

## MINUTES OF MEETING OF WAREHAM ZONING BOARD OF APPEALS

Date of Meeting: Wednesday, October 14, 2020

WAREHAM TOWN CLERK  
2021 FEB 10 PM 2:14

### **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  
Veronica Debonise, member  
Christopher Conti, Associate Member  
Richard Semple, Associate Member

Also Present: Ken Buckland, Town Planner

### **III. PRELIMINARY BUSINESS**

1. Approve meeting minutes: September 9, 2020 & September 23, 2020

**Motion: Mr. Eacobacci moves to approve the meeting minutes for September 9, 2020 and September 23, 2020 as presented. Mr. Semple seconds.**

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

1. 2. 20-19 Coastal Cultivars – 0 Pattersons Brook Road – Request for Minor Modification – Map 89, Lot 1005

Present before the Board: Brian Grady, G.A.F. Engineering, Inc.  
Ben Smith, Coastal Cultivars

Mr. Smith states, he would like to share an update on the project to date. He states that they have started to clear the land and are about to begin work on the cul-de-sac. He also mentions they have met with the water district about coordinating a plan to bring a water line down to the property. They are proceeding fully with the project but have a small request to discuss with the Board but will let Mr. Grady take over. Mr. Grady mentions that the Applicant is proposing to add seven (7) pre-fabricated grow containers to the site. The containers resemble standard 8'x40' storage containers. He adds the Building will not be up and functional so these containers will act as the nursery for the plants to get them started and then transferred over to the greenhouses sometime in May. Mr. Grady brings the Board's attention to the approved Site Plan layout and states nothing has changed other than the location of these grow pods, which will sit behind the building. He states that it is about 400' away from the cul-de-sac. He adds that he believes this is a minor modification.

The Chairman asks the Board for their opinion.

Mr. Conti asks if these containers will be temporary or permanent, and Mr. Smith states they plan to keep them around. Mr. Brady mentions all the security will be in place.

Ms. Debonise does not think storage containers are allowed by right and Mr. Grady stated although they look like one, they do not function that way. She would like to hear what the rest of the Board has to say but thinks it is a major move based on the impact.

The Chairman points out that they should check with the Fire Department.

Mr. Eacobacci states based on the investment, he is unsure it is minor or major but does not think it is the worst thing he has seen. The Chairman states he is ok with it, but would like to see what the Fire Department thinks of it, Mr. Eacobacci agrees. Mr. Elkallassi would also like input from the Building Commissioner. Mr. Semple does not have any questions about it.

Mr. Grady states the Fire Department will have access to such containers and that there is no visual impact. Mr. Buckland emphasizes on the use of the containers and agreed they are prohibited on all zones but these are not being used for storage.

**MOTION: Mr. Eacobacci moves to continue the public hearing until October 28, 2020. Mr. Semple seconds.**

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

#### **IV. PUBLIC HEARINGS**

##### **1. 24-20 April Hughes – Special Permit – 41 Standish Avenue – Map 121, Lot 1580**

Present before the Board: April Hughes – 41 Standish Avenue, E. Wareham  
Frank Westgate – Surveyor, 21 Warren Point Rd

Ms. Hughes is proposing to conduct a pet grooming service at her home. She is only offering simplified services. For example, nail trims, and cat shave-downs. Mr. Conti asks about proposed parking and water usage. Due to simplified services, no water is being used, and parking is in place. Ms. Debonise asks if any animals will be staying overnight, and Ms. Hughes states it will only be an hour or two service. Mr. Semple has no questions.

Present before the Board: John Price – 32 Standish Avenue

Mr. Price is concerned with parking as the road is too narrow. Mr. Elkallassi suggests deepening the parking. There is discussion regarding parking spaces and what can be done to please the neighbors between the Board and Applicants.

Present before the Board: Steve Fluegel – could not understand

Mr. Fluegel is concerned with the noise of the dogs. Mr. Elkallassi states there is not enough room for more than one animal at a time so he personally does not think there will be much of an impact. Ms. Hughes confirms.

Mr. Buckland asks if there will be any signs, and Ms. Hughes states that if anything, maybe just a small sign on the outside. Mr. Elkallassi mentions that she may need a Special Permit and needs to look into it.

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

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

**MOTION: Mr. Eacobacci moves to grant a Special Permit with standard conditions with alterations to the Parking to be submitted in writing to the Building Department. Ms. Debonise seconds.**

VOTE: (5-0-0)

**2. 25-20 Anthony El Khazen – Special Permit – 10 Jordan Road – Map 114, Lot 18**

Present before the Board: Jilian Morton, Esq., 184 Main Street

Mr. Elkallassi adds to the record, he the house to the Applicant not long ago and needs to recuse himself leaving only four members. Ms. Morton states she would like to continue the meeting. Mr. Eacobacci takes over as Chair. Mr. Eacobacci moves to continue the public hearing until October 28, 2020.

**V. CONTINUED PUBLIC HEARINGS**

**1. 21-20 Howard Marcley Jr. – Variance – 10 Thirteenth Street –Map 1, Lot 344**

Present before the Board: Dominic Cammarano, 22 W. Boulevard, Wareham, MA  
Howard Marcley, 40 Williams Street, Beverly, MA

Mr. Elkallassi asks for an update since the last meeting. Mr. Marcley states they have updated the roof so they will be in compliance along with gutters, down spouts and dry wall. Mr. Eacobacci asks about the changes regarding the roof shown on the drawings. According to the Board and Applicant, there was a misunderstanding. Mr. Elkallassi goes into further detail as to what the suggestions are in order to make the neighbors happy based on the prior meeting. Ms. Debonise states it is a high building for the neighborhood. The roof needs to be dropped. Mr. Marcley does not remember and thought he was doing what he was told. Discussion ensued regarding height specifics.

Present Before the Board: Holli Van Nest, 12 Thirteenth Street

Ms. Van Nest states she has a letter from an abutter, Ralph Pickett, 8 Thirteenth Street. She states she is glad the height of the house is addressed as it had been agreed that it would not be any more than 26' high. She reads the letter into the record. The Board discusses. Mr. Marcley will submit final plans to the Planning office.

**MOTION: Mr. Eacobacci moves to continue the public hearing until October 28, 2020. Mr. Semple seconds.**

VOTE: (5-0-0)

**VI. ANY OTHER BUSINESS/DISCUSSIONS**

**VII. ADJOURNMENT**

**Motion: Mr. Eacobacci moves to adjourn. Mr. Conti seconds.**

VOTE: (5-0-0)

Date signed 2-10-2021

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

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