

**Town of Wareham
Zoning Board of Appeals
Minutes – October 26, 2022**

- I. **CALL MEETING TO ORDER:** opened the meeting at 6:30 pm.
- II. **ROLL CALL: Present:** James Eacobacci, Clerk/Acting Chairperson, Mr. Larson, Rick Semple, and Jacob Morrison

Absent: Mr. Nazih Elkallassi, Chair

Mr. Rowley was also in attendance.

III. **PRELIMINARY BUSINESS:**

1. **Approval of Meeting Minutes: 10/12/2022**

- a) Mr. Semple made a motion to accept the minutes as presented and was seconded by Mr. Morrison. The motion passed unanimously. (4-0-0).

Ms. Veronica Debonise walks into the meeting at 6:31 pm.

IV. **CONTINUED PUBLIC HEARINGS:**

1. **30-22 The Family Pantry – Damien’s Place Corp. – Site Plan Review – 242 Marion Road – Map 56, Lot 1000-B**

Mr. Eacobacci stated the applicant asked for a continuance until November 9, 2022. Mr. Morrison made a motion to continue 30-22, The Family Pantry, and was seconded by Mr. Semple. The motion passed unanimously. (5-0-0).

V. **PUBLIC HEARINGS:**

1. **33-22 Jane Rowan – Special Permit and/or Variance – 6 Connehassett Road-Map 52, Lot 31**

Mr. Eacobacci read the advertisement for the record.

For the applicant, the architect was present. He explained that the project was non-conforming due to side setbacks. He said the addition of a roof would not be detrimental to the character or the neighborhood. He said they were turning a flat roof into a peaked roof and that no additional footage is being added.

Mr. Eacobacci asked for questions from the board, but there were none. He then asked if there was any public comment, to which there was none.

Mr. Semple made a motion to close the public hearing and it was seconded by Mr. Morrison. The motion passed unanimously. (5-0-0).

Mr. Morrison made a motion to grant the variance and it was seconded by Ms. DeBonise. The motion passed unanimously. (5-0-0).

2. 34-22 Harold & Amy Wolfson – Variance – 10 Admiral’s Way – Map 2, Lot 79

Mr. Eacobacci read the advertisement in for the record as seeking a variance as they are proposing to construct an addition on the North side of the property.

The architect was present for the applicant. She explained they were seeking a variance for floor area ratio (F.A.R), which the requirement is 25% and they are currently at 38.9%. She said they wanted to use a gable roof dormer to create an additional bedroom on the second floor, and a bathroom, to better utilize the second floor. She said the home would then be a 3-bedroom, 2-bath home. She explained the existing stairwell will be eliminated and reconstructed into an interior staircase, extending the porch as well as elevating the front of the house.

She also said the current square footage on the first floor is 1,000 sq feet, and they would be adding 182 sq feet to it.

Ms. DeBonise stated that similar projects have come before them, and she has an issue with the overage of the F.A.R. because of the ability to be a two-family dwelling in that district in the future by right. Ms. DeBonise asked if the applicants would be opposed to adding a deed restriction that the house can only remain a single-family dwelling.

Owner, Harold Wolfson was present and stated he was fine with it remaining a single-family dwelling via a deed restriction.

Mr. Eacobacci asked for public comment, but there were none.

Mr. Morrison made a motion to close the public hearing which was seconded by Mr. Semple. The motion passed unanimously. (5-0-0).

Ms. DeBonise made a motion to approve 34-22, 10 Admiral’s Way with the standard conditions, as well as a special condition that a deed restriction is included and recorded at the registry, to never be converted to two family dwelling. The motion was seconded by Mr. Semple and passed unanimously.

3. 35-22 Nazih B. Elkallassi – Variance/Special Permit & Site Review – 434 Main Street – Map 61, Lot 1057

Mr. Eacobacci read the advertisement for the record for a variance and 2 Special Permits and site review to raze a single-family dwelling to construct a 9-family townhouse.

Engineer, Mr. Brian Grady from G.A.F. Engineering was present. Mr. Grady said he spoke to Mr. Rowley late this afternoon who emailed his review. Mr. Grady said he didn’t have the option to review it as of yet.

Mr. Grady said there were no full architectural plans for the nine townhomes as of yet. He explained what was submitted was the duplex plans but asked them to picture that there will be nine attached. He also passed out a rendering of a five-unit for a better visual.

Mr. Grady explained the letter from the Building Commissioner, Mr. Moore, who was interim at the time of the review. He said the property was in the Wareham Village 2 District. He said at this time

they exceed building coverage and with more than five units it triggers the Special Permit, as well as the Special Permit for parking spaces.

Mr. Grady reviewed the one-bay garage on all units with a parking space. He also reviewed the landscaping easement that would occur in the back of the property. He said the ANR has been completed, however, they cannot move the lot lines until they get the easement approved.

Mr. Eacobacci asked for further explanation of the landscaping easement in the rear.

Ms. DeBonise also asked what lot the easement belonged to.

Mr. Grady explained the easement was in the rear with the three lots, which was granting the easement to the one lot in the front.

Mr. Grady stated the easement on the duplex lots would benefit the current lot on Main Street. He said this would give the townhouse project a bigger backyard that the townhouse residents could use. He said it would be a restricted easement.

Mr. Eacobacci said he was not opposed to the easement, however, thinks it needs to be recorded in the registry as irrevocable.

Board members had no additional questions at this time. This hearing would be continued.

Mr. Eacobacci said he spoke to Mr. Elkallassi about the project, and he likes the idea of four 2-Family townhouses versus nine units in 1 long building. He said it appears as a massive structure. He also said they discussed the possibility of eight units, versus one big, long building. He said he believes it would be looking more like the village it's in.

Mr. Morrison agreed that eight or nine would be more massive regardless and he said what should go there is what fits.

Mr. Semple asked about the lots going front to back in that area. He said he agrees that road housing is taking away from Wareham village look. Ms. DeBonise said she is also in agreeance with what is being said.

Mr. Eacobacci opened it up for public comment.

John Keating, who is the neighbor on both sides, owning 259 High Street as well as 18 Howland Road was present. Mr. Keating said he was opposed to having the front house razed. He said the front house is an old, historic home and in good shape and he didn't agree with it being knocked down.

Ms. DeBonise said the historical society agreed that the house can be razed and that has nothing to do with the variance or special permit in front of this board.

Mr. Keating said he didn't see it as a hardship or a unique piece of property and didn't know how it could pass through this board.

Mr. Russell Motto was present and first stated he was in attendance as an interested party to join the Zoning Board. He said if he was on the board, he would say that this project is not detrimental to

the neighborhood; although he does believe that this is astronomical for the area and a bit excessive for a nine-dwelling townhouse.

Ms. DeBonise said she wondered how the ownership was going to happen. She said she has lived in Wareham all her life and as much as she would like to see more housing units in Wareham and more changes to the village for those units; she also said she understands what the neighbors are saying, and she is not sure the variance is going to go through as it is.

Mr. Grady stated the project may change, perhaps a continuation is in order.

Ms. DeBonise said she, would like to see more landscaping and open space to remain. She asked if the project can be built going up instead of long.

Mr. Semple made a motion to continue to November 9, 2022 and was seconded by Ms. Debonise. The motion passed unanimously.

VI. ANY OTHER BUSINESS/DISCUSSIONS:

In other business, Russell Motto introduced himself to the board and explained that he wanted to volunteer and felt being on this board would be a good fit. He said he studied real estate law and has a variety of knowledge.

Mr. Eacobacci explained the board members' roles. Five members with two alternatives. Mr. Morrison said he thinks he would be great fit for the board. Mr. Eacobacci stated that the Selectboard is the one that appoints the members. He said his application would need to go in front of the Selectboard.

Ms. DeBonise said she was reading the Dos Amigos deadline is October 29, 2022 and wondered why it hasn't been updated for 12 Larch Street. The board discussed making sure that the Zoning office is aware that the applicant has continually asked for a continuance. Mr. Eacobacci stated he would speak to Ms. Sonia on Thursday, October 27, 2022.

Mr. Larson made a motion to adjourn which was seconded by Mr. Semple. The motion passed unanimously. (5-0-0).

Date signed: 11-9-2022

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

Date copy sent to Town Clerk: _____