

MINUTES OF MEETING OF WAREHAM ZONING BOARD OF APPEALS

Date of Meeting: July 10, 2013

I. CALL MEETING TO ORDER

The meeting was called to order at 6:41 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
Liz Gerald, Associate Member

III. PRELIMINARY BUSINESS

A. Discussion of Special Permit approval for Dimitrios & Lefki Aevazelis dated February 13, 2013.

Discussion ensued re: clarification & confirmation of the decision made by the Board for Dimitrios & Lefki Aevazelis. The Board acknowledged that the existing home is a two-story single-family dwelling & it will be a two-story home after the reconstruction. The garage is being reconstructed with a storage area in the basement area. It was noted that there is to be no water or sewage disposal connected to the garage.

B. Tyrone & Yvonne Cardoza re: 140 Minot Avenue.

No-one appeared to discuss this matter with the Board. The Board concurred that the request of the parties above need to be made in writing to the Board & the parties above need to appear before the Board in order for the Board to discuss the request & make the determination if this is a major or minor modification of their permit.

IV. CONSENT AGENDA

A. Authorization to sign invoices, documents, etc.

There were no items under Consent Agenda.

V. PUBLIC HEARINGS

A. Petition #15-13 – Kenneth A. DeLuze, Sr., c/o JC Engineering, Inc. – 2818 Cranberry Highway.

Brad Bertolo from J.C. Engineering, Inc. represented the property owner, Mr. Ken DeLuze, in regard to the demolition of a single family dwelling and

construction of a single family on a nonconforming lot. This lot is in the Commercial Strip district which requires a 20' setback, 10' side and rear and 150' of frontage and a 30,000 SF lot. It is currently undersized on frontage, undersized on area. The proposed dwelling will be a 32' x 24' single family, not a single story. Chairman Ferreira said, "You picked up on that, didn't you, that's very good." The existing dwelling will be a single family residence as well. The proposed dwelling will meet the current setbacks of minimal 20' front and minimum 10' side. The nearest front setback will be a front stoop which is 52.7 feet, which is approximately the same setback as the former dwelling which has recently been torn down. The side setback is greater than the 10'. A member of the Board asked the location of this property and was told that it is west of Atlantic Boats. Chairman Ferreira asked if a new septic was designed. Mr. Bertolo replied that a new septic was designed and approved by the Board of Health with a variance from the nitrogen reduction system. Chairman Ferreira stated that the applicant is meeting all the setbacks for the new house. Yes. Chairman Ferreira asked if the only issue here is that it is an undersized lot and frontage. Yes. Chairman Ferreira asked if anyone in the audience would like to speak in favor or in opposition to the petitioner's request. Discussion ensued in regard to the public hearing notice, description of existing structure, setbacks and case law.

MOTION: A motion was made & seconded to continue the public hearing for petition #15-13 – Kenneth A. DeLuze, Sr., c/o JC Engineering, Inc. – 2818 Cranberry Highway to August 28, 2013.

VOTE: Unanimous (5-0-0)

VI. CONTINUED PUBLIC HEARINGS

- A. Petition #11-13 – Crystal Clean Realty of Wareham, Inc., c/o Richard V. Poyant, President of Poyant Signs – 3077 Cranberry Highway.

MOTION: A motion was made & seconded to continue the public hearing for petition #11-13 – Crystal Clean Realty of Wareham, Inc., c/o Richard V. Poyant, President of Poyant Signs – 3077 Cranberry Highway to August 28, 2013.

VOTE: Unanimous (5-0-0)

VII. ANY OTHER BUSINESS

- A. Review correspondence.

The Board members reviewed the correspondence.

VIII. NEW BUSINESS

There was no new business.

IX. ADJOURNMENT

MOTION: A motion was made & seconded to adjourn the meeting at 8:24 P.M.

VOTE: Unanimous (5-0-0)

Date signed: Aug 28, 2013

Attest: Mary Scarsciotti

Mary Scarsciotti, Clerk

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Date copy sent to Wareham Town Clerk: 8/29/13