

MINUTES OF MEETING OF WAREHAM ZONING BOARD OF APPEALS

Date of Meeting: January 27, 2016

I. CALL MEETING TO ORDER

The meeting was called to order at 6:30 P.M.

II. ROLL CALL

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

III. PRELIMINARY BUSINESS

A. Discussion re: Wal-Mart – Bohler Engineering

IV. PUBLIC HEARING

A. Petition #1-16 – Paul & Mary Fernandes – 53 Arlington Road

Present before the Board: JC Engineering, Inc. Representative

The representative explained the applicant is requesting a Special Permit to demolish an existing dwelling and construct a new dwelling. Section 1335 of the Zoning By-Law requires the applicant to go through the Board of Appeals in order to change or expand the structure. The applicant would like to remove the existing 19x16 deck & replace w/ a proposed 18x10 deck. The existing sun room will remain & the proposed deck will take the place of the existing deck. The proposed deck will be 6 ft. from the front property line. The proposed dwelling will be situated on approx. the same footprint.

Discussion ensued re: the project & details relative to the demolition of an existing dwelling & construction of a new dwelling. The Board concurred to grant a Special Permit with conditions

MOTION: A motion was made & seconded to grant a Special Permit for Petition #1-16 – Paul & Mary Fernandes – 53 Arlington Road to demolish an existing dwelling & construct a new dwelling with standard conditions & the added condition that the new dwelling be built per plan dated December 4, 2015.

VOTE: Unanimous (5-0-0)

B. Petition #2-16 – Judith Resendes – 20 West Central Avenue

Present before the Board: Jane Gleason, Civitects PC

Ms. Gleason explained applicant is request a Special Permit under Section 1335 and Variance under Section 622 of the Zoning By-Laws to demolish a cottage and construct a new dwelling. She stated the existing house was constructed in 1930 as a seasonal summer cottage. It has undergone renovations & revisions over the intervening years, including being winterized and the original porches being enclosed. The structure, with a footprint of 468 sq. ft., is still in serviceable condition.

Ms. Gleason stated the applicant wishes to be able to use the property on a year-round basis & desires a more energy efficient house with a more useful floor plan layout. The current owner is a single individual planning to live in the house year-round. The proposed plan, with a 629 sq. ft. footprint, is for two bedrooms allowing for occasional guests in the second bedroom.

The Board discussed the size of the lot, placement of the dwelling, or if the dwelling would be a detriment to the community, as well as their findings. The Board concurred to grant a Special Permit and Variance with the condition that there will be no accessory building.

MOTION: A motion was made & seconded to grant a Special Permit and Variance for Petition #2-16 – Judith Resendes – 20 West Central Avenue with the findings that the granting of a Special Permit & Variance were granted given the shape & size of the lot & the applicant's ability to place a dwelling otherwise, due to the existing summer cottage, if the demolition & reconstruction were not permitted, the applicant would not be able to utilize the property, the proposed project will not be detrimental to the public good & will be in keeping with the character of the existing neighborhood, & the Variance shall not nullify or substantially derogate from the intent of the Bylaw, & further, the Special Permit & Variance are granted with standard conditions & the added conditions that there is to be no accessory building(s) & the project to be built per plan dated September 2013.

VOTE: Unanimous (5-0-0)

C. Petition #3-16 – Lisa & Robert Fields – 26-30 Robinwood Road

Present before the Board: William Lockwood, Lockwood Architects

Mr. Lockwood explained the applicant is requesting a Variance from dimensional requirements to demolish an existing guest house & construct a two-car garage in the same location, but with a slightly larger footprint. The existing street (west) setback of 13.7 ft. is proposed to remain unchanged. The other setbacks on the east, north, & south will not be changed and are & will remain compliant.

The Board discussed the project & their findings.

MOTION: A motion was made & seconded to grant a Special Permit for Petition #3-16 – Lisa & Robert Fields – 26-30 Robinwood Road finding the garage will be in the same footprint as the guest house, the garage will not be a detriment to the neighborhood, but will enhance the neighborhood, & the Special Permit is granted for relief from 1335 of the Wareham Zoning Bylaws, & further standard conditions apply.

VOTE: Unanimous (5-0-0)

D. Petition #4-16 – Stella Sylvester – 158 & 164 Sandwich Road

Present before the Board: Wayne Sylvester

Mr. Sylvester stated he wants to move the east property lot 25' to the west to create a lot with 125' of frontage. The lot currently contains 150'. He will give 25' of frontage to Lot 127 owned by Stephen Faniel, creating a lot with 75' of frontage. He stated this request is being made to allow for parking. He added that Lot 127 now has to back on to the State highway. Lot 133 & Lot 134 are not contiguous because they have frontage on a separate road.

The Board discussed the project & findings.

MOTION: A motion was made & seconded to grant a Variance for Petition #4-16 – Stella Sylvester – 158 & 164 Sandwich Road finding the applicant met the statutory requirements of a Variance, therefore the Board grants relief under Section 621 of the Zoning Bylaws pursuant to MGL, Chapter 40A & 10 & further, standard conditions apply with the added condition that the project is to be done per plan dated June 9, 2015.

VOTE: Unanimous (5-0-0)

V. CONTINUED PUBLIC HEARING

There were no continued public hearings.

VI. ANY OTHER BUSINESS/DISCUSSIONS/UPCOMING HEARINGS

A. Correspondence.

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

B. Upcoming Hearings/Meetings.

February 10, 2016	Petition #5-16	Christopher Timson	4 Cameron Street
February 10, 2016	Petition #6-16	Edwin Monteiro	48 Old Onset Avenue
February 10, 2016	Petition #7-16	Irina Naryshkova	11 Fearing Hill Road
February 10, 2016	Petition #8-16	Carl & Denise Shulz	15 Roby Street

VII. NEW BUSINESS

There was no new business.

VIII. ADJOURNMENT

MOTION: A motion was made & seconded to adjourn the meeting.

VOTE: Unanimous (5-0-0)

Date signed: 5-11-2016

Attest: James R. Eacobacci

James Eacobacci, Clerk

WAREHAM ZONING BOARD OF APPEALS

Date copy sent to Town Clerk: 5/16/16