

MINUTES OF MEETING OF WAREHAM ZONING BOARD OF APPEALS

Date of Meeting: August 10, 2016

I. CALL MEETING TO ORDER

The meeting was called to order at 6:37 P.M.

II. ROLL CALL

Members Present: Nazih Elkallassi, Chairman
James Eacobacci, Clerk
Wilma Engerman
Karl Baptiste
Jake Morrison, Associate Member

Members Absent: Jan Kendrick
Tim Lydon
Ernie Alden

I. PRELIMINARY BUSINESS

A. Approve meeting minutes: June 8, 2016 & July 13, 2016.

MOTION: Mr. Eacobacci moved to approve the meeting minutes of June 8, 2016 & July 13, 2016. Mr. Baptiste seconded.

VOTE: Unanimous (4-0-0)

B. Signatures needed for Petition #9-16 – Strategic Holdings – 83 Sandwich Road based on the Board’s decision made on July 13, 2016.

The Board members signed the decision for Petition #9-16 – Strategic Holdings – 83 Sandwich Road.

II. PUBLIC HEARINGS

A. Petition #32-16 – Alternate Power & Energy – 418 County Road

Present before the Board: Jan Wolverton, Attorney
Chris Piazza, Owner
Alan Benevides, Engineer
Roger Gaydou, Alternate Power and Energy representative

The public hearing notice was read into the record.

Mr. Gaydou stated the applicant is requesting a Special Permit/Variance to install a ground mounted solar array. The applicant had originally applied for a subdivision through the Planning Board, but has recently come to realize that this property could be appropriately used for solar. There is sufficient acreage, fill and layout for the solar array. The solar property would be virtually invisible to traffic and surrounding neighbors and is favored over a residential subdivision by the neighbors. The applicant has requested the use Variance because the subdivision was requested as a residential subdivision and the use has changed and they must request a Variance to change the requested use. The applicant would still prefer to subdivide the lot because it would provide optimum use of the solar project. Brief discussion ensued.

The Board members concurred to continue the public hearing until the applicant has gone through the Planning Board process.

MOTION: Mr. Eacobacci moved to continue the public hearing for Petition #32-16 – Alternate Power & Energy – 418 County Road to August 24, 2016. Mr. Morrison seconded.

VOTE: Unanimous (4-0-0)

B. Petition #33-16 – Douglas Bourgault d/b/a Cape & Islands Tire – 3057 Cranberry Highway

Present before the Board: Bill Madden, G.A.F. Engineering, Inc.

The public hearing notice was read into the record.

Mr. Madden explained the applicant is requesting a Special Permit/Variance to construct a new commercial building. The original building collapsed under snow weight in 2014. The building has been demolished and removed. The applicant is requesting to re-construct a new building. Discussion ensued.

MOTION: Mr. Eacobacci moved to continue the public hearing for Petition #33-16 – Douglas Bourgault d/b/a Cape & Islands Tire – 3057 Cranberry Highway to August 24, 2016. Mr. Baptiste seconded.

VOTE: Unanimous (4-0-0)

III. CONTINUED PUBLIC HEARINGS

A. Petition #27-16 – Boone Ferri – 3127 Cranberry Highway

The applicant has requested a continuance to September 14, 2016.

MOTION: A motion was made & seconded to continue the public hearing for Petition #27-16 – Boone Ferri – 3127 Cranberry Highway to September 14, 2016.

VOTE: Unanimous (4-0-0)

B. Petition #30-16 – Thomas Forend – 19 Riverside Drive

Present before the Board: Bill Lockwood, Lockwood Architects

Mr. Lockwood explained that the plan has been revised per previous conversations at the last ZBA meeting.

Discussion ensued re: the distance to property lines, stairs, etc. The back addition being proposed on the sketch is not to exceed 25% coverage. The addition on the north side will be approved and the east side front porch will be 7.5' deep, including the railing and it does not encroach on the south side.

MOTION: Mr. Eacobacci moved & Mr. Baptiste seconded to grant a Special Permit to construct an addition & decks for Petition #30-16 – Thomas Forend – 19 Riverside finding the proposal meets Special Permit standards as presented and further, the granting of the Special Permit is subject to standard conditions and the following conditions:

- To be built per plan SKCb by Lockwood Architects.
- Deck not to be greater than 7.5 ft. from house front.
- Back addition not to exceed 25% in total lot coverage.

VOTE: (4-1-0)

C. Petition #31-16 – Patricia Moncey – Appeal decision of Building Inspector re: 41 Oak Street

Present before the Board: Attorney Lang for Lefki Aevazelis
Lefki Aevazelis
Attorney Robert Moore for Patricia Moncey

It was stated the owners of 41 Oak Street had been instructed to provide engineered plans showing the height of the “garage”. G.A.F. Engineering, Inc. has provided a letter to the Building Inspector stating that the garage is 34.3 feet in height. The limit is 35 feet.

Discussion ensued re: the plantings & possible fencing. It was agreed that the garage is to code.

MOTION: Mr. Baptiste moved to continue the public hearing for Petition #31-16 – Patricia Moncey – Appeal decision of Building Inspector to September 14, 2016. Ms. Engerman seconded.

VOTE: (4-1-0)

IV. ANY OTHER BUSINESS/DISCUSSIONS/UPCOMING HEARINGS

A. Correspondence

1. See correspondence sent via email and/or in packets.

B. Upcoming Hearings

August 24, 2016	Petition #34-16	Robert & Margaret Perry	0 Squirrel Island Road
August 24, 2016	Petition #35-16	260 County Road Solar, LLC	260 County Road
August 24, 2016	Petition #36-16	Wareham New Bedford Elks Club	2855 Cranberry Highway

- V. NEW BUSINESS (This time is reserved for topics that the Chairman did not reasonably anticipate.**

III. ADJOURNMENT

MOTION: Mr. Eacobacci moved to adjourn. Ms. Baptiste seconded.

VOTE: Unanimous (5-0-0)

Date signed: _____

Attest: _____

James Eacobacci, Clerk

WAREHAM ZONING BOARD OF APPEALS

Date copy sent to Town Clerk: _____