

Wareham Zoning Board of Appeals
Wednesday, March 27, 2024 – 6:30 p.m.
Minutes

WAREHAM TOWN CLERK
2024 APR 11 AM 8:51

Location: Wareham Multi-Service Center, 48 Marion Road, Wareham, MA, Room 320.

The following record pertains to a meeting held by the Zoning Board of Appeals at 6:30 PM local time. A video recording of this meeting is available for viewing. The record of the proceedings includes the videotape of the meeting, the resolutions passed, and any document presented during the course of the meeting.

I. CALL MEETING TO ORDER

Mr. Elkallassi called the meeting to order at 6:32 p.m.

II. ROLL CALL

Present: Chairperson, Nazih Elkallassi, Jim Eacobacci, Richard Semple, Troy Larson, and Veronica DeBonise (arrived at 6:45 p.m.)

Building Commissioner, Paul Turner was present.
Sonia Raposo, Principal Department Assistant was present.
Conservation Agent: Joshua Faherty

III. PRELIMINARY BUSINESS

1. Approval of Meeting Minutes: 03/13/24

Mr. Eacobacci made a motion to accept the minutes of 3/13/24 which Mr. Semple seconded. The motion passed unanimously. (4-0-0)

**2. 2-18 Dakota Partners, Inc. – Woodland Cove – 3102 Cranberry Highway –
Insubstantial Modification Request**

Attorney Freeman was present with Marc Daigle from Dakota Partners, as well as Dominic Rinaldi of BSC Group Engineering. Attorney Freeman reviewed the grading questions near the building concerns from Mr. Turner; therefore, they are returning here to identify this as an insubstantial modification request. It's only a small, minor grading change.

Dominic Rinaldi, of BSC Group explained the grade change around the building and advised they were going to repair the grading to slope away from the building. Mr. Rinaldi explained how they were going to fix the grading by adding a small swail with a minimum of 2% to a series of dry wells. He said they would infiltrate back into the ground. He said they did meet with Mr. Cordeiro, the Town's peer reviewer, who was satisfied with what they were going to do. He said in between the buildings there is a fire access lane, a 6' wide asphalt walkway, and a 6' grass creek (plastic pavers) to support the fire truck; he said in one of the spots they have to install a 20" retaining wall that will allow the grade to drop from the front to the back of the site. The only revisions at the side and front of the buildings.

The applicant confirmed the updated plans were updated in the portal.

Mr. Elkallassi stated before an occupancy permit was issued, they would want a visit to the site as well as a sign-off from the board and the peer reviewer, Phil Cordeiro.

Mr. Cordeiro was present and reviewed the grading deficiency and resolution. He stated they went on a site walk and then asked them that they support the information with plans and grading calculations. He said the calculations were correct to take the runoff from the front of the building and put it in the drywells. He said they do meet all codes. He said they did present a visual barrier from the back of the sidewalk to the 'fall zone'. He stated he was comfortable from a drainage perspective to recommend approval to the board. He asked the applicant to have the Fire Department to also sign off on the fire access.

Mr. Daigle said he met with the fire department and did a walk-through. He said they agreed to put up a metal signpost with no parking, a foot and half off the sidewalk at the entry points. He said they will add similar posts to the end of the grass creek with reflectors on it. It will be four locations with reflectors and signs of no parking.

Mr. Semple asked if there was something in writing from the Fire Department. Mr. Daigle said he didn't have anything in writing but would get one from the Fire Department.

Mr. Elkallassi asked about the water down to the community center. Mr. Cordeiro reviewed what they were going to do. Mr. Rinaldi stated they are going to build a swail in that corner that will then go into the dry well. He directed the board's attention to the Phase 3 plan in front of them.

Mr. Rinaldi said it won't be an appealing path. He said there is no shortcut and walking from one building to another is an easy walk.

Mr. Elkallassi said if the Building Commissioner is okay with it, then fine. If he thinks it may be a trip hazard, then they would have to correct it. Mr. Daigle said it won't be steep.

Mr. Rinaldi reviewed the plantings that will be there.

Mr. Elkallassi opened it up for public comment, but there was none. Mr. Faherty had no additional comments.

Mr. Eacobacci moves to determine that the March 18, 2024 notice project request, a copy of which is attached with accompanying plan sheets as revised and filed with the board; for the Woodland Cove Apartments Comprehensive Permit constitutes insubstantial changes within the meaning of 760, CMR 56.05 subsection 11, and therefore the revised plans are approved. The motion was seconded by Mr. Larson and passed unanimously. (5-0-0)

IV. CONTINUED PUBLIC HEARINGS:

1. 7-24 Robert & Jeannine Perry – Special Permit or Variance – 4 Wareham Lake Shores Drive

Robert and Jeannine Perry were present. Mr. Perry reviewed that he is redoing the front entrance, he wants to tear down the steps and move the stairs to the South as they need to redo the septic in the front. He said it was currently a non-conforming lot.

There were no comments from board members. There was no comment from the public.

Mr. Eacobacci motioned to close the public hearing which was seconded by Ms. DeBonise. The motion passed unanimously. (5-0-0)

Mr. Eacobacci motioned to approve as requested as it is not substantial or detrimental to the neighbor, the board will act on it as a Special Permit. The motion was seconded by Ms. DeBonise and passed unanimously. (5-0-0)

Mr. Eacobacci motioned to approve with their standard conditions and was seconded by Ms. DeBonise. The motion passed unanimously. (5-0-0).

2. 39-23 Wareham Cranberry, LLC – Use Variance -3020 Cranberry Highway

Mr. Eacobacci made a motion to continue to April 10, 2024, which was seconded by Mr. Larson and passed unanimously. (4-0-0)

3. 5-24 Walid Eldayba – Special Permit & Site Plan Review – 2544 and 2546 Cranberry Highway

Mr. Elkallassi stated they were going to continue because they haven't received the peer review report back as of yet.

Mr. Eacobacci made a motion to continue 5-24 Walid Eldavba to April 24, 2024, which was seconded by Mr. Semple and passed unanimously. (4-0-0) Ms. Raposa confirmed that the extension has been extended as well.

1. ANY OTHER BUSINESS/DISCUSSIONS

2. COMMENTS FROM BOARD MEMBERS

Mr. Eacobacci motioned to adjourn which was seconded by Ms. DeBonise and passed unanimously. (5-0-0)

Clerk's Signature: James D. Eacobacci
Date: 4-10-24

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