

MINUTES OF MEETING OF WAREHAM ZONING BOARD OF APPEALS

Date of Meeting: September 12, 2018

I. CALL MEETING TO ORDER

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

II. ROLL CALL

Members Present: Nazih Elkallassi, Chairman
Jim Eacobacci, Clerk
Karl Baptiste
Jacob Morrison, Associate Member

Also present: Charles Rowley, Town Review Engineer

III. PRELIMINARY BUSINESS

A. Approve meeting minutes: August 22, 2018

MOTION: Mr. Eacobacci moves to approve the minutes of August 22, 2018. Mr. Baptiste seconds.

VOTE: (4-0-0)

B. #34-17 - Robertson's Realty Corp. – 2680 Cranberry Highway – Extension Request

The applicant is requesting for a six month extension for the cell tower at the property.

MOTION: Mr. Baptiste moves to approve a six month extension. Mr. Eacobacci seconds.

VOTE: (4-0-0)

IV. PUBLIC HEARINGS

A. #32-18 – Steve Beauchemin – 20 Depot Street

Present before the Board: No one is present at this time

The hearing is opened and read into the record. The applicant has requested a continuance.

MOTION: Mr. Eacobacci moves to continue until September 26, 2018. Mr. Baptiste seconds.

VOTE: (4-0-0)

B. #33-18 – Ninety Six Realty, LLC – Parcel A – Fearing Hill Road

Present before the Board: Robert Perry

The applicant is seeking to construct a non-conforming lot that is not grandfathered.

Mr. Perry states he believes the parcel is grandfathered. Mr. Perry states he has a plan from 1903 that shows the larger parcel in existence. Mr. Perry states the smaller lot was created from this larger parcel. Mr. Perry states he believes since 1940 there has been no other parcels that were allowed to be combined with this lot and he believes that this lot has been in existence since 1940. Mr. Perry is requesting either the Board overturn the Building Commissioner's decision or grant a Variance to build on the parcel. Mr. Perry states there is over 31,000 s.f. in the parcel. The parcel has frontage on Fearing Hill Road.

Mr. Elkallassi asks if Mr. Perry can go back to the Building Commissioner and convince him that the lot is grandfathered. Mr. Perry states if the hearing is continued he will discuss the issue with the Building Commissioner.

MOTION: Mr. Eacobacci moves to continue the public hearing until September 26, 2018. Mr. Baptiste seconds.

VOTE: (4-0-0)

V. CONTINUED PUBLIC HEARINGS

A. #4-18 – Giancola Minot Properties – 72 Minot Avenue

Present before the Board: No one is present at the time

The applicant has requested a continuance until September 26, 2018.

MOTION: Mr. Eacobacci moves to continue the public hearing until September 26, 2018. Mr. Baptiste seconds.

VOTE: (4-0-0)

B. #17-18 – RMRM Realty, LLC – 3035 Cranberry Highway

Present before the Board: Richard Serkey
Tony Stella
Patricia Kells

Mr. Elkallassi states that Mr. Morrison was not present at the last hearing and that there is only a three member board. It was decided that nothing was discussed at the last hearing, it was continued, so Mr. Morrison can listen on the matter.

The contractor had accidentally cleared too much of the lot and the Conservation Commission has approved a planting plan by the applicant to replace the plantings that were mistakenly removed. The Conservation Commission has approved the remainder of the work.

Mr. Rowley had a question about the surface of the parking lot. Mr. Stella states that the grades are relatively flat and the material used in the area that was filled on the site is relatively stable. It is a granular material.

The Board discusses the situation and feels that the use for the property has not changed and therefore does not require a Special Permit.

The meeting is continued.

MOTION: Motion was made to continue until October 10, 2018. Motion seconded.

VOTE: (4-0-0)

C. #23-18 – Anthony Grosso – 1 Raye Avenue

Present before the Board: No one is present at this time.

The applicant has requested a continuance.

MOTION: Motion made to continue until October 10, 2018. Motion seconded.

VOTE: (4-0-0)

D. #2-18 – Dakota Partners – 3102 Cranberry Highway

Present before the Board: Peter Freeman

Mr. Freeman states that he is requesting a continuance until September 26, 2018.

MOTION: Mr. Eacobacci moves to approve the extension until September 26, 2018. Mr. Baptiste seconds.

VOTE: (4-0-0)

VI. ANY OTHER BUSINESS/DISCUSSIONS/UPCOMING HEARINGS

A. Correspondence

1. See correspondence sent via email and/or in packets.

B. Upcoming Hearings:

September 26, 2018	#34-18	Variance	Steven Yurasha	9 Jordan Road
October 10, 2018	#35-18	Major Modification	JNJ Holdings	2371 Cranberry Highway

C. Decision Deadlines

40 days after the close of the public hearing	#2-18	Comprehensive Permit	Dakota Properties	3102 Cranberry Highway
60 from close of the public hearing	#4-18	Site Plan Review	Giancola Minot Properties	72 Minot Avenue
Special Permit – 9/11/18; Variance – 9-21-18	#17-18	Special Permit/Variance	RMRM Realty, LLC	3035 Cranberry Highway
October 9, 2018	#23-18	Special	Anthony Grosso	1 Rae Avenue

		Permit/Site Plan Review		
November 30, 2018	#32-18	Variance	Steve Beauchemin	20 Depot Street
November 30, 2018	#33-18	Variance/Appeal	Ninety Six Realty, LLC	Parcel A, Fearing Hill Road

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

VI. ADJOURNMENT

MOTION: Motion made to close the public hearing. Motion seconded.

Date signed: 9-26-2018 VOTE: (4-0-0)

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

Date copy sent to Town Clerk: _____

RECEIVED
233pm JD
OCT 04 2018
TOWN OF WAREHAM
TOWN CLERK