

TOWN of WAREHAM

Massachusetts



BUILDING DEPARTMENT

Paul E. Turner
Director of Inspectional Services

Buildable Lot Inquiry Application Policy Change EFFECTIVE SEPTEMBER 5, 2023

The Building Department will no longer be offering Buildable Lot Inquiry applications.

It will be the applicant's responsibility to provide a letter of lot buildability from a Land Use Attorney. The letter's framework should include a narrative in paragraph form explaining that the subject lot is a pre-existing, nonconforming building lot dimensionally based on Massachusetts General Laws, Chapter 40A, ss 6. The narrative should clearly point out that there has not been any common ownership with any abutting lots not connected at a point, therefore the merger theory has not been evoked. The conclusion of the letter should state in clear terms that it is the opinion of the letter's author that the lot is a pre-existing, nonconforming lot based on M.G.L., Chapter 40A, ss 6.

The Building Department will only review this document and its backup body of work (All deeds showing ownership traced back to a minimum of the date of November 19, 1951 for the subject lot and all abutting lots, not touching at a point.) when submitted to a complete Building Permit Application for construction. The letter and its supporting documentation will be required to be submitted electronically, and physically, to the Building Department, and will only be used to facilitate the issuance of a Building Permit. No letter of acknowledgment will be issued by the Building Department stating the lot is buildable, that responsibility falls upon the applicants and their councils. Upon review of the complete Building Permit Application, the Building Department will issue a permit for construction, or produce a written explanation for the denial.

The Applicant may appeal the denial decision in accordance with the provisions M.G.L., chapter 40A, ss 15 to the Zoning Board of Appeals for relief within thirty (30) days of receipt of the denial letter.

Sincerely,

Paul E. Turner
Building Commissioner
Zoning Enforcement Officer