

MINUTES OF MEETING OF WAREHAM ZONING BOARD OF APPEALS

Date of Meeting: July 14, 2021

CALL MEETING TO ORDER

The meeting was called to order at 6:35 P.M.

I. ROLL CALL

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

Also present: Charles Rowley, Independent Engineer Consultant

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: Attorney Jillian Morton, 184 Main Street, Wareham, MA
Frederick Mannix, 188 North Street, Boston, MA

Attorney Morton mentions there are new renderings without the tower and hands them to the Board Members. Mr. Mannix states that all of Mr. Rowleys comments have been addressed and the plans would be ready the following day. JC Engineering would be drafting the plans.

Mr. Mannix discusses what he is proposing. Mr. Conti and Ms. Debonise thinks the footprint is too large for the property although she understands Mr. Mannix is trying to accommodate everyone's requests. She does not see a hardship to allow it. All other members had no comments.

Mr. Elkallassi suggests to close the public hearing on the Variance portion only.

MOTION: Mr. Eacobacci moves to close the public hearing only for the portion of this hearing for the Variance that deals with the height of the building. Mr. Morrison seconds.

VOTE: (5-0-0)

MOTION: Mr. Eacobacci moves to grant a variance for the height as shown on the plan dated July 14, 2021 with a maximum of 47 feet from zero. Mr. Morrison seconds.

VOTE: (4-1-0)

Mr. Mannix mentions that he will be meeting with Guy, sewer director. Mr. Elkallassi reminds Attorney Morton a decision deadline extension is needed until 8.26.2021 and she is to provide one to Sonia in the Planning office.

MOTION: Mr. Eacobacci moves to continue the Public Hearing to July 28, 2021. Mr. Semple seconds.

VOTE: (5-0-0)

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

Noone is present at the hearing.

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

VOTE: (5-0-0)

MOTION: Mr. Eacobacci moves to deny without prejudice. Mr. Morrison seconds

VOTE: (5-0-0)

Board discusses among themselves why they denied the project. The Board agrees they would like to give her the opportunity to come back and reapply. Mr. Morrison seconds

VOTE: (5-0-0)

3. 31-21 North Star Management – Use Variance – 2400/2402 Cranberry Hwy. – Map 108, Lot(s) 1002B1, 1002B2, 1002D, 1003B1, 1003B2, 1003B3

Present before the Board: Dennis Conry, Esq., 245 Main Street, Wareham, MA
Mr. Bossier, North Star Management

Attorney Conry hands a summary sheet to the Board of what the applicant is proposing and begins to state that he is proposing to construct a two-story climate controlled mini self- storage center on the property.

Attorney Conry gives a little bit of history of the site and is asking for the Board to exercise their discretion and allow the Use Variance due to the unique situation and hardship. The property has been vacant for thirteen years.

Mr. Elkallassi reiterates that storage facilities are not allowed in any zone or any part in town especially in a retail/commercial zone. The Chairman turns to the Board for their opinion. Mr. Conti is concerned with the hours of operation. Both Mr. Morrison and Ms. Debonise are happy with the project and see the need with storage facilities.

Present before the Board: Mike Baptiste, West Wareham

Mr. Baptiste feels that this will be an asset to the town.

Mr. Rowley adds as a consultant that this is a benign use. He feels that there may be issues, such as lighting, and access.

Present before the Board: Mr. Munise,

Present before the Board: Jim Munise, Cranberry Highway

Mr. Munise asks about employees, and Mr. Bossier says about two to three.

MOTION: Mr. Eacobacci moves to close the portion of the public hearing pertaining to the Use Variance. Mr. Morrison seconds.

VOTE: (4-1-0) Mr. Elkallassi Denies

MOTION: Mr. Eacobacci moves to grant the Use Variance as presented subject to return for a full Site Plan Review. Mr. Morrison seconds.

VOTE: (4-1-0) Mr. Elkallassi Denies

4. 32-21 Thomas & Sharon DeJoseph - Special Permit and/or Variance – 61 South Boulevard – Map 1, Lot 17-A

Present before the Board: Paul Clark, 26 Access Road, Wareham, MA
Sharon DeJoseph, 16 Barnum Road, Danbury, CT

Mr. Elkallassi states the Public hearing is still opened. Mr. Clark states it was due to some confusion regarding the deck. Mr. Eacobacci elaborates. He states he visited the site and saw the existing wooden deck. The Board members have no comments.

MOTION: Mr. Eacobacci moves to close the public hearing. Mr. Morrison closes seconds.

VOTE: (5-0-0)

MOTION: Mr. Eacobacci moves to grant a Special Permit with standard conditions. Mr. Morrison seconds.

VOTE: (5-0-0)

MOTION: Mr. Eacobacci moves to grant a Special Permit with standard conditions with additional condition that it does not qualify for conversion of enclosed space. Mr. Morrison closes seconds.

VOTE: (5-0-0)

IV. PUBLIC HEARINGS

1. 34-21 Conchetta Devine – Special Permit and Variances – 6 Depot Street – Map 15, Lot 1034

Present before the Board: Tom Driscoll, 73 Agawam Lake Shore Dr., Wareham

Mr. Driscoll states he is the property manager. He states that he wants to make the single-family dwelling to a two-family dwelling due to having difficulty renting.

The Board reviews the project and discuss the project. The Chairman expresses his opinions regarding the non-conforming lot and reminds that the Board should and the need to be consistent.

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

VOTE: 5-0-0)

MOTION: Mr. Elkallassi moves to deny. Mr. Eacobacci seconds.

VOTE: (3-2-0)

2. 35-21 Shirley Boyens – Variance – 19 Restful Lane – Map 119, Lot 368

Present before the Board: Attorney Robert Feingold, Esq., New Bedford, MA

Mr. Feingold states that the applicant is looking to create a buildable lot. He further explains the condition of the lot as it is currently abandoned, and states that by allowing this, it would only be beneficial to the town and the neighborhood.

Conversation ensued regarding the lot.

Present before the Board: Jim Munise, Cranberry Highway

Mr. Munise was wondering if the new By-Laws that passed at Town Meeting would affect this. The Chairman seems to think it has to do with an accessory apartment not a full dwelling.

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

VOTE: 5-0-0)

MOTION: Mr. Eacobacci moves to deny the Variance. Mr. Morrison seconds.

VOTE: (5-0-0)

V. ANY OTHER BUSINESS/DISCUSSIONS

The Chairman mentions the Board of Selectmen has requested for the Board to vote on which Associate member becomes the next full member of the Board.

MOTION: The Board makes no recommendation/no action to decide on who becomes the next Zoning Board of Appeals Member

VOTE: (5-0-0)

VI. NEW BUSINESS (This time is reserved for topics that the Chairman did not reasonably anticipate.

VI. ADJOURNMENT

MOTION: Mr. Eacobacci moves to adjourn. Mr. Morrison seconds.

VOTE: (5-0-0)

Date signed: 8-11-2021

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

WAREHAM TOWN CLERK
2021 AUG 30 PM 12:39

Date copy sent to Town Clerk: _____