



# Halifax Zoning Board of Appeals

## Meeting Minutes

### June 12, 2023

The Halifax Zoning Board of Appeals held a public meeting/hearing on Monday, June 12, 2023, in the Board of Selectmen's Meeting Room at Halifax Town Hall, 499 Plymouth Street, Halifax, MA with the following Board members in attendance: Vice Chairman - Kozhaya Nessralla, Members – Gerald Joy, Robert Durgin, and Tina Kenyon; Clerk - Peter Parcellin Associate Member – Marline Amedee

<https://youtu.be/pciDsbfl2gg>

Vice-Chair Kozhaya Nessralla calls the meeting to order at 7:05pm and informs the audience that the meeting is being recorded.

#### **Appointments**

- 7:00pm – Hearing – Petition #992 – Vishnu Patel , 657 & 659A Monponsett Street – Special Permit for an In-Law Apartment (**Filed: 4/10/23**)

The applicant purchased the home about four years ago and the house had a preexisting in-law but there was no permit provided. Family will be living in the apartment and utilities will be shared.

The board asks the applicant to bring in drawings to determine the common space and where everything will be located. Joy makes a motion to continue the hearing until July 10<sup>th</sup>.

Parcellin seconds

All in Favor (4-0-0)

- 7:15pm – Hearing (Continued)– Petition #984 – James Rodriguez, 9 Lake St – Special Permit & Variance to raze and rebuild home (**Filed 11/23/22**)

The Board reviewed the letter received from Town Council. The applicant brought in a decision letter from a previous petition with similar requirements. The Board mentions that the other petition was only adding 100 square feet where his petition wants to add more than 50% of the original square footage. The Board discusses with the applicant how the By-Laws are making it difficult for them to grant the special permit and variance for the petition. The Board states that the applicant can withdraw without prejudice and come back with a new set of plans. If the petition is denied, then the applicant will have to wait two years before reapplying.

Parcellin makes a motion to close the hearing.

Durgin Seconds.

All in Favor (5-0-0)

The applicant chooses to withdraw without prejudice and will send an official letter to The Board in the upcoming weeks.

#### **Discussion**

- Petition #931- 596 Monponsett Street - Request for extension on Variance. Was there a time extension granted due to COVID-19?

The applicant states that he has been doing work on the property since he received his special permit and variance. He has done a septic design, met all the Conservation Commission requirements, received a demolition permit to take a 3000 sq ft building down, put up a fence and graded the property. The building inspector will not issue the applicant a building permit since he believes the time from of the variance has run out. The Board believes that the applicant has been doing enough work for the variance to remain active. The Board suggests the applicant apply for a build permit and if he gets denied he should come back in front of them appealing his decision.

#### **Meeting Minutes**

- 04/10/2023
- 05/01/2023

The Board postpones signing of meeting minutes due to an incorrect date.

## **Bills**

No Bills

## **Adjournment**

- M/Joy, S/Parcellin. Unanimously approved (5-0-0) to adjourn at 8:20pm with all in favor. (Voice Vote: Durgin – Yes; Parcellin – Yes; Joy – Yes; Kenyon – Yes; Nessralla – Yes)

## **DOCUMENTS**

1. Agenda for 6/12/2023
2. Application Packet - Petition #992
3. Application Packet - Petition #984
4. Petition #931 folder
5. Meeting Minutes 04/10/23
6. Meeting Minutes 05/01/23

Respectfully submitted,

Date: 7/7/2023



Vice-Chairman, Kozhaya Nessralla  
Halifax Zoning Board of Appeals