

MINUTES OF MEETING OF WAREHAM ZONING BOARD OF APPEALS

Date of Meeting: January 23, 2013

I. CALL MEETING TO ORDER

The meeting was called to order at 6:45 P.M.

II. ROLL CALL

Members Present: Ken Ferreira, Chairman (Arrived at 7:30 P.M.)
Mike Martin, Vice Chairman
Mary Scarsciotti, Clerk
Richard Secher
David Sharkey
Wilma Engerman, Associate Member
Michael Johnson, Associate Member

Also Present: Attorney Jon Witten

III. PRELIMINARY BUSINESS

A. Approval of meeting minutes: November 14, 2012

MOTION: A motion was made & seconded to approve the meeting minutes of November 14, 2012 with the addition of the letter dates referenced in the Blackmore Pond matter (page 15) information available in the case file.

VOTE: Unanimous (4-0-0)

IV. CONSENT AGENDA

There were no Consent Agenda items.

V. PUBLIC HEARINGS

A. Petition #01-13 – Wal-Mart Stores East, LP

The public hearing notice was read into the record.

Discussion ensued re: the Variances being requested.

MOTION: A motion was made & seconded to continue the public hearing for Petition #01-13 – Wal-Mart Stores East, LP to March 13, 2013.

VOTE: Unanimous (5-0-0)

B. Petition #02-13 – 6 Fannies Lane – Richard Joy

The public hearing notice was read into the record.

The Board briefly reviewed the application for a Special Permit.

Discussion ensued re: the incorrect reference of the Bylaw section in the advertisement. The Board concurred that the public hearing needs to be re-advertised citing the correct Bylaw section & having the Zoning secretary verify the correct Bylaw section w/ the Zoning Enforcement Officer. The Board concurred to hold this public hearing on February 27, 2013.

MOTION: A motion was made & seconded to re-advertise the public hearing for Petition #02-13 – 6 Fannies Lane – Richard Joy for a public hearing to be held on February 27, 2013.

VOTE: Unanimous (5-0-0)

VI. CONTINUED PUBLIC HEARINGS

There were no continued public hearings scheduled.

VII. ANY OTHER BUSINESS

A. FEMA – Flood hazard determinations/FIRM maps/appeals – Letter dated January 3, 2013.

The Board did not review the letter dated January 3, 2013 because the letter was omitted from the member packets for this meeting.

B. Discussion: Building Inspector's interpretation of Article 13.

Brief discussion ensued.

MOTION: A motion was made & seconded that the Board is in agreement w/ the Building Inspector's interpretation of Section 1335.

VOTE: Unanimous (5-0-0)

VIII. DISCUSSIONS/UPCOMING HEARINGS

A. Discussion: Change from cassette tapes to use of digital recorder.

Brief discussion ensued.

B. Upcoming hearings.

#01-13	Wal-Mart Stores East, LP	2680 Cranberry Highway	Variances	Continued to 1/23/13
#02-13	Richard Joy	6 Fannies Lane	Special Permit	Continued to 1/23/13
#28-12	AT&T	260 County Road	Special Permit	2/13/13
#29-12	AT&T	32 Old County Road	Special Permit	2/13/13
#30-12	AT&T	Off Kendrick Road	Special Permit	2/13/13
#3-13	Lefki & Dimitrios Aevazelis	41 Oak Street	Variance	2/13/13

IX. EXECUTIVE SESSION

MOTION: A motion was made & seconded to enter into Executive Session for the purposes of discussing strategy with respect to litigation due to the fact that an open meeting may have a detrimental effect on the litigating position of the public body and the Chair so declares.

Roll Call Vote: Mr. Ferreira – Yes
Mr. Martin – Yes
Ms. Scarsciotti – Yes
Mr. Secher – Yes
Mr. Sharkey - Yes

VOTE: Unanimous (5-0-0)

NOTE: The Board went into Executive Session w/ Attorney Witten. The Board came back into Open Session to adjourn the meeting.

X. ADJOURNMENT

MOTION: A motion was made & seconded to adjourn the meeting at 9:30 P.M.

VOTE: Unanimous (5-0-0)

Date signed: 11-13-13

Attest: Mary Scarsciotti

Mary Scarsciotti, Clerk

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Date copy sent to Town Clerk: 11-14-13 (65)