

MINUTES OF MEETING OF WAREHAM ZONING BOARD OF APPEALS

Date of Meeting: October 8, 2014

I. CALL MEETING TO ORDER

The meeting was called to order at 6:35 P.M.

II. ROLL CALL

Members Present: Ken Ferreira, Chairman
Mary Scarsciotti, Clerk
Richard Secher
David Sharkey
Wilma Engerman, Associate Member

Member Absent: Mike Martin

III. PRELIMINARY BUSINESS

A. Approve meeting minutes: September 10, 2014 & September 24, 2014.

MOTION: A motion was made & seconded to approve the meeting minutes of September 10, 2014 w/ one correction.

VOTE: Unanimous (5-0-0)

MOTION: A motion was made & seconded to approve the meeting minutes of September 24, 2014.

VOTE: Unanimous (5-0-0)

B. Discussion: Meeting dates for November & December.

Brief discussion ensued re: meeting dates for November & December & holidays.

MOTION: A motion was made & seconded to cancel the ZBA meeting scheduled for November 26, 2014 & December 24, 2014.

VOTE: Unanimous (5-0-0)

The Board will meet on October 22, 2014, November 12, 2014, & December 10, 2014.

IV. PUBLIC HEARINGS

There were no public hearings scheduled.

V. CONTINUED PUBLIC HEARINGS

A. Petition #29-14 – 197 Onset Avenue – Leonard Cubellis

Present before the Board: Jamie Souza

The Board discussed the application to convert two existing office spaces into two residential studio apartments. Based on the Building Commissioner's letter dated July 30, 2014, the apartments in mixed use buildings located in the OV1 district are not allowed & applicant must go before the ZBA for a change of use. Ms. Souza stated the applicant would like to convert two vacant commercial spaces into year-round studio apartment rentals.

Discussion ensued re: the Variance argument, conditions, & the Variance findings.

MOTION: The Board moved to grant a Variance for the conversion of a second & third floor to residential use w/ the following conditions:

1. No commercial space allowed on the second & third floors.
2. Commercial space is allowed on the first floor only.
3. Must be in compliance w/ all building codes & health regulations as are applicable.

Further, the Board finds that the Variance argument was met due to the age, size, historic nature & shape of the structure, the hardship of access in the structure, there is no detriment to the neighborhood, & strict enforcement of the Zoning Bylaw would create an undue hardship.

VOTE: (4-0-1)
Mr. Ferreira abstained

VI. ANY OTHER BUSINESS/DISCUSSIONS/UPCOMING HEARINGS

A. Upcoming hearings/Discussions

10/22/14	#30-14	2785 Cranberry Highway	Vaughn's Towing
10/22/14	#31-14	58 Ellis Avenue	Mr. & Mrs. Westgate
10/22/14	#32-14	Rte. 25	Borrego Solar Systems
10/22/14	#28-14 (Cont'd)	72 Minot Avenue	Giancola Properties
10/27/14	Town Meeting		

VII. NEW BUSINESS

The Board briefly discussed the recent HAC decision.

VIII. ADJOURNMENT

MOTION: A motion was made & seconded to adjourn the meeting at 7:20 P.M.

Date signed: 10-22-14

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

Date copy sent to Town Clerk: 10/27/14

A TRUE COPY
ATTEST

Mary Ann Silve
TOWN CLERK