

WAREHAM ZONING BOARD OF APPEALS MINUTES

Wednesday, March 13, 2013

Time: 6:30 P.M.

Place: Wareham Town Hall Cafeteria

54 Marion Road

Wareham, MA 02571

CALL MEETING TO ORDER – The Zoning Board of Appeals meeting was called to order at 6:45 p.m.

ROLL CALL

Members present:

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

PRELIMINARY BUSINESS

- A. Informal Discussion: Loss of 40B unit.** – The Board briefly discussed this issue and has contacted Town Attorney, Jon Witten, for an opinion.
- B. Petition #03-13 – 41 Oak Street – Special Permit** - The Board received a letter from Gay & Gay, P.C., dated March 12, 2013, in regard to an error with respect to the garage. The Board advised Brian Grady (G.A.F. Engineering), who represented the applicant, to discuss with Attorney Gay and that the Board cannot change a Decision once it has been filed with the Town Clerk. Mr. Grady explained to the Board that the garage to be constructed is a two level building with storage and a new location. The Board stated that a letter of clarification may be allowed, of which, should be confirmed by Attorney Gay.
- C. Poyant Signs for the Car Wash** – The applicant/owner was advised that a variance is required and that they should file within 30 days, in accordance with the letter issued by the Building Commissioner regarding the flashing sign.
- D. 57 West Central Street** – The Board advised the homeowner that a variance is required for the proposed shed.
- E. Petition #01-13 – Wal-Mart** – The Board granted the applicants request to continue this petition to April 10, 2013 and would also like a time extension from Attorney Angley.
- F. Petition #17-12 – 21 Windsor Drive** – The Board received a letter from the Law Office of Jennifer Esmel Vecchi, P.C., who represents the applicant, dated March 12, 2013, that the petitioners are withdrawing without prejudice, their appeal of the decision of the Building Commissioner and also withdrawing without prejudice any application for a Special Permit or Variance date stamped July 18, 2012.

CONSENT AGENDA

- A. Authorization to sign invoices, documents, etc.** – The Board voted and endorsed invoice #463055 dated 03/03/13 from South Coast Media Group for the advertisement for a public hearing (Remand) regarding the Chiaraluce case. The amount due was \$470.40. A Motion and second was made to approve payment of the invoice.

Vote: Unanimous (5-0-0).

The Board advised the secretary to send the invoice to Town Attorney Jon Witten, as he said he would request that Attorney Serkey and Attorney Lanza share the cost.

PUBLIC HEARINGS

A. #04-13 – RJWB LLC, c/o Steven Beauchemin – 17 Depot Street – The Board voted to grant a Special Permit for the construction of a two (2) family residential structure with the following conditions;

1. Parking for four (4) cars shall be shown on the plan
2. No parking or other obstructions to passage on the existing gravel driveway on the east boundary of the property.

A Motion was made and seconded to approve the Special Permit.

Vote: Unanimous (4-0-1).

B. #05-13 – LEACAM Realty LLC, c/o J.C. Engineering, Inc. – 290 Plymouth Avenue – The Board voted to grant a Special Permit for the construction of a single family residential structure with the following conditions;

1. Owner will install 40 linear feet of 6 foot height stockade fence from the rear lot line along the north boundary.
2. Fence will be installed prior to the issuance of an Occupancy Permit.

A Motion was made and seconded to approve the Special Permit.

Vote: Unanimous (5-0-0)

CONTINUED PUBLIC HEARINGS

A. #01-13 – Wal-Mart Stores East, LP – 2680 Cranberry Highway

The Board previously took this matter up under preliminary business.

B. #017-12 – Joseph Maniglia – 21 Windsor Drive

The Board previously took this matter up under preliminary business.

ANY OTHER BUSINESS

A. Decision for Joseph Chiaraluce - 16 Wankinquoah Avenue. –

DISCUSSIONS/UPCOMING HEARINGS – No discussion and no action taken.

ADJOURNMENT – Motion made and seconded to adjourn at 8:40 p.m.

Vote: Unanimous (5-0-0)

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)