

**Town of Wareham
Zoning Board of Appeals Minutes
April 27, 2022**

- I. **CALL MEETING TO ORDER:** Chairperson, Mr. Elkallassi opened the meeting at 6:30 p.m. at an in-person meeting and a hybrid meeting.
- II. **ROLL CALL: Present:** Chairperson, Mr. Elkallassi, Clerk, James Eacobacci, Richard Semple, Troy Larson, Mr. Morrison, and Veronica DeBonise

Assistant Planning Director, Aaron Shaheen was also in attendance.

- III. **PRELIMINARY BUSINESS:** None.

- IV. **CONTINUED PUBLIC HEARINGS:**

1. **For Discussion and Possible Vote: 2-22 CNS Home Solutions – Special Permit – 459 Main Street – Map 61, Lot 1022**

Attorney Robert Pelligrini was in attendance for the applicant. The engineer was also present. Mr. Elkallassi stated that regardless, he wouldn't be able to vote as he didn't attend the first meeting.

Mr. Pelligrini stated they were in front of them for the property of 459 Main Street in the WD1 zone. The whole proposal is to add one bedroom inside the structure on the lower level. Currently, the way it is has four parking spots. He said they are asking for relief to conform to the parking. He said by adding one bedroom, which requires eight parking spots, they are asking for nine. He said they have heard reports of people parking on the lawn and the street; this new parking would alleviate that.

Mr. Pelligrini stated they have approval from Conservation. He said there is a 3-bedroom, a 2-bedroom, a 1-bedroom, and then another 1-bedroom. They are proposing to add one. He apologizes that he had the wrong information according to the bedrooms. He said the 3-bedroom requires two parking.

The engineer was present and explained the plan for the proposed gravel driveway. They also looked at revised plans that were presented to Conservation, who they got approval from. He showed me where the grass swale will be on the property. The plans are dated April 5, 2022.

The engineer explained where the runoff of water would occur on the property. He pointed out the area where there is erosion and they are going to cut out that area and slightly pitch the area so it doesn't go to the wetlands on the property. He said the Conservation Commission gave its sign-off on April 6, 2022.

Mr. Elkallassi opened it up to the Board members for comment. There were no other concerns from board members.

Mr. Elkallassi opened it up for public comment. None.

Mr. Eacobacci made a Motion to close this Public Hearing and was seconded by Ms. DeBonise. The Motion passed unanimously.

Mr. Eacobacci made a motion to approve this plan dated April 5, 2022, with standard conditions as it is not detrimental to the neighborhood. Mr. Eacobacci stated he would like to see three sets of plans forwarded to the ZBA for the file. The Motion was seconded by Ms. DeBonise and passed unanimously. (5-0-1). Mr. Elkallassi abstained as he was previously not present when the hearing opened.

Mr. Elkallassi asked if they checked with the Fire Department about asking if they needed a sprinkler system in the home. He suggested they ask before they invest additional monies.

**2. For Discussion and Possible Vote: 7-22 R.J. Motto Inc. – Site Plan Review/
Special Permit – 21 Old Glen Charlie Road – Map 129, Lot 1101/C1**

Mr. Elkallassi reminded all that the public hearing had already been opened and continued to this evening.

Mr. Motto was present as the applicant. Mr. Brad Bertolo, Engineer was also present.

Mr. Bertolo gave a brief overview of the project. He said he set out a new set of plans revising the units. They are revising the plan to address the comments regarding the fire department regarding a turnaround. He said they are proposing a similar turnaround and proposing two units, versus four. He said in the future would be a planned garage and proposing now as there is a three-year permit with Conservation. They are proposing drainage as proposed. A catch basin at the bottom of the driveway for any runoff water. He said they have calculations that show the post runoff wouldn't exceed the catch basin. This proposal includes a paved driveway.

Mr. Bertolo said they addressed filling within the 50' buffer zone. They are restoring some of that property that was once filled in. He said the homes would be serviced by utilities and town water. He said with this layout meets the requirements of the fire department. As they are reducing the units down to four total the parking would be eight, which is less than ten.

Mr. Elkallassi stated he was happy with the revised plans.

Board members had no concerns with the plans. Mr. Eacobacci asked if a variance versus a Special Permit would just be voted on. The plans were dated April 23, 2022.

Mr. Semple asked if there was an option to have an apartment above the garage, however, Mr. Bertolo stated they realize they would have to come back before the board; but they are not planning that at this time.

Mr. Elkallassi opened it up for public comment.

A resident was on the call via zoom, but it was very difficult to hear her. Her concern seemed to address the boats, and junkyard in the backyard.

Mr. Motto said he had two larger boats in the backyard, and he is trying to get rid of them. Mr. Elkallassi stated they would put a special condition on that removal.

Mr. Eacobacci made a Motion to close the Public Hearing and was seconded by Mr. Semple.

Mr. Eacobacci made a Motion to grant 7-22 RJ Motto, per the plans submitted by JC Engineering, plans dated April 23, 2022; with prior revision of 2/22/22 and 4/23/22 with standard conditions and a special condition that there will be no construction debris before or after construction for a Special Permit and variance. Also, a condition that no living space be built above the garage. The motion was seconded by Mr. Morrison and passed unanimously. (5-0-0).

3. Discussion and Possible Vote: 8-22 David Sergi – Site Plan Review/Variance 8 & 10 Charge Pond Road – Map 110, Lot(s) 1035, 1076

Ms. DeBonise made a Motion per the applicant's request to continue to May 13, 2022 and was seconded by Mr. Eacobacci. The Motion passed unanimously.

4. For Discussion and Possible Vote: 10-22 Joseph J. Nadeau – 54 Nanumet Street – Special Permit or Variance, Map 3, Lot 22

Mr. Joseph J. Nadeau was present before the board. Mr. Nadeau stated a discussion previously was to add a breezeway and 2-car garage. The original proposal was going back 3' but the board proposed to build a 24x24 and bring the lot line up to the house line, which is 7.1'.

Mr. Calcio was present and stated he was in favor of the project but had some concerns about the size of the project. He stated he liked the plan previously as it was a bit narrower. He said he had a one-half garage originally.

Mr. Elkallassi stated one of the board members had concerns about being too close to your property, so they had proposed that he change it to be closer to his home, giving his neighbors some relief from the setbacks.

Mr. Calcio said it was a large structure in the neighborhood.

Ms. DeBonise said she was happy with the change. Mr. Eacobacci stated he was fine with the change but understood where the neighbor was coming from. He said he was happy that the applicant reviewed and had good faith in the project.

Other board members stated they were happy with the new plans.

Mr. Edward Pimental, resident and neighbor was present and he said that he was in favor of the project. He said he was a good neighbor and okay with the project.

Mr. Elkallassi stated if nondetrimental they would act as a Special Permit.

Mr. Calcio asked about the windows that would be facing overlooking his patio. He asked if this could be conditioned or would it be a gentleman's agreement.

Mr. Nadeau stated the house windows he can see into the neighborhood's patio/yard from his kitchen.

Mr. Semple stated if it was a gentleman's agreement that he felt the ZBA shouldn't be involved with that kind of agreement.

Mr. Eacobacci made a Motion to close the public hearing of this hearing and was seconded by Ms. DeBonise. The Motion passed unanimously.

Mr. Eacobacci made a Motion to act upon this hearing, 10-22 as a Special Permit as it is not detrimental to the neighborhood, presented with the plans drawn by Farland Corporation dated April 25, 2022, with standard conditions. The Motion was seconded by Mr. Semple and passed unanimously. (5-0-0)

V. ANY OTHER BUSINESS/DISCUSSIONS:

Mr. Eacobacci made a Motion to adjourn and was seconded by Mr. Semple. The Motion passed unanimously via roll call vote. (5-0-0).

Respectively,
Patricia A. Pacella
Recording Secretary

Date signed: 7-27-2022

Attest: James R. Eacobacci
James Eacobacci, Clerk
WAREHAM ZONING BOARD OF APPEALS

Date copy sent to Town Clerk: _____

WAREHAM TOWN CLERK
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