



TOWN of WAREHAM

Board of Selectmen/Sewer Commissioners

MEETING AGENDA

7:00 PM – Room #320 Multi-Service Center, 48 Marion Road, Wareham Massachusetts

I. CALL TO ORDER BY CHAIRMAN

II. ROLL CALL

III. CITIZEN PARTICIPATION

IV. ANNOUNCEMENTS

V. CONSENT AGENDA

A. Authorization to sign bills and documents, etc.

B. Appointment/interview applicants for boards, committees, commissions:

i. Board of Health

C. Approve meeting minutes of previous sessions: September 6, 2007

VI. LICENSES & PERMITS

A. Application for change of manager/officer: RARE Hospitality International, Inc. dba LongHorn Steakhouse, 2421 Cranberry Highway, Suite 480, Wareham Crossing, Wareham, from Richard Paul Ciulla to Patricia Marie Garcelon, under the provisions of MGL c. 138.

B. Application for change of manager: Vel's, Inc. dba Vel's Restaurant, 2352 Cranberry Highway, West Wareham, from Ethel Bump to Carlton Bump, under the provisions of MGL c. 138.

VII. TOWN ADMINISTRATOR REPORT

VIII. SEWER BUSINESS

IX. TOWN BUSINESS

A. Discussion of zoning article submitted by Mr. Gabriel.

B. Certificate for William Delaney

C. Any other town business.

X. SELECTMEN REPORTS

XI. ADJOURNMENT

XII. SIGNING OF DOCUMENTS APPROVED BY THE BOARD

MINUTES OF MEETING OF SELECTMEN/SEWER COMMISSIONERS

Date of Meeting: September 18, 2007

Date of Transcription: September 19, 2007

Transcribed by: Janet Wilson

I CALL MEETING TO ORDER BY CHAIRMAN

Chairman Eckstrom called the meeting to order at 7:00 P.M.

II ROLL CALL

Selectmen Present: Brenda Eckstrom, Chairman
Jim Potter, Clerk
Bruce Sauvageau
John Cronan
Jane Donahue

Also Present: John F. McAuliffe, Town Administrator

III CITIZENS PARTICIPATION

None

IV ANNOUNCEMENTS

- A. Onset Community Meeting at the VFW September 24, 2007 @ 7:00 P.M.
to discuss safety and different issues
- B. Community Events Fund Legislation hearing will be at held the State
house on September 19, 2007
- C. Senator Pacheco will be in Wareham on September 27, 2007 @ 7:00 PM
at the Wareham Town Hall Cafeteria sponsored by the Wareham Land
Trust to discuss Global Warming

V CONSENT AGENDA

- A. Authorization to sign bills and documents, etc.
(NONE)

- B. Interview/appoint applicants before boards, committees, commissions:
Board of Health.

Present before the Board: Guy S. Campinha, Sr.

Mr. Campinha discussed his work experience at the Wastewater Treatment plant in Raynham, MA and his work on Title 5 inspections. Mr. Campinha stated that if he were to be on the Board of Health he would not do any inspections in the Town of Wareham due to a possible Conflict of Interest.

Selectman Sauvageau stated that something would need to be in writing that no business would be done in the Town of Wareham that he would not be involved in any business if he was to serve on the Board of Health. Selectman Sauvageau stated that Mr. Campinha would need to file a letter with the Town Clerk's office. Mr. Campinha will type a letter and submit to the board for approval before submitting before the Town Clerk.

Selectman Donahue thanked Mr. Campinha for his willingness to serve for the community.

Selectman Eckstrom stated that they have two other candidates for the opening on the Board of Health and the board will be making a decision at their next meeting.

- C. Approval of meeting minutes of previous session meeting: September 6, 2007

MOTION: Selectman Potter moved the board to approve meeting minutes of September 6, 2007. Selectman Donahue seconded.

VOTE: Unanimous (5-0-0)

VI LICENSES & PERMITS

- A. Application for change of manager/officer: RARE Hospitality International, Inc. dba LongHorn Steakhouse, 2421 Cranberry Highway, Suite 480, Wareham Crossing, Wareham from Richard Paul Ciulla to Patricia Marie Garcelon under the provisions of MGL c. 138.

Present before the Board: Barry Gerstein, Attorney & Patricia Marie Garcelon

MOTION: Selectman Potter moved the board to approve the change of manager RARE. Hospitality International, Inc. dba LongHorn Steakhouse, 2421 Cranberry Highway, Suite 480, Wareham Crossing, Wareham from Richard Paul Ciulla to Patricia Marie Garcelon under the provisions of MGL c. 138. Selectman Donahue seconded.

VOTE: Unanimous (5-0-0)

MOTION: Selectman Potter moved the board to approve for the change of officer as Secretary to Cathy Denise Hampton, 1376 Eastgate Court, Atlanta, GA 30316. Selectman Donahue seconded.

VOTE: Unanimous (5-0-0)

- B. Application for change for manager: Vel's Inc., dba Vel's Restaurant, 2352 Cranberry Highway, W. Wareham, from Ethel Bump to Carlton Bump under the provisions of MGL c. 138.

Present before the Board: Carlton Bump

MOTION: Selectman Potter moved the board to approve the application for change of manager at Vel's Inc., dba Vel's Restaurant, 2352 Cranberry Highway, W. Wareham, from Ethel Bump to Carlton Bump under the provisions of MGL c. 138. Selectman Donahue seconded.

VOTE: Unanimous (5-0-0)

VII TOWN ADMINISTRATOR REPORT

1. Establishing Shellfish Management Area #3 – Long Beach

Present before the Board – Michael Parola, Harbormaster asking the board to approve the closing of Long Beach to shell fishing in order to allow propagation of the area. Mr. Parola said they have found bloodworms and also have a problem with Asian crabs.

MOTION: Selectman Potter moved the board to approve, under the provisions of Massachusetts General Law, Chapter 130, Section 54, changing the status of "The waters and flats of that portion of the Wareham River, north of a line drawn from the sign on the beach at 67 Towhee Road to Red Nun Buoy 12 to the sign on the beach at 53 Long Beach Road, encompassing Long Beach Point," to "**CLOSED**" to prohibit the taking of shellfish, effective October 1, 2007. This area shall be established as Shellfish Management Area #3 – Long Beach. Selectman Cronan seconded.

VOTE: Unanimous (5-0-0)

2. Authority to File and Certifying Authority to File

The Board is asked to approve the Town Administrator as the authority for filing in order that he may act as the Board's agent in filing applications relative to sewer issues concerning the Agawam Beach, Cromesett Park, Linwood/Ladd Avenues, Mayflower Ridge, Oakdale, Parkwood Beach and Tempest Knob Areas Sewer Projects. The Town Clerk needs to certify that the Board duly voted this authority and that I am holding the position of Town Administrator.

MOTION: Selectmen Potter moved the board to approve the *Authority to File and Certifying Authority to File*, which authorizes the Town Administrator to act on behalf of the Town as the Board's agent in filing applications for, executing agreements regarding, and performing any and all other actions necessary to secure for the Town such loans for construction or planning of Water Pollution Abatement Projects as may be made available to the Applicant pursuant to the provisions of the Massachusetts Clean Waters Act (M.G.L. c. 21, section 27-33E, inclusive, as amended) and the Water Pollution Abatement Revolving Loan Program, (M.G.L. c. 29C) for the following project: Agawam Beach, Cromesett Park, Linwood/Ladd Avenues, Mayflower Ridge, Oakdale, Parkwood Beach and Tempest Knob Areas Sewer Projects. A letter also needs to be sent to the Massachusetts DEP along with these documents, a copy of which is attached. Selectman Cronan seconded.

VOTE: Unanimous (5-0-0)

MOTION: Selectmen Potter moved the board to approve the *Authority to File and Certifying Authority to File*, which authorizes the Town Administrator to act on behalf of the Town as the Board's agent in filing applications for, executing agreements regarding, and performing any and all other actions necessary to secure for the Town such loans for construction or planning of Water Pollution Abatement Projects as may be made available to the Applicant pursuant to the provisions of the Massachusetts Clean Waters Act (M.G.L. c 21, section 27-33E, inclusive, as amended) and the Water Pollution Abatement Revolving Loan Program (M.G.L. c. 29C) for the following project: Rose Point and Briarwood Beach/Beaver Dam Estates Sewer Project. A letter also needs to be sent to the Massachusetts DEP along with these documents, a copy of which is attached. Selectman Donahue seconded

VOTE: Unanimous (5-0-0)

Town Administrator met with the following Department Heads this week: CEDA Director, Director of Senior and Social Services also with the Board of Health Agent and the Town Planner. Town Administrator also met and Nancy Miller from the Community Preservation Committee. Town Administrator also had a meeting with Kevin Walsh from the Group Benefit Strategies. Selectmen Sauvageau asked to have Mr. Walsh

attend one of the Board of Selectmen's Meetings. Selectmen Eckstrom suggested having a workshop meeting with both Finance Committee and Mr. Walsh. Mr. McAuliffe thanked the Garden Club for inviting him to one of their meetings. A meeting will be held on Monday September 24th for the Onset Bathhouse painting project and he will be attending the meeting along with Selectman Potter. The Occupancy permit was issued for the Oak Grove School.

IX TOWN BUSINESS

Present before the board Chris Gabriel (Mr. Chris Hair Salon) and Attorney Peter Teitelbaum

A. Discussion of zoning article submitted by Mr. Gabriel

Article #40

To see if the Town will vote to rescind the action taken on Article 34 of the April 23, 2007 Annual Town Meeting, accepting the amendments to the Wareham Zoning Map, dated June 12, 2006, by changing the commercial strip CS (from east of I-95 to the present boundary of Wareham Village II) and changing the Appendix 1 Boundaries of Districts of the Zoning By-laws by removing portions of the old strip Commercial District; and further, by amending the Wareham Zoning Map, dated July 17, 2007, by reversing the Commercial General CG (from east of I-95 to the present boundary of Wareham Village II) back to Strip Commercial CS and changing Appendix 1 Boundaries of Districts of the Zoning By-laws back to its original text prior to the May 14, 2007 vote of Town Meeting.

Mr. Gabriel stated that other property owners are also in attendance. Attorney Teitelbaum said that he picked up a copy of the corrected zoning by-laws with the use-tables. Selectman Sauvageau said that he agrees with the article and is in support of it. Selectman Cronan said that he also agrees with Mr. Gabriel and in support to the article. Selectman Potter said that he is not in support of this article because the Commercial Strip zoning has no design criteria, where the new Commercial General type zoning does. The design criteria provide some controls for the appearance of the properties and Commercial Strip zoning (with no controls) would be exploited with the new mall coming in down the street. Selectman Donahue suggested that Mr. Gabriel combine the best of what he would like to have back as a commercial strip and make it more amendable with some design criteria and have something in place for the Spring Town Meeting. Selectman Eckstrom suggested again that a further study be done and brought back at the Spring Town Meeting. Mr. McAuliffe said that people interested in Article 40 should know what changed from yes to no and they are Hospital, Hospital connected facilities which was allowed and now it's not allowed under the new General Commercial also what changed to special permit to a no was a cemetery. Restaurant drive-in is no longer allowed and commercial recreational facility and other places of

amusement in now disallowed and junkyards and salvage yards were previously allowed with a special permit and now not allowed. Outdoor advertising is no longer allowed. What is now allowed are to have oceanographic and engineering research company and service establishment not involving manufacture on premises and also allowed is to have a Laundromat, Guest house, also with a special permit allowed to have a non-food drive thru establishment, public utility and food and beverage services and accessory uses related to permitted recreational activities also food and beverage services and accessory uses related to permitted motels, hotels and conference centers, by special permit. Also now allowed to have a home occupation, home office of profession or trade conducted by a resident of the premises. A special permit is no longer needed for accessory uses for scientific research, scientific development, or related production activities. Mr. McAuliffe went on to say that there s a lot more additions of uses to the Commercial General type zoning then deletions.

B. Certificate for William Delaney

MOTION: Selectman Potter moved the board to approve a certificate for William D. Delaney (Attached as reference) Selectman Sauvageau seconded.

VOTE: Unanimous (5-0-0)

C. Any other Town Business

Selectman Eckstrom spoke about the letter received from the Town of Walpole regarding the Municipal Coalition for Affordable Housing (MCAH) and they are soliciting members. Selectman Eckstrom would like to serve on this and represent Wareham.

Selectman Potter will do his best to attend the next Onset Bathing Pavilion Committee meeting. Selectman Potter was concerned with the parking for the upcoming Scallop Festival weekend with bus tours from Rhode Island and Connecticut coming to town to drop off people to take a Viking Tour. He suggested that Mr. McAuliffe follow up with Hyline Cruises and set up some direction for parking buses, so that they do not impede the public ways.

Selectman Donahue attended the Personnel Board meeting and they are still looking for an Employee Representative and hoping that someone will step forward. Mr. McAuliffe said that emails have gone out and was sure that someone would be stepping forward.

X. SELECTMEN REPORTS
(NONE)

XI. ADJORNMENT

SELECTMEN/SEWER COMMISSIONERS MEETING 09/18/2007 (CONT'D)

Selectmen Eckstrom moved to adjourn the meeting at 9: 45 P.M. Selectmen Donahue seconded.

VOTE: Unanimous (5-0-0)

Respectfully submitted & transcribed by,
Janet Wilson
Department Assistant

The Board of Selectmen/Sewer Commissioners approved the foregoing minutes on:
September 25, 2007

Attest: ***James L. Potter***, Clerk
BOARD OF SELECTMEN/SEWER COMMISSIONERS

Date signed: September 25, 2007

Date sent to Town Clerk: September 26, 2007