

# **MINUTES OF MEETING OF WAREHAM ZONING BOARD OF APPEALS**

**Date of Meeting: June 9, 2021**

## **CALL MEETING TO ORDER**

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

### **I. ROLL CALL**

Members Present: Nazih Elkallassi, Chairman  
Jim Eacobacci, Clerk  
Jacob Morrison, Member  
Richard Semple, Associate Member  
Christopher Conti, Associate Member

Kenneth Buckland, Town Planner  
Charles Rowley, Independent Consultant, Town Engineer

### **II. PRELIMINARY BUSINESS**

### **III. CONTINUED PUBLIC HEARINGS**

#### **1. 22-20 Frederick Mannix – Variance & Site Plan Review – 238 & 240 Sandwich Road – Map 133, Lot(s) 1100A & 1101A**

Present before the Board: Jilian Morton, Esq.  
Frederick Mannix, Applicant  
Brad Bertolo, Senior Project Engineer, JC Engineer

Attorney Jilian Morton is representing the applicant, Mr. Mannix along with the Engineer, Mr. Brad Bertolo from J.C.Engineering for an intermediate care center that has been proposed at 238 and 240 Sandwich Road, near the intersection with Rte. 28 and next door to Upper Cape Realty.

The building would have a parking garage on the ground level, four floors of space for the center, and a solarium on top with access to a roof deck.

The Board discussed the project at length with Mr. Mannix and his Attorney Morton.

Intermediate care centers are a use allowed by right, according to the town's zoning maps. The project is before the board because the applicant is requesting two variances. A height variance to allow for a solarium and a setback request related to the location of a maintenance shed.

The solarium would be a space with large windows to allow patients or residents to enjoy the sunshine, with access to a roofdeck.

The board has not yet received a full set of plans for the site, so it's unclear what the layout of the building's interior will be.

The plans include extensive landscaping, with trees that he said would eventually largely obscure the building from view. The proposed lighting was designed to minimize the impact on neighbors, Mr. Mannix said.

Chairman Elkallassi said that Mr. Mannix should reach out to the state to discuss his plans for the entrance to the property from State Road (Rte. 6), which is a state-owned road.

**MOTION: Mr. Eacobacci moves to continue the public hearing to June 23, 2021. Mr. Elkallassi seconds.**

**VOTE: (4-1-0) nay by Mr. Conti**

**2. 18-21 Daniel Georgianna – Special Permit / Variance – 45 Longwood Avenue – Map 1, Lot 630**

Chairman Elkallassi makes known into the record that Mr. Semple has attended all the prior hearings and will be voting in behalf of Member, Veronica Debonise.

Attorney, Margaret Ishihara is before the Board representing the applicant, Daniel Georgianna, She speaks about the most revised plan that was submitted consisting of a surveyors plan which is dated June 7, 2021 and called Building Permit Plan. The Board confirms receipt of the revised plans.

Attorney Ishihara speaks of the two items the Building Commissioner requires and is happy to share the applicants have met all the conditions. She addresses all the concerns in detail

Chairman asks the Board if they have any questions or concerns, and they say they have no questions. In addition, he asks if there is anyone in favor or against who would like to speak.

Present before the Board: Jennifer Hixon, 15 Fourth Street

Ms. Hixon is on zoom tonight and states she is opposed to the variances as this has a negative impact and affects her privacy of her yard.

**MOTION: Mr. Eacobacci moves to close the public hearing. Mr. Semple seconds.**

**VOTE: (5-0-0)**

**MOTION: Mr. Eacobacci moves to grant the variances with standard conditions. Mr. Semple seconds.**

**VOTE: (5-0-0)**

**3. 24-21 Alisa Morse – Special Permit – 2 Sarabeth’s Lane – Map 114/D, Lot SB1**

Present before the Board:

Alisa Morse, 2 Sarabeth’s Lane

Chairman asks Alyssa if she addressed the neighbors’ complaints with a building commissioner that were brought up at the previous hearing. Alisa wasn’t sure how she would go about addressing the issue and the Chairman states that she needs to go see the commissioner so he can go to the site and see if in fact she is in violation.

Ms. Morse states she has done a little bit of research and under the By-Baw for residential uses, she states that she is allowed a container on the property. She is upset and confused as to why she has to go through all the trouble to obtain this business license. Chairman Elkallassi states, he understands but unfortunately, there are neighbor complaints and the permit is not for Ms. More, it is for the property. Chairman Elkallassi states the Board needs a report from the Commissioner and asks for the Boards opinion. Mr Eacobacci and the rest of the Board agrees.

**MOTION: Mr. Eacobacci moves to continue the public hearing To June 23rd. Mr. Morrison seconds.**

**VOTE: (5-0-0)**

**IV. PUBLIC HEARINGS**

**V. ANY OTHER BUSINESS/DISCUSSIONS**

**VI. ADJOURNMENT**

**MOTION: Mr. Eacobacci moves to adjourn. Mr. Semple seconds.**

**VOTE: (5-0-0)**

Date signed: 1-20-2022

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

WAREHAM TOWN CLERK  
2022 JAN 20 AM 9:45

Date copy sent to Town Clerk: \_\_\_\_\_