**MINUTES OF MEETING OF WAREHAM ZONING BOARD OF APPEALS**

**Date of Meeting: March 13, 2019**

1. **CALL MEETING TO ORDER**

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

1. **ROLL CALL**

Members Present: Nazih Elkallassi, Chairman

Jim Eacobacci, Clerk

Jake Morrison

Veronica Debonise

Robert Haskell, Associate

Also present: Kenneth Buckland, Town Planner (7:12)

Charles Rowley, Town Review Engineer

1. **PRELIMINARY BUSINESS**
2. **Approve meeting minutes: February 27, 2019**

**MOTION: Mr. Eacobacci moves to approve the minutes as presented. Mr. Haskell seconds.**

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

1. **1-18 – J. Donegan Wareham Marketplace – 2419 & 2427 Cranberry Highway & Seth F. Tobey Road**

Present before the Board: Zachary Richards, Bohler Engineering

Mr. Richards is presenting the most recent development at Wareham Marketplace. Mr. Richards is requesting an increase in building “C2” from 7,200 s.f. to 9,000 s.f. A portion of the parking had to be removed to accommodate the increase in the building size, but they still exceed the required number of parking spaces on site.

Mr. Haskell and Ms. Debonise feel this is a major modification. Mr. Eacobacci and Mr. Morrison feel this is a minor modification.

Mr. Rowley is concerned with the area of the loading dock, which was discussed and approved at the initial hearing. Mr. Rowley is concerned there is not enough space between the extended corner of the building and the road. Mr. Richard’s states there should be 30 feet between the building and the road.

Mr. Rowley states it might be beneficial to stripe the area for the loading dock.

Mr. Rowley is concerned with the signage and architecture of the building. Mr. Rowley is concerned with the removal of the landscaping and would like to see that replaced somewhere on the plan.

**MOTION: Mr. Eacobacci moves to approve this project as a minor modification. Mr. Morrison seconds.**

**VOTE: (4-0-1) Mr. Elkallassi abstains**

Mr. Elkallassi states he would like to see Mr. Rowley’s concerns addressed with a revised plans for approval of the minor modification.

**MOTION: Mr. Eacobacci moves to continue the public hearing until March 27, 2019. Mr. Morrison seconds.**

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

1. **PUBLIC HEARINGS**
2. **7-19 – Cally Wolk – 15 Howard Street**

Present before the Board: Denise Wolk

The applicant would like to increase the building height 18-20 inches in order to accommodate a second floor and dormers in order to live in the home full time. An engineer has looked at the existing foundation, which may need to be sistered in certain areas but will hold the new construction.

Present before the Board: Mr. Wise

Mr. Wise is in support of this project being completed.

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

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

**MOTION: Mr. Eacobacci moves this application is a Special Permit under Article 13 Section 1461. Ms. Debonise seconds.**

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

**MOTION: Mr. Eacobacci moves to approve the project as presented per the submitted plans and with the standard conditions. Ms. Debonise seconds.**

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

1. **CONTINUED PUBLIC HEARINGS**
2. **1-19 – Jessica Nassif – 34 Hammond Street – Continue until April 24, 2019**

**MOTION: Mr. Eacobacci moves to continue the public hearing until April 24, 2019. Motion is seconded.**

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

1. **4-19 – LDE Holdings – 6 Thacher Lane**

Present before the Board: Jessie Pitts, LDE Holdings

William Madden, G.A.F. Engineering, Inc.

Mr. Madden has made changes to the project per the peer review from Mr. Rowley. Not all of these items were met 100% satisfactorily. Mr. Madden would like to address Mr. Rowley’s review letter.

Mr. Elkallassi asks Mr. Rowley if the two foot separation between groundwater and drainage is mandated or recommended. Mr. Rowley states it is not mandated, but without that two-foot separation there is capillary action and the groundwater rises even further, which disrupts the drainage system. The six-inch layer of stone is within the two-foot separation.

Mr. Elkallassi asks if they are increasing the paved area on the site. Mr. Madden states they are not expanding the parking area. Mr. Elkallassi states he is unsure how they can force them into compliance when the parking lot is existing and is not being expanded.

Mr. Madden states they are required to comply with stormwater management to the best extent practicable. Mr. Madden feels the proposed stormwater meets that standard. Mr. Madden states that their roof drainage is included in their stormwater infiltration system and as such believes that they meet the stormwater standards. This permit has been granted through Conservation.

Discussion ensues regarding the stormwater drainage.

Mr. Elkallassi feels that it would be reasonable to not vote on the addition at this time, and feels that there should be a one-year review on this decision in order to review the request for the building addition to ensure they don’t require that as additional parking space.

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

**VOTE: (4-0-0)**

**MOTION: Mr. Eacobacci moves to approve the project as presented, with the condition that the applicant return before the Board for review before the construction of the addition and return before the Board before the installation of the site drainage. Mr. Haskell seconds.**

**VOTE: (4-0-0)**

1. **ANY OTHER BUSINESS/DISCUSSIONS**
2. **Correspondence**

The Board of Appeals has an application from Walter Cruz to sit on the Zoning Board of Appeals as an Associate Member. Mr. Elkallassi requests a vote for recommendation.

**MOTION: The Board votes unanimously to recommend Walter Cruz as an Associate Member.**

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

**Upcoming Hearings:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **April 24, 2019** | **#23-18** | **Special Permit/Site Plan Review** | **Anthony Grosso** | **1 Rae Avenue** |
| **April 24, 2019** | **May 22, 2019** | **#1-19** | **Special Permit/Variance** | **Jessica Nassif** |

**Decision Deadlines**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **May 8, 2019** | **#23-18** | **Special Permit/Site Plan Review** | **Anthony Grosso** | **1 Rae Avenue** |
| **May 22, 2019** | **#1-19** | **Special Permit/Variance** | **Jessica Nassif** | **34 Hammond Street** |

1. **STAFF REPORT**
2. **Board Roles and Responsibilities**
3. **NEW BUSINESS (This time is reserved for topics that the Chairman did not reasonably anticipate.**

**VI. ADJOURNMENT**

**MOTION: Mr. Eacobacci moves to adjourn. Motion is seconded.**

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

Date signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

James Eacobacci, Clerk

WAREHAM ZONING BOARD OF APPEALS

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