

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

**Date of Meeting: March 23, 2016**

### **I. CALL MEETING TO ORDER**

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

### **II. ROLL CALL**

Members Present: James Eacobacci, Chairman Pro-Tem  
Wilma Engerman  
Karl Baptiste  
Jan Kendrick

Members Absent: Nazih Elkallassi  
Tim Lydon, Associate Member

### **III. PRELIMINARY BUSINESS**

#### **A. Approval of meeting minutes: May 13, 2015, May 27, 2015, & December 9, 2015**

**MOTION: A motion was made & seconded to approve the meeting minutes of May 13, 2015, May 27, 2015, & December 9, 2015.**

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

It was stated that Mr. Eacobacci will sign the minutes in lieu of Mr. Elkallassi's absence.

#### **B. Discussion re: modifications relative to Rosebrook Place, c/o A.D. Makepeace Co.**

There was no discussion.

### **IV. PUBLIC HEARINGS**

#### **A. Petition #12-16 – Matthew & Kathleen Shannon – 1 Wareham Lake Shores Drive *\*\*(Applicant has requested a continuance to April 13, 2016)\*\****

**MOTION: A motion was made & seconded to continue the public hearing for Petition #12-16 – Matthew & Kathleen Shannon – 1 Wareham Lake Shores Drive to April 13, 2016.**

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

#### **B. Petition #13-16 – Alan R. Hesse – 11 Broadmarsh Avenue**

Present before the Board: Brian Grady, G.A.F. Engineering, Inc.

Mr. Grady explained the petitioner is proposing to raze an existing dwelling and construct a new modular home at the above referenced property in an R-30 zoning district.

According to the Building Commissioner's letter dated January 14, 2016, the new structure will meet all required setbacks & the living space will be above the flood elevation, but due to the fact that it is a legal non-conforming lot due to land space, a Special Permit is required.

Mr. Grady acknowledged the lot is a non-conforming lot & he stated the petitioner is requesting a Variance.

**MOTION: A motion was made and seconded to grant a Special Permit for Petition #13-16 – Alan Hesse - 11 Broadmarsh Avenue.**

**VOTE: (3-1-0)**

Discussion ensued re: a Special Permit of a Variance for this project. It was agreed upon that a Variance cannot be granted without a unanimous decision from the Board. Mr. Eacobacci suggested withdrawing the motions & continuing the hearing.

**MOTION: A motion was made and seconded to withdraw the motions to grant a Special Permit.**

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

**MOTION: A motion was made & seconded to continue the public hearing for Petition #13-16 – Alan Hesse – 11 Broadmarsh Avenue to April 13, 2016.**

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

**V. CONTINUED PUBLIC HEARINGS**

**A. Petition #9-16 – Strategic Holdings, LLC – 83 Sandwich Road**

Present before the Board:       The petitioner

The petitioner explained he is proposing to store snow plows on the property in a residential area as well as storing mulch. The Board informed the petitioner that he would need a business permit to sell anything on the property.

Mr. Eacobacci expressed concern re: plows being on the site due to contamination of the soil from oil and gasoline leakage. He also expressed concern re: the lack of sewer or restrooms on the site which he feels is an issue. He stated he would have no issues with using the site for storage only, but he wants to make sure no sales of any kind will be taking place on the property.

**MOTION: A motion was made and seconded to grant a Variance for Petition #09-16 – Strategic Holdings, LLC – 83 Sandwich Road.**

**VOTE: (3-1-0)**

The petitioner asked if the Board could extend the same courtesy to him as they just did to the previous applicant & rescind their vote and continue the public hearing.

**MOTION: A motion was made and seconded to withdraw the motions to grant a Variance for Petition #09-16 – Strategic Holdings, LLC – 83 Sandwich Road & to continue the public hearing to April 27, 2016.**

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

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

**A. Correspondence**

1. See correspondence sent via email and/or in packets.

**B. Upcoming Hearings**

April 13, 2016	Petition #12-16 (Cont'd.)	Matthew & Kathleen Shannon	1 Wareham Lake Shores Drive
April 13, 2016	Petition #11-16 (Cont'd.)	Anibal Barroso	3251 Cranberry Highway
April 13, 2016	Petition #14-16	Michael & Linda Mandela	4 Greene Street

**VII. NEW BUSINESS (This time is reserved for topics that the Chairman did not reasonably anticipate.**

**VIII. ADJOURNMENT**

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

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

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

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

James Eacobacci, Clerk

WAREHAM ZONING BOARD OF APPEALS

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