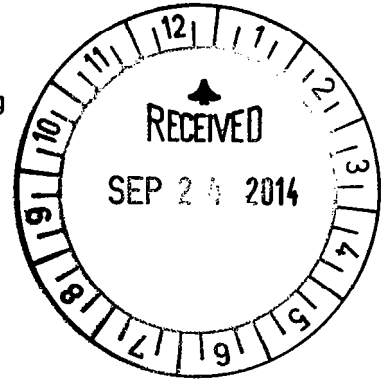


Freetown Zoning Board of Appeals
Minutes of the Wednesday, July 2, 2014 Meeting
Town Hall, 3 North Main Street, Assonet, Mass.



Present: James Frates, Robert Jose, and Daniel Loranger.

Call to order: Daniel Loranger called the meeting to order at 6:30 p.m.

Approval of Minutes

The minutes of June 25, 2014 were approved.

Case #540 – Larry Rose – 3 Costa Drive, East Freetown

The applicant petitioned through the Town Clerk's office on May 19, 2014, for a special permit to allow an accessory apartment measuring 2,000 square feet in area at 3 Costa Drive, East Freetown (Assessors' Map 242, Lot 53.01). Notice of the hearing was posted in the Town Hall and advertised in the *Standard-Times*.

The hearing was opened on June 25, 2014, and continued to July 2, 2014. A motion was made by Mr. Jose, seconded by Mr. Frates, to open the public hearing at 6:30 p.m. The motion carried unanimously.

Mr. Rose approached the board with the plans for his residence. He stated that the accessory apartment requested would be for his mother and would be in the basement of the dwelling. Mr. Loranger questioned the size of the apartment, as the zoning by-laws restrict an accessory apartment to 1,000 square feet in a Residential zone. Mr. Rose stated that he believed he was at or below that threshold, and that the notation of 2,000 square feet was an error.

A question was raised as to the scale of the plan, and it was determined that one plan drawn to scale had been reduced in size, while another had digits transposed in its measurements. Mr. Loranger was able to scale the drawings to measure the dimensions. The proposed apartment would consist of a bedroom, bathroom, small hallway, and combination kitchen/dining/living room. Other rooms on the basement level, including a laundry, home gym, and storage area, would be considered part of the main residence. The space allotted appeared to hover around the 1,000 square foot threshold. Mr. Frates stated that a wall would need to be moved or some other alteration made to ensure compliance if it was indeed exceeded. Mr. Rose was made aware that the Building Inspector would determine compliance during future inspections. Mr. Loranger stated that an instruction to not exceed the maximum permissible square footage would be a condition of the special permit, thus the board was approving an apartment up to that size and not a specific plan or layout of the rooms.

Mr. Jose reviewed the by-laws to state that the special permit, if granted, would be good for five years or the lesser time that Mr. Rose's mother resided there, and that the cooking facilities would have to be removed if the apartment was vacated in less than five years. If the apartment was still occupied in five years, the matter would return for a review hearing.

A motion was made by Mr. Jose, seconded by Mr. Frates, to close the public hearing at 6:51 p.m. The motion carried unanimously.

DISPOSITION: A motion was made by Mr. Jose, seconded by Mr. Frates, to approve the special permit for an accessory apartment at 3 Costa Drive, East Freetown (Assessors' Map 242, Lot 53.01), with the following stipulations: (1) the apartment is to be occupied by the mother of the applicant, (2) the apartment is not to exceed 1,000 square feet in area, and (3) the special permit is to be reviewed after five years as required by the zoning by-laws. The motion carried unanimously.

Meeting Adjourned

The meeting adjourned at 6:55 p.m.

This is a True Record by me.

Attest: Michael T. McCue
Michael T. McCue, Senior Clerk Pro Tem