

MINUTES OF MEETING OF WAREHAM ZONING BOARD OF APPEALS

Date of Meeting: April 24, 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
Mike Martin, Vice Chairman
Mary Scarsciotti, Clerk
Richard Secher
David Sharkey
Wilma Engerman, Associate Member

Members Absent: Michael Johnson

III. PRELIMINARY BUSINESS

A. Approval of meeting minutes: April 10, 2013.

MOTION: A motion was made & seconded to approve the meeting minutes of April 10, 2013.

VOTE: Unanimous (5-0-0)

B. Certified mail dated April 16, 2013.

The Board received & reviewed the certified mail dated April 16, 2013.

C. Informal discussion/amendment re: 16 Kendrick Road, 260 County Road, & 2 Old County Road.

Brief discussion ensued re: the need to clarify the decisions for the towers for all three of these projects.

MOTION: A motion was made & seconded to clarify the decisions for 16 Kendrick Road, 260 County Road, & 2 Old County Road.

VOTE: (4-1-0)

The Board proceeded to sign the amended decisions for the three projects.

IV. CONSENT AGENDA

A. Authorization to sign bills, documents, etc.

1. Invoice #I10914564 from W.B. Mason in the amount of \$346.14.

The Board discussed the invoice. Questions were raised as to the cost. Some Board members remember being told the digital recorder was only going to cost \$100.00, not \$346.14. Board members also noted that the invoice is addressed to the Planning Board & they questioned why the Zoning Board is being asked to approve the invoice.

The Board members concurred that if the digital device was to be shared, they would consider sharing the cost of the invoice. The Board declined to sign the invoice at this time until they receive further information.

V. PUBLIC HEARINGS

A. Petition #07-13 – Cranberry Realty Enterprises LLC – 3193 Cranberry Highway

Present before the Board: Dan Sheehan

The Board proceeded to review & discuss the application to convert the second floor of a commercial building located at 3193 Cranberry Highway to a residential apartment. The Board reviewed the plans submitted, building codes, & signage.

MOTION: A motion was made & seconded to approve a Variance for petition #07-13 – Cranberry Realty Enterprises LLC – 3193 Cranberry Highway to convert the second floor of a commercial building to a residential apartment w/ the following conditions:

1. Provide a new plan detailing dimensions & interior layout prior to Occupancy Permit.
2. Comply with building code for residential construction.
3. Signage shall comply w/ Section 1114 & not be internally illuminated.

VOTE: Unanimous (5-0-0)

B. Petition #08-13 – Water Wizz of Cape Cod, c/o Rebecca Kells – 3031 Cranberry Highway

The Board proceeded to review & discuss the application to replace an older small child activity attraction w/ a 47 ft. tower containing three (3) updated double-person tube rides and a second attraction that will be a 61 ft. tower w/ two (2) exiting speed slides located at 3031 Cranberry Highway.

MOTION: A motion was made & seconded to approve a Variance for petition #08-13 – Water Wizz of Cape Cod, c/o Rebecca Kells – 3031 Cranberry Highway to replace an older small child activity attraction w/ a 47 ft. tower & a second attraction that will be a 61 ft. tower & further, approve the Variance to Section 623 (height restriction of 40 ft.) non-residential use, find the property & use is unique to the CS zone, the use is not detrimental to the spirit & intent of the Zoning Ordinance, & that failure to grant would result in substantial hardship w/out the benefit by the strict enforcement of the ordinance to the public good.

VOTE: Unanimous (5-0-0)

VI. CONTINUED PUBLIC HEARINGS

There were no continued public hearings scheduled.

VII. DISCUSSIONS/UPCOMING HEARINGS/ANY OTHER BUSINESS

A. Correspondence received dated April 12, 2013.

Present before the Board: Liz Gerald

The Board discussed the correspondence w/ Liz Gerald.

B. Correspondence received dated April 16, 2013 from Building Commissioner David Moore.

The Board reviewed the correspondence. The Board concurred w/ Mr. Moore's opinion in the correspondence.

C. Correspondence received dated April 20, 2013 from Building Commissioner David Moore.

The Board reviewed the correspondence. The Board concurred w/ Mr. Moore's opinion in the correspondence.

D. Special Municipal Employee Status discussion.

The Board discussed the importance of re-instating the Special Municipal Employee Status.

VIII. ADJOURNMENT

MOTION: A motion was made & seconded to adjourn the meeting at 8:30 P.M.

VOTE: Unanimous (5-0-0)

Date signed: 5-22-13

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

Date copy sent to Town Clerk: 5-23-13 (b/s)

END 85 10/14