

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

**Date of Meeting:     October 28, 2015**

**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  
                           Wilma Engerman  
                           Karl Baptiste  
                           Jan Kendrick  
                           Tim Lydon, Associate Member

**III.   PRELIMINARY BUSINESS**

**A. Approval of meeting minutes: August 26, 2015.**

**MOTION:**    A motion was made & seconded to approve the meeting minutes of August 26, 2015.

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

**B. Discussion: Minor modification re: Next Sun Energy.**

Discussion ensued re: the proposed minor modifications being proposed by Next Sun Energy. After discussion, the Board concurred that some of the modifications are major, such as the poles. Thus, the Board determined that the changes proposed by Next Sun Energy are major modifications to the project.

**C. Announcement: November meeting schedule.**

The Board announced that November 18, 2015 will be the only ZBA meeting date in November due to holidays. Further, it was also stated that the only date the ZBA will be meeting in December will be December 9, 2015.

**IV.    PUBLIC HEARINGS**

**A. Petition #20-15 – Industrial Tower & Wireless – 242 Marion Road.**

Present before the Board:     Representatives for Industrial Tower & Wireless

The Board proceeded to review & discuss the application for a Special Permit to construct a cell communication tower at 242 Marion Road.

The Building Inspector's letter, dated September 24, 2015 states that the property located at 242 Marion Road is in an MR30 zone. The proposed use, a cell communication tower over 40' is allowed only by a Special Permit per section 321 of the Town's Zoning Bylaws.

Discussion continued. It was noted that that tower complies w/ the fall-zone requirement. The Board discussed a condition that no further subdivision of the lot to be done during the tenure of the cell tower.

One letter was entered into the record from an abutter w/ questions & no objections. No-one else came forward to speak in opposition. One abutter/owner came forward in favor of the project.

**MOTION:** A motion was made & seconded to grant a Special Permit to Petition #20-15 – Industrial Tower & Wireless – 242 Marion Road to construct a cell communication tower based on the following:

- There were no objections from neighbors or abutters;
- The tower complies with fall-zone requirement;
- The tower will serve to provide improved cellular service to the community; an further, the Special Permit is granted with the following conditions:
  
- No further subdivision of the lot to be done during the tenure of the cell communication tower.

**VOTE: (4-1-0)**  
**Ms. Engerman opposed**

**V. CONTINUED PUBLIC HEARINGS**

There were no continued public hearings scheduled.

**VI. ANY OTHER BUSINESS/DISCUSSIONS/UPCOMING HEARINGS**

**A. Correspondence.**

1. See correspondence in packets or sent via email.

**B. Upcoming hearings.**

1. November 18, 2015 – Petition #21-15 – Matthew & Kathleen Shannon – 1 Wareham Lake Shores Drive.

**VII. NEW BUSINESS**

There was no New Business.

**VIII. ADJOURNMENT**

**MOTION:** A motion was made & seconded to adjourn the meeting.

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

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

11/18/2015

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

Jim Eacobacci, Clerk

WAREHAM ZONING BOARD OF APPEALS

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

11/19/15