

WAREHAM ZONING BOARD OF APPEALS MINUTES

Wednesday, February 27, 2013

Time: 6:30 P.M.

Place: Wareham Town Hall Cafeteria
54 Marion Road
Wareham, MA 02571

CALL MEETING TO ORDER – The meeting was called to order at 6:35 p.m.

ROLL CALL

Members present

Kenneth R. Ferreira, Chairman
Michael A. Martin, Vice Chairman
Mary Scarsciotti, Clerk
David Sharkey
Richard Secher
Wilma Engerman
Michael Johnson

PRELIMINARY BUSINESS

- A. Minutes – November 28, 2012, December 12, 2012, January 23, 2013 and November 14, 2012 (*accepted, not endorsed) – No action taken.
- B. Informal discussion – Brown’s Liquor – signage – There was no one present to take any action, no discussion.
- C. Informal discussion – Loss of 40B unit – The Board asked that the secretary place this discussion on the next agenda.
- D. Informal discussion – Abbey Glass – Mr. James Powers appeared before the Board. The Board briefly discussed the issue with the applicant. No action taken.
- E. Informal discussion – 942 Main Street – Noreen Hartley, representing the owners, appeared before the Board and discussed the possibility of pouring a new foundation. In order to do this, the owner may have to set this back further than the existing and lift up the structure and then place on a new foundation. No action taken.

I. CONSENT AGENDA

- A. Authorization to sign bills and documents, etc.
Invoice #23469 dated 1/29/13 from Wareham Week – amt. \$105.00
The Board discussed the invoice and a Motion and a second to approve payment of the invoice was made.
Vote: Unanimous (5-0-1).

PUBLIC HEARINGS

Petition #02-13 – 6 Fannie’s Lane – Richard Joy – The Board discussed the applicants request and voted to grant a Special Permit for the construction of a single family dwelling with the finding that there will be no new non-conformity and that the new construction as shown on the plan will not be substantially detrimental to the neighborhood.
Vote: Unanimous (5-0-0).
Petition #03-13 – 41 Oak Street – c/o G.A.F. Engineering, Inc. – The Board reviewed the proposed plan and voted to grant a Special Permit for the demolition of an existing single story residential dwelling and

the construction of a new single story residential dwelling and the renovation of a detached one car garage with the following conditions;

1. Must meet 25% building coverage.
2. Must meet all setbacks for residence and garage.
3. Garage will have no utilities other than electricity and shall not be used as or for living space.
4. Engineer will certify building height meets requirements of the zoning ordinance.
5. Parking will comply with the Town's By-Laws.
6. Two new sets of plans showing the above will be submitted to the Zoning Board.
7. Plans will be provided to the Building Department showing the above conditions.

Vote: Unanimous (5-0-0).

Petition #28-12 – 260 County Road - AT & T – The Board voted to grant a Special Permit for the installation of a one (1) panel antenna, associated antenna equipment, new fiber and coax conduits and related wireless communications equipment to an existing wireless communications facility and further, approved, per plan submitted, finding the proposed antenna replacement and upgrade conforms with the provisions of Section 540 and the upgrade will not alter the site or change the use.

Vote: Unanimous (5-0-0).

Petition #29-12 – 32 Old County Road – AT & T - The Board voted to grant a Special Permit for the installation of a one (1) panel antenna, associated antenna equipment, new fiber and coax conduits and related wireless communications equipment to an existing wireless communications facility and further, approved, per plan submitted, finding the proposed antenna replacement and upgrade conforms with the provisions of Section 540 and the upgrade will not alter the site or change the use.

Vote: Unanimous (5-0-0).

Petition #30-12 – off Kendrick Road – AT & T - The Board voted to grant a Special Permit for the installation of a one (1) panel antenna, associated antenna equipment, new fiber and coax conduits and related wireless communications equipment to an existing wireless communications facility and further, approved, per plan submitted, finding the proposed antenna replacement and upgrade conforms with the provisions of Section 540 and the upgrade will not alter the site or change the use.

Vote: Unanimous (5-0-0).

Order of Remand issued by Land Court dated October 26, 2012
16 Wankinquoah Avenue (Assessors Map 50A, Lots 5A & C5),
(Petition #18-10 & #18-10A) Per the Remand order, the Board voted unanimously to reconsider under Town of Wareham Zoning By-Laws, Section 1335.

The Board voted to grant a Special Permit finding the proposed reconstruction does increase the nonconforming nature of the pre-existing structure in height but this is not considered to be substantial.

Vote: Unanimous (5-0-0).

The Board asked the secretary to send the endorsed copy to Attorney Jon Witten by fax in the morning and the Town Attorney will take care of the response to the Court.

CONTINUED PUBLIC HEARINGS

None

ANY OTHER BUSINESS

- A. Correspondence from Building Commissioner dated February 14, 2013
RE: 3029 Cranberry Highway
Not discussed. No action taken.
- B. Correspondence from Building Commissioner dated February 12, 2013
RE: 3083 Cranberry Highway. Not discussed. No action taken.
- C. Correspondence from Building Commissioner dated February 12, 2013
RE: 3 Tyler Ave./Route 28 By-Pass. Not discussed. No action taken.
- D. CPTC Conference - Twelfth Annual Conference - Saturday, March 16, 2013 @ Hogan Conference Center @ Holy Cross College in Worcester, MA. No action taken.
- E. SRPEDD Assistance for FY '13 - Technical assistance request form
- F. CHAPA correspondence dated January 24, 2013. Not discussed. No action taken.
- G. Correspondence from Building Commissioner dated February 1, 2013
RE: 26 Helen Street. Not discussed. No action taken.
- H. Correspondence from Building Commissioner dated February 1, 2013
RE: 2747 Cranberry Highway. Not discussed. No action taken.
- I. Correspondence from Building Commissioner dated January 18, 2013
RE: 290 Plymouth Avenue. Not discussed. No action taken.

DISCUSSIONS/UPCOMING HEARINGS

01-13	Wal-Mart Stores East, LP	2680 Cranberry Highway	Variances	1/23/2013 *cont'd to 3/13/13
02-13	Richard Joy	6 Fannies Lane	Special Permit	1/23/2013 *cont'd to 2/27/2013
028-12	AT & T	260 County Road	Special permit	2/13/2013 to 2/27/13
029-12	AT & T	32 Old County Road	Special permit	2/13/2013 to 2/27/13
030-12	AT & T	Off Kendrick Road	Special permit	2/13/2013 to 2/27/13
03-13	Lefki & Dimitrios Aevazelis	41 Oak Street	Variance	2/13/2013 to 2/27/13

SIGNING OF DOCUMENTS APPROVED BY THE BOARD

ADJOURNMENT - A Motion and second was made to adjourn the meeting at 10:45 p.m.

Attest: Mary Scarsciotti
Mary Scarsciotti, Clerk
WAREHAM ZONING BOARD OF APPEALS

Date signed: 3-27-13
Date copy sent to Wareham Town Clerk: 3/28/13 (b/s)