

MINUTES OF MEETING OF WAREHAM ZONING BOARD OF APPEALS

Date of Meeting: Wednesday, September 25, 2019

I. CALL MEETING TO ORDER

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

II. ROLL CALL

Members Present: Nazih Elkallassi, Chairman
Jake Morrison
Jan Kendrick
Robert Haskell, Associate Member
Walter Cruz, Jr., Associate Member

Also Present: Ken Buckland, Town Planner

III. PRELIMINARY BUSINESS

A. Approve meeting minutes: September 11, 2019

MOTION: Mr. Haskell moves to approve the meeting minutes from September 11, 2019. Mr. Elkallassi seconds.

VOTE: (2-0-0)

IV. PUBLIC HEARINGS

A. 38-19 Jacob & Chelsea Lowe– 142 Blackmore Pond Road – Special Permit or Use Variance

Present before the Board: Jacob Lowe – 142 Blackmore Pond Rd., West Wareham
Chelsea Lowe – 142 Blackmore Pond Rd., West Wareham
Charles Purdy – 12 Blackmore Pond Circle

Mr. Lowe mentions that they are seeking to build a mud room and an attached garage with a room over the top of it. He is unsure as to why it has been flagged as an apartment, but the reason there is no direct access into the house is because they had to shorten the width of the garage because of the zoning requirements. He mentions the reason they want the additional room is because his wife owns a photography company on the side she does on the weekends, and she would utilize the space as a home office to entertain clients but they would also be using the additional space as a family room due to the small space they own.

Mr. Cruz believes it came before the board as an accessory apartment because it has a kitchenette and a bathroom within the plans. Ms. Kendrick disagrees, she doesn't think that it is fair to deny someone a permit for something of lawful use based on some unfounded anticipation of what could possibly be done with the space and believes that the Lowe's should be taken for face value that their intention is to use the space as a home office and that a kitchenette in a home office is a suspicious all in itself.

Mr. Elkallassi's mentions his concern of granting this permit is due to future issues if the Lowes were to sell this home. This could be an apartment due to the kitchen.

VI. ANY OTHER BUSINESS/DISCUSSIONS

A. New Member Application, Russell Motto.

Mr. Elkallassi mentions that the Selectmen now require the Applicant to meet with the Board prior to being considered as a member but he did not attend the meeting tonight. Planning Department Assistant to reach out to the Selectmen's Office

B. New application requirements for electronic files.

MOTION: Ms. Kendrick moves to approve the suggestion with the respect to electronic submissions. Mr. Haskell seconds.

VII. STAFF REPORT

VIII. ADJOURNMENT

MOTION: Ms. Kendrick moves to adjourn. Mr. Cruz seconds.

VOTE: (4-0-0)

Date signed: 10-9-2019
Attest: James W. Eacobacci
James Eacobacci, Clerk
WAREHAM ZONING BOARD OF APPEALS

Date copy sent to Town Clerk: _____