

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

**Date of Meeting: February 14, 2018**

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

The meeting was called to order at 6:35 P.M.

### **II. ROLL CALL**

Members Present: Nazih Elkallassi, Chairman  
Jim Eacobacci, Clerk  
Karl Baptiste, Sr.  
Jan Kendrick  
Wilma Engerman

Also present: Ken Buckland  
David Riquinha, Building Commissioner

### **I. III. PRELIMINARY BUSINESS**

#### **A. Approve meeting minutes: January 24, 2018**

**MOTION:** Mr. Eacobacci moves to approve the minutes of January 24, 2018 as presented. Mr. Baptiste seconds.

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

#### **B. Request for minor modification – Tesla Charging Station – 2421 Cranberry Highway**

Present before the Board: Trevor Smith, Tesla Motors

Mr. Smith states that he has the construction drawings with him for the proposed Tesla Charging station in Wareham Crossing. Tesla is looking to install a level three fast-charging stations with twelve charge posts. This station is designed to enable drivers with Tesla vehicles to take their cars on long car trips. The standard Tesla has 250-300 miles of range. The average charge time is about 35 minutes to replenish 85% of the battery at the proposed charge station. The site is on the outermost parking area near Home Goods. Mr. Elkallassi asks if this is for any electric car or only Tesla. Mr. Smith states this is only for Tesla cars. Mr. Elkallassi asks if Mr. Smith has a copy of the agreement from the property owner. Mr. Smith states there is an agreement in place, there is an affidavit, but he does not have it with him presently. Mr. Elkallassi asks if he could send a copy of the affidavit. Mr. Baptiste asks if the charging stations are gated. Mr. Smith states that the utilities are enclosed. Mr. Baptiste asks how high the enclosure is. Mr. Smith states it is 8' high and it is a 10'x10' area. Mr. Smith states they are requesting twelve posts to handle future growth.

Mr. Elkallassi asks Mr. Riquinha if he had a chance to review the plan. Mr. Riquinha states that he has and has no concerns.

Ms. Engerman states she is concerned with the height of the enclosure. Mr. Smith states that the enclosure is no higher than a typical trash enclosure. Ms. Engerman states she believes people won't be able to see around the enclosure and it may cause confusion. Mr. Smith states that the enclosures are very common with their super charger stations and they have not had any issues related to the enclosures at any of their other sites. Ms. Engerman states that in Wareham a fence cannot be over 6 feet. Mr. Elkallassi asks Mr. Smith if the fence could be 6 feet or if that is not feasible. Mr. Smith states 6 feet is too short, you could see some of the utilities and it looks messy. Ms. Engerman asks if there is going to be signage on the site that states this is where you charge your car. Mr. Smith states that Tesla cars have navigation embedded in them that will provide access points to the charging locations.

Mr. Elkallassi asks Mr. Riquinha if a Variance is required for an 8' fence. Mr. Riquinha states it does not require a Variance.

Mr. Smith states there is a mass market car that is out that is the emphasis to install more charging stations as these cars are more available to the public.

Mr. Eacobacci states he is happy to have a Tesla charging station in Wareham. Mr. Elkallassi asks Mr. Smith if the charging station will be on the grassy area between Red Robin and the walk-in clinic. Mr. Smith states that the charging stations will be to the right of that, they will not be up against any of the buildings.

Present before the Board: Alan Slavin

Mr. Slavin states he feels this is good for the Town to put Wareham and the location is ideal to allow people to access Wareham Crossing while they are waiting for their cars to charge.

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

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

**MOTION: Mr. Eacobacci moves to grant a minor modification that is in keeping with the plans that have been presented at the hearing with standard conditions. Ms. Kendrick seconds.**

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

## **II. PUBLIC HEARINGS**

## **III. CONTINUED PUBLIC HEARINGS**

### **B. 46-17 – Ramos Realty Trust – 300 Glen Charlie Road**

At the last hearing the Board had requested that the applicant obtain an architect stamp. The applicant is asking if the Board is looking for a plot plan, or an architectural plan. Mr. Elkallassi states he needs a plot plan and architectural plans.

**MOTION:** Mr. Eacobacci moves to continue the public hearing until February 28, 2018. Ms. Kendrick seconds.

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

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

**A. Correspondence**

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

The remand has been signed from a previous issue before the Board and the owner will be returning before the Board.

2. Informal discussion for home conversion – 4 Depot Street – Paul Bisceglia

Mr. Buckland states that this is sensitive as the Board cannot hear an application before it is submitted but the applicant would like the opinion of the Board.

Mr. Bisceglia states that he was before the Board two years ago and that the Board had stated they wanted to see a single-family use. Mr. Bisceglia states that currently there are 2 adults and 6 children occupying the house, but the Building Commissioner had stated it would require a substantial amount of relief to turn the building into a single family home. The building was a nursing home, and was previously proposed to be a home for battered women, and the applicant was denied. Now Mr. Bisceglia is looking to turn the house into a single-family home as previously recommended. Mr. Elkallassi asks if the applicant has spoken with the Building Commissioner. Mr. Bisceglia states he has, he is asking the Board if he should move forward with a group home use or a single-family use for this property.

Present before the Board: Mr. Riquinha

Mr. Riquinha states that the building is in the Commercial Strip Zone and has not been used for two years, so it is an abandoned use and must go before the Board of Appeals to continue a residential use. If the applicant decides on an allowed use in that zone a permit from the Board is not required. Mr. Elkallassi recommends the applicant seek legal advice regarding the property.

**B. Upcoming Hearings:**

<b>February 28, 2018</b>	<b>#31-17</b>	<b>Site Plan Review</b>	<b>J. Donegan</b>	<b>2419 &amp; 2417 Cranberry Highway and Seth F. Tobey Road</b>
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February 28, 2018	#2-18	Comprehensive Permit	Dakota Properties	3102 Cranberry Highway
May 9, 2018	#1-18	Use Variance	J. Donegan	2419 & 2417 Cranberry Highway and Seth F. Tobey Road

**C. Decision Deadlines**

60 Days from Close of Public Hearing	#31-17	Site Plan Review	J. Donegan Company	2419 & 2427 Cranberry Highway and 4 Seth F. Tobey Road
Special Permit – March 13, 2018 Variance – March 23, 2018	#46-17	Special Permit/Variance	Ramos Realty Trust	300 Glen Charlie Road
Variance – April 20, 2018	#1-18	Variance	J Donegan Company	2419 & 2417 Cranberry Highway and 4 Seth F. Tobey Road

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

**1. 40B Process and procedures session**

Mr. Buckland states that there will be a technical assistant coming in to give the Board the run-down of the process and procedures, and they will be following along with the project review as well. There is an initial session either next week or the Monday after. Mr. Buckland states he will also send around the 40B Handbook to the Board. Mr. Buckland asks the Board what day they would like to have the informational session. The Board agrees to meet on the 21 in the Town Hall at 6:30.

**VI. ADJOURNMENT**

**MOTION:** Mr. Eacobacci moves to adjourn. Ms. Kendrick seconds.

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

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

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

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

RECEIVED

MAR 01 2018

TOWN OF WAREHAM  
TOWN CLERK