel-Retail - Podiatrists – Chiropractic – Physician - Printer's Supplies -Clothing Store – Psychologist - Coin and/or Stamp Dealer - Public Relations – Counselor - Consignment Shop - Radio & TV Sales & Service - Copying Machines & Supplies - Real Estate Agency - Dental Laboratory - Shoe Store and/or Repair - Detective Agency - Sign Shop - Drapery & Curtain Sales – Surveyors- Telephone Answering Service - Electrical Appliance Sales - Tool Rental – Upholsterers Service - Travel Agency - Employment Agency - Wallpapering & Wall Covering Retail - Engineering Consultants - Fabric Shop - Fireplace Equip. & Supplies - Florist

In addition, the Board voted unanimously not to allow any physical addition to the existing building without first applying to the Board of Appeals.

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**526 Sanford Road**                      **Antonio D. Arruda & Darlene Arruda**                      **10-25-06**

**DECISION: Finding of the following to be:** The hours of operation shall not be prior to 6:00 a.m. and no later than 8:00 p.m., and up to 7 days a week. The lighting is to be minimized as to the effect on the neighbors; Exterior lighting will be reduced to security lighting only during hours of non-operation. The present signage size will be maintained. To allow the footprint expansion to accommodate the new handicap accessible front entrance per submitted plan. To allow the absorption of the two business areas into the present convenience store business. Finding of no provision for beer and wine to be added to the list of existing uses due to the fact that it would be substantially more detrimental to the neighborhood.

**DECISION 09/21/11:** the Board finds the addition of beer and wine sales to the pre-existing non-conforming use being added to the use list for this property is not substantially more detrimental to the neighborhood. The hours of operation will be Monday – Saturday 6:30 AM to 8:00 PM and Sunday 7:00 AM to 7:00 PM. The lighting will be extinguished during non-operational hours with the exception of security lighting. The signage will be no more than what is pre-existing. No alcohol related signage in the windows of the establishment with the exception of the road-side sign. The Board finds that it is not more detrimental because the property has down-sized from three businesses to one business, thus there will be no increase in traffic. Hours of deliveries shall be during hours of operation with the exception of newspaper deliveries. There will be placement of “No Loitering” signs on the property.

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**536 Sanford Rd**                      **Chetan Patel**                      **5/2/2018**

**DECISION:** Applicant requests an Administrative Appeal request for relief from the Zoning Enforcement Officer regarding signage related to the existing non-conforming use. The property is located at 526 Sanford Rd and is shown on Assessor's Map 23A, Lots 314-316.

Motion made, seconded, and voted unanimously to reject the Administrative Appeal petition citing that the Zoning Enforcement Officer correctly administered the decision of the Zoning Board of Appeals decision of 2011.

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**557 Sanford Road**                      **Dennis A. Rusin**                      **06/13/94**

**DECISION:** Variance denied to allow the use of the existing building (store) for a bait & tackle store.

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**600 Sanford Road**                      **Thomas E. Borden**                      **04/23/14**

**DECISION:** Variance granted as requested with the following conditions: it is to be maintained as a one-level, one-bedroom single family residence, with no use of the basement as living space, and no expansion of the footprint in accordance with the plans submitted. The Board does not find this proposal to be more detrimental to the neighborhood and in addition to a financial hardship, the shape of the land also presents a hardship. The Building Inspector must approve all future building permit applications that are presented for this property.

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**632 Sanford Road**                      **James & Charlotte Sullivan**

**08/20/87**

**DECISION:** Variance granted to construct a one-stall garage on Lot 29, Assessor's Plan 30 without meeting set-back requirements.

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**660-664 Sanford Road**                      **Vincent Majewski & Karen Oliveira**                      **02/12/14**

**DECISION:** Variance request was denied due to:

- A. Sufficient legal hardship was not shown because it is primarily related to a reduced selling price of an existing property with a non-conforming use next door;
- B. Using the applicant's own information that was provided to this Board, such a variance would drive the value of the neighboring properties down; abutters should not be subject to such and in effect, there would be no end to the argument from future applications; and
- C. Primarily, this is not a hardship, shown legally to the degree that is required for a variance, which goes to the land and the owners in the future.

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**664 Sanford Road**

**Aquidneck Building Supplies  
d/b/a Wardwell Building Supplies**

**03/09/77**

**DECISION:** Special permit granted to allow Lot 36, Assessor's Plan 30 to be used for three distinct business areas subject to the following restrictions and conditions: 1) Owner shall erect within four months upon receipt of requested special permit a hedge (i.e. shrubbery or similar natural fencing) along northern and southern boundaries of premises; 2) Owner shall remove completely the semi-permanent storage sheds attached to the eastern end of existing and permanent storage shed; 3) The open land areas located at the rear of the premises (formerly utilized for outside storage of lumber etc.) shall upon receipt of requested permit be utilized in such a manner as is consistent with the primary uses herein below listed; 4) The three separate business areas on the premises shall be used for only the businesses shown on the attached list marked 4A; 5) The following uses shall be expressly excluded: Motor vehicles sales, service and repair, including motorcycles; Liquor sales; Grocery and meat sales; Gasoline or service station; Also expressly excluded as a possible use shall be any other type of business or use which shall be deemed contrary to the health, safety, welfare or morals of the Town of Westport; 6) Rear of premises to be used for personal parking of personal vehicles of employees and deliveries; 7) No Sunday operation of any business; 8) Business hours to be restricted to 8:00 a.m. to 9:00 p.m.

4A - Accountants Floor Covering & Carpeting Sales - Actuaries & Service - Adding, Calculating Machines - Formal Wear Rental & Supplies - Garden & Lawn Sales & Supplies - Advertising Agency - Gift Shop - Counselors - Government Offices - Addressing Machines/Supplies - Greeting Card & Stationary Supplies - Antique Sales Hardware Retail - Aquarium & Aquarium Supplies - Hearing Aid Services - Architects Hobby & Model Supplies - Art Gallery and/or Dealers - Hospital Supplies - Artist's Material & Supplies - Insurance Agency - Banks or Financial Institutions - Interior Decorator - Banking Equipment & Supplies - Investment Services - Barber - Jewelry Sales & Engraving - Barber Equip. & Supplies - Kitchen Appliances & Equipment - Beauty Salon - Lawyers - Bicycle Dealer and/or Repair - Lettering Shop Services - Blueprinting - Locksmith - Blueprinting Equip./Supplies - Music Store - Bookkeeping Service - Office Equipment & Supplies - Bridal Shop - Optician - Burglar Alarm Sales/Systems - Optometrist - Business Forms & Supplies - Paint Sales & Supplies - Cabinet Sales - Paper Sales & Supplies - Camera Sales & Service - Pet Supplies - Carpet Sales & Service - Pharmacy/Physician - Cash Register Sales/Service - Plumbing Supplies - Children's Apparel Retail - Podiatrists - Chiropractic - Physician - Printer's Supplies - Clothing Store - Psychologist - Coin and/or Stamp Dealer - Public Relations Counselor - Consignment Shop - Radio & TV Sales & Service - Copying Machines & Supplies - Real Estate Agency - Dental Laboratory - Shoe Store and/or Repair - Detective Agency - Sign Shop - Drapery & Curtain Sales - Surveyors - Telephone Answering Service - Electrical Appliance Sales - Tool Rental - Upholsterers - Service Travel Agency - Employment Agency - Wallpapering & Wall Covering - Retail Engineering Consultants - Fabric Shop - Fireplace Equip. & Supplies - Florist

**DECISION 01/10/80:** A) The present use of the property is permitted under the variance under the category of paper sales and supplies; B) That the parking of the vehicles in the front of the building did violate a condition imposed when the variance was granted.



**DECISION 09/07/82:** Petition for a special permit to allow the wholesaling of canned meats, fish and kindred grocery items allowed to be withdrawn without prejudice by the petitioner.

**DECISION 06/18/84:** Special permit denied to allow the use of the warehouse as a separate and distinct business (garden & lawn sales & supplies) in addition to three businesses in the retail store building and to delete prohibition against "grocery and meat sales" as a use on the basis that the petitioner failed to prove that the proposed modification would not be more detrimental than the previously approved specially permitted uses.

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**664 Sanford Road** **Michelle & Manuela Orlando** **06/25/85**

**DECISION:** The Board made the determination that the modification to allow Sunday hours in conjunction with the sale of garden, lawn and pet supplies only, with the hours being from 9:00 a.m. to 5:00 p.m., would not be substantially more detrimental to the neighborhood with respect to traffic, noise and aesthetics.

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**664 Sanford Road** **Michelle Orlando & Capeway Roofing Systems, Inc.** **06/30/87**

**DECISION:** The Board voted to allow the addition of the roofing business as specified and to disapprove of the increase in hours to 7:00 a.m.

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**664 Sanford Road** **Capeway Roofing Systems, Inc.** **01/02/90**

**DECISION:** The Board found that the petitioner failed to substantiate that the proposed activity prior to 8:00 a.m. and/or the use of the dumpster on the premises would not be substantially more detrimental than the present hours and use of the premises and further that the additional hours and dumpster would derogate from the intent and purpose of the residential provisions of the By-Laws. Therefore, the board voted against the request for the earlier starting time and dumpster on the premises.

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**671 Sanford Road** **Paul T. Pereira** **04/04/84**

**DECISION:** Special permit granted to allow the parking of a home heating oil truck in addition to a wrecker or other commercial vehicle on Lot 31A, Assessor's Plan 22, subject to the following conditions: 1) This permit would be limited to the parking of one (10 heating oil truck no bigger than a six wheel vehicle; 2) The permit would be personal to the petitioner Paul Pereira and will not constitute a benefit running with the land.

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**708 Sanford Road** **John S. Cairns D.D.S.** **06/02/75**

**DECISION:** Special permit granted to allow the conversion of the present architect engineering building to be used for a dental office on Lot 47, Assessor's Plan 30.

**DECISION 03/31/80:** Special permit granted to construct an addition to the existing building on Lot 47, Assessor's Plan 30 subject to the following conditions: 1) The area of the addition is not to exceed 1200 square feet; 2) The number of employees is not to exceed six; 3) The type of business office is limited to Real Estate, Insurance, and Law.

**DECISION 11/30/82:** Special permit granted to modify and reestablish the March 31, 1980 special permit to construct an addition to the existing building to be used for dental offices, real estate, insurance, or law offices.

**DECISION 05/14/84:** Special permit granted to allow the first floor additions (18' X 65' on the south side of the existing building and 25' X 15" on the north side of the existing building) for purposes of a reception area, business areas, and storage. This special permit is granted under the express condition that the two additions meet all set-back requirements.

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**715 Sanford Road** **Joseph & Diane Dufort** **10/19/87**



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**82 Shirley Street**                      **Lawrence Webb & Janet Hadley**                      **08-11-10**  
**DECISION:** The variance was granted as requested by the applicant for the setback indicated on the presented plan dated 03-10-10 with a setback to the property line no less than 13 ½ ft. The grant of this variance is due to a hardship of size and shape of the lot, with the neighborhood consisting of relatively small size of lots and the granting of this variance will not denigrate from the intent and purpose of the bylaw. The garage size and type is basically for a functional garage set where there is existing parking now. Also, the average front setback within a 250-ft. radius is approximately 15 ft., per our bylaw overrides the usual 25 ft. front setback requirement.

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**12 Sodom Road**                                      **Rudolph Carreiro**                                      **09/06/83**  
**DECISION:** Variance denied to allow the use/extension of the premises for the sale of Class II vehicles on Lot 7A, Assessor's Plan 65 on the basis that the petitioner failed to demonstrate a hardship and failed to demonstrate that the requested variance would not derogate from the intent and purpose of the By-Law.

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**29 Sodom Road**                                      **Roland LeComte**                                      **07/06/83**  
**DECISION:** Variance granted to allow the construction of a 24'X 26'5" garage on Lot 21Q, Assessor's Plan 61 without meeting sideline requirements subject to the following condition: 1) The garage is to be located no closer than five (5') feet from the side lot line.

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**84 Sodom Road (east side)**                      **Louis & Agnes Fontaine**                                      **12/13/71**  
**DECISION:** Building permit granted to construct a single family dwelling on Lot 8B, Assessor's Plan 65.

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**188 Sodom Road**                                      **Jane Nunes**                                      **01/06/10**  
**DECISION:** Petitioner allowed to withdraw without prejudice; in as much as the legal ad was in error based on the information from the application and inaccurate plans showing no dimensions were submitted.

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**845 Sodom Road**                                      **Ryan Wagner/Weatherlow Farms**                                      **10/04/17**  
**DECISION:** The Board voted to reverse the Zoning Enforcement Officers' decision to grant the requested relief to hold farm-related events, specifically weddings and other related commercial activities in the barn located at 845 Sodom Road.

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**845 Sodom Road**                                      **Ryan Wagner/Weatherlow Farm**                                      **1/29/2020**  
**DECISION:** Applicant requests an Administrative Appeal or a Variance for a mixed use to maintain the farm stand's existing use while also selling alcoholic beverages and providing limited number of seats for public consumption, requiring a variance from Zoning Bylaw Article 2, Section 2.4.2.2, at property located at 845 Sodom Road, Westport, MA, shown on Assessor's Map 60, Lot 4D.

Motion was made to deny the applicant's administrative appeal of the Building Commissioner's October 1, 2019 determination that the service of alcohol and providing a limited number of seats is not allowed under the "agri-tourism" and "agri-entertainment" section of the Zoning Bylaws. Motion was seconded and the Board voted 4 to deny the appeal and 1 to grant the appeal.



**DECISION:** Subdivision denied on the basis that no hardship exists.

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**190 State Road** **Maurice J. Poirier** **01/23/91**

**DECISION:** Special Permit granted to utilize Lot 144A, Assessor's Plan 3 for a golf-driving range and to construct and maintain the proposed structure to be used in conjunction with the golf-driving range as aforementioned and as delineated on a plan dated January 1991 on file with the Appeals Board. This Special Permit is granted subject to the installation of safety netting all along Route 6 and the east boundary line thirty (30') feet in height.

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**237 State Road** **Charles F. Barboza & Steven Camara** **07/23/99**

**DECISION:** Variance Granted to allow the construction of the addition without meeting set-back requirements in accordance with the plan on file with the Appeals Board dated 6/23/99 and revised plan 6/30/99 drawn by S. Roy Engineering Associates, Inc., Fall River, MA.

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**291 State Road** **Andrew Burnes** **10/11/17**

**DECISION:** The Board voted to approve the variance with the condition that the poles installed by National Grid will have downward facing lighting creating a safe environment without any disturbance to the neighborhood.

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**484 State Road** **Deutche Donn Corp., Inc.** **08/23/06**

**DECISION:** Special Permit denied for Adult Entertainment for the following reasons: 1) The subject property was not in the unrestricted zone, as required under the Table of Use Regulations in the Town's Zoning By-Laws, as amended in May 2006; and 2) The application does not meet the 800 foot setback from a residential use as required by Section 4.0.3.C.j.4

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**596 State Road** **Cumberland Farms, Inc.** **04/27/00**

**DECISION:** The Board voted unanimously to uphold the Inspector of Buildings' decision that the parking at gasoline pumps cannot be counted as parking for the convenience store. Their request for a variance to permit the reduction in the number of parking spaces required to 11 spaces was withdrawn without prejudice.

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**626 State Road** **Manuel R. Fernandez** **06/18/71**

**DECISION:** Building permit granted to remove a two-story porch and construct a new enclosed one-story porch.

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**642 State Road** **James Bouchard** **12/30/80**

**DECISION:** Variance denied to build.

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**645 State Road** **Jeffrey H. Abrams**  
**12/07/00**

**DECISION:** Variance granted to allow the existing foundation to remain in its present location, 6.8 feet from the west boundary line, on Lot 1D, as shown on Assessor's Plan at 12 Zulmiro Drive.

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**655 State Road** **Westport Federal Credit Union** **11/04/81**

**DECISION:** Permission granted to withdraw the application for a variance without prejudice, but reserving all rights that may have accrued to the Westport Credit Union arising from the failure of the Appeals Board to act within the allotted time.

**DECISION 01/11/82:** Variance granted to allow the subdivision of land on Lot 1C, Assessor's Plan 24 as shown on a plan of land entitled "Division of land of Westport federal credit Union in Westport, Massachusetts-Scale 1 inch + 50 feet - April 1981", drawn by Joseph T. Azar R.L.S. with Parcel "A" containing 86,464 sq. ft. and 153.13 feet of frontage on State Road and Parcel

"B" containing 36,535 sq. ft. and 253.93 feet of frontage on State Road subject to meeting all conditions contained in a letter from the Westport Board of health dated December 3, 1981.

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**655 State Rd**

**Frank Cefali (CBRE)**

**11/29/2019**

**Decision:** Applicant requests a variance to install a walk-up ATM kiosk to be located 9.3 feet from State Road in an underutilized area of the shopping center parking lot, the location of such ATM to be within the 25-foot front yard setback; as well as installation of additional parking, bringing the total to 55 parking spaces on site, in violation of the setback requirements under Zoning Bylaw 7.6.1. The subject property is located at 655 State Road and is shown on Assessor's Map 24, Lot 1C.

Mr. Modestow submitted a request in writing to withdraw the petition without prejudice.

Chairman Menard read the request into the record.

A motion was made a motion to accept the request to withdraw the petition without prejudice. Motion was seconded and the Board voted unanimously to accept the request.

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**666 State Road**

**Westport Housing Authority**

**04/30/70**

**DECISION:** Variance granted from the minimum area and frontage requirements of the Zoning By-Law and the Building Regulations to allow construction of eight individual buildings, housing eight family units each, plus a Community Building on Lot 5, Assessor's Plan 6.

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**718 State Road**

**James & Barbara Perry**

**01/25/83**

**DECISION:** Variance denied to allow the re-subdivision into two lots as previously existed on Assessor's Plan 8, Lots 22-27 inclusive, Lots 28-30, and Lots 53-58 inclusive on the basis that the petitioners 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.

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**753 State Road**

**ABC Floor Covering, Inc.**

**07/30/88**

**DECISION:** Variance granted to allow the construction of an addition to the existing building on Lots 256-261, 273-281, 477-489, 497-509, Assessor's Plan 11 through the extension of the front and rear walls in an easterly direction a distance of 30 feet and maintain a single story height not to exceed 11 feet to be constructed on the location described on two plans on file in the Board of Appeals Office and subject to the condition that the newly constructed addition will be utilized for storage purposes in the same manner that the existing building is used and not for expansion of the business for other uses.

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**762 State Road**

**Paul & Jose Cardoso**

**02-11-15**

**DECISION:** Variance was granted for up to 6 ft. from the property line to the building for the purpose of installing a shed, which is to be in compliance to cleanup the property that was ordered by the Board of Selectmen for along Route 6.

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**780 State Road**

**Paul & Louise Bacon**

**09/23/74**

**DECISION:** Variance denied due to the fact that the petitioner failed to demonstrate that a hardship exists of a nature that relief could be granted without nullifying or derogating from the intent and purpose of the Zoning By-Law.

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**780 State Road** **Olive & James Cambra** **11/26/89**

**DECISION:** Variance denied to allow the conversion of a single family dwelling existing at the time of adoption of the By-Law into a two family dwelling on Lot 212, Assessor's Plan 8 on the basis that the petitioners had failed to prove a substantial hardship which affected the land or structure or that the proposed use would not derogate from the intent and purpose of the Zoning By-Laws.

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**787 State Road** **Antonio & Mary Pavao** **08/04/99**

**DECISION:** Voted unanimously to grant a 4.7' variance to allow the construction of the addition without meeting side-line set-back requirements in accordance with the updated plan on file with the Appeals Board dated 4/1/99 drawn by Kenneth A. Ferreira Engineering, Inc. and revised at the hearing held on 7/21/99.

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**866 State Road** **Roland Chouinard** **08/27/70**

**DECISION:** Building permit granted to construct a storage and two apartment units.

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**972 - 972A State Road** **Gerald W. & Denise M. Souza** **07/05/95**

**DECISION:** Variance granted to allow the subdivision of one lot into two lots. One lot to contain the single-family dwelling and the other lot to contain the garage and used car business as shown on a plan of land on file with the Appeals Board. There is to be no further subdivision of the land. The property is shown as Assessor's Plan 12, Lot 24.

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**985 State Road** **Gerald Souza** **11/01/83**

**DECISION:** Variance denied to allow the conversion of a single family dwelling into a two-family dwelling without meeting area requirements on Lots 5A, 5B, & 5C, Assessor's Plan 28 on the basis that the petitioner failed to demonstrate that a substantial hardship existed and failed to demonstrate that the requested variance would not derogate from the intent and purpose of the By-Law.

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**1016 State Road** **Marie L. Massey** **01/31/77**

**DECISION:** Variance granted to locate a trailer on a new lot to be created from Lot 21D, Assessor's Plan 12 in accordance with the following conditions: 1) That Lot 21D, Assessor's Plan 12 be combined with the front lot being Lot 21, Assessor's Plan 12; 2) That the combined lots will be subdivided into two building lots that comply with current subdivision regulations; 3) That a survey plan be presented and approved by the Planning Board and recorded prior to this variance taking effect.

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**1180 State Road** **Vincent Majewski** **11/30/05**

**DECISION:** Variance requested was granted of no less than 5 feet on the north boundary and no closer than 6'8" to State Road in accordance with the revised plan dated October 31, 2005 drawn by Site, Inc. of New Bedford, MA; and the arborvites are to remain and be maintained as a permanent buffer on the north side. Property located on Assessor's Map-12, Lot 14.

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**Sullivan Drive** **Mabel E. King** **02/02/84**

**DECISION:** Variance granted to allow a single-family dwelling on Parcel "C" as shown on a plan of land entitled "Plan of Land in Westport, Mass. owned by Mabel E. King; scale 1"=60'; dated July 18, 1983" recorded in Plan Book 108, Page 120.

**DECISION 12/09/85:** Petitioner allowed variance to lapse which was granted on February 2, 1984. The Board requested a ruling from Town Counsel on whether they had the power to grant the requested variance due to the principal in the case "United States v. 176.10 Acres of Land, More or Less, 558 F. Supp. 1379 (1983). Town Counsel determined that the Board was without





**DECISION:** Variance granted for 5.4 feet, the garage being 19.6 feet from the street layout, on the grounds as stated in the findings of fact. The Plan dated June 14, 2004 and the Regulations of the Department of Environmental Protection are made a part of the record. The property is located on Assessor's Map-24, Lot 128.

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**Sylvia's Lane** **Tyler White** **06/18/84**

**DECISION:** Abutter's notified that a variance would not be required for the construction of a single family dwelling on Lot 67, Assessor's Plan 72.

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**81D Sylvia's Lane** **Edward Nickerson** **04/28/81**

**DECISION:** Variance granted to construct a windmill on Lot 62, Assessor's Plan 71 without meeting setback requirements.

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**104 Sylvia's Lane** **John Fazzini** **05/22/86**

**DECISION:** Variance granted to allow the construction of a garage building on Lot 46, Assessor's Plan 72 within the 25' set-back requirement but not less than 15 feet from the private way.