

**Town of Wareham  
Zoning Board of Appeals  
Minutes – July 8, 2020 – 6:00p.m.**

- I. **CALL MEETING TO ORDER:** Chairperson, Nazih Elkallassi opened the meeting at 6:30 pm via Zoom.
- II. **ROLL CALL:** Present: Chairman, Nazih Elkallassi, Mr. Eacobacci, Christopher Conti, Mr. Morrison and Richard Semple were all attending via Zoom.

**Absent:** Ms. DeBonise

Planning Director, Ken Buckland was also in attendance. Mr. Elkallassi welcomed Mr. Conti and Mr. Semple to the board.

III. **PRELIMINARY BUSINESS:**

1. **Submittal of the as-built plan and Engineer Certification for Wareham Marketplace**

Mr. Elkallassi stated he did review the plan and stated they need plantings on the plan. Mr. Buckland stated the plans are located on the Town's website for review.

Mr. Morrison made a Motion to accept the as-built and was seconded by Mr. Elkallassi. The Motion passed with these two members only as they were the only two present that began with this hearing.

While waiting for Mr. Eacobacci to attend, Mr. Conti introduced himself to the Board as a new member; as well as Mr. Semple.

2. **4-18 – Request for Approval of Minor Modification of Special Permit – Giancola Properties Minot, LLC – 72 Minot Avenue**

Mr. Elkallassi stated they would need to wait for Mr. Eacobacci to attend the meeting.

Mr. Giancola was present as the owner and Mr. Rogers; the engineer was also present.

Mr. Rogers stated the building that was approved, a finished floor of 39; and they want to raise the finish floor to 40. He says there is an infiltration basin on page 6, and they are moving it closer to the pavement. He said there was an infiltration swail in that area and they would eliminate that swail and pipe the drainage to the back of the property. He explained the three minor modifications.

Mr. Eacobacci asked how much they moved the swail. Mr. Rogers said they eliminated the swail.

Mr. Elkallassi asked if Mr. Rowley had a chance to review. Mr. Buckland stated he hadn't received anything from Mr. Rowley.

Mr. Rogers stated they wanted it submitted as a minor modification so they wouldn't need another new public hearing. He said that he wanted the counts to be reviewed by Mr. Rowley.

Mr. Eacobacci stated he was fine with the minor modification.

Mr. Conti agreed it was a minor modification as well as the other members as well.

Mr. Eacobacci made a Motion to close the hearing and was seconded by Mr. Morrison. The Motion passed unanimously. (5-0)

Mr. Eacobacci made a Motion that this be considered a minor modification as long as MR. Rowley reviews the calculations and was seconded by Mr. Morrison. The motion passed unanimously via roll call vote. (5-0)

**IV. PUBLIC HEARINGS:**

1. 12-20 Kenneth Deluze c/o GAF Engineering, Inc. – 104 Great Neck Road, Wareham, MA  
Special Permit/Variance

Mr. Buckland read the advertisement for the record. Mr. Elkallassi opened the public hearing.

Mr. Elkallassi asked if he wanted to continue or be heard. Mr. Motta stated he was on via zoom.

Engineer, Brian Grady, of GAF presented the project as a teardown and rebuild of a Single-Family Dwelling. He said they are on a non-conforming lot that sits too close to the street line, about 30'. He said they are applying for a Special Permit. Mr. Grady said they have been to the Conservation Commission and have been approved by them. He said that the Historical Commission has also signed off on the building's tear-down. He said he believes this is not more detrimental to the neighborhood as it will actually improve the neighborhood.

Mr. Elkallassi explained the variance and/or special permit that is needed on this property.

Mr. Morrison stated he had no questions and thinks it would also improve the neighborhood; as well as Mr. Semple stated the same.

Mr. Conti asked about any salvage to the old home.

Mr. Elkallassi stated that wouldn't be under the prevue of the Zoning Board.

Mr. Motta stated they have salvaged some material already.

Mr. Eacobacci asked where on Great Neck Road this house existed. He was satisfied with the answer.

Mr. Motta was present on behalf of Mr. Deluze. He said they would like to move forward. Mr. Brian, from GAF Engineering, stated he would like to wait for Mr. Eacobacci.

Mr. Elkallassi opened it up for public hearing and Mr. Marvel stated he was in favor of the project as it's an ugly house and he can't wait for it to be torn down.

Mr. Eacobacci stated he feels that it is not more detrimental to the neighborhood, so it is a finding of a Special Permit. Mr. Morrison seconded the motion. The motion passed unanimously via roll call vote.

Mr. Eacobacci made a motion to close the public hearing and was seconded by Mr. Morrison. The Motion passed unanimously.

Mr. Eacobacci made a motion to grant 12-20, 104 Great Neck Road, Wareham as it is not more detrimental to the neighborhood with standard conditions. The Motion was seconded by Mr. Morrison and passed unanimously via roll call vote. (5-0).

**V. CONTINUED PUBLIC HEARINGS:**

**VI. ANY OTHER BUSINESS/DISCUSSIONS:**

1. **Endorsement of electronic signatures**

## VII. STAFF REPORT

**VIII. NEW BUSINESS:** Mr. Buckland stated there was a request for zoning bylaw changes and then to Town Meeting for a vote, for drive-thrus. Mr. Elkallassi explained what the board was trying to do as far as the commercial and strip commercial. He said he hopes it goes through. Brief discussion. Mr. Eacobacci said he'd still like to strike a lot of the language out of the by-law, but will wait for the hearing.

Mr. Buckland stated he as the representative will go to the Selectboard and then to the Planning Department.

Mr. Eacobacci asked when Town Meeting was scheduled for and then why the board couldn't find out sooner that the by-law could happen. Mr. Buckland explained the process, that it had to go through to the Planning Board for a public hearing first.

Mr. Eacobacci stated he'd like to start a citizen's petition to allow the bylaw to go through and not wait until the last minute. Mr. Buckland stated that they would have to start a citizen's petition article. Mr. Eacobacci will follow up with the Town Clerk.

Mr. Eacobacci made a Motion to allow Mr. Buckland to go forward with the by-law to the Planning Board as well as the Selectboard. Mr. Morrison seconded the Motion and it passed unanimously.

## IX. ADJOURNMENT

Mr. Eacobacci made a Motion to adjourn and was seconded by Mr. Morrison. The Motion passed unanimously via roll call vote.

Respectively submitted,

Patricia A Pacella

Date signed: 8-11-2022

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

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

WAREHAM TOWN CLERK  
2022 AUG 15 PM3:24