

TOWN OF WAREHAM
ZONING BOARD OF APPEALS

APPLICATION FOR A PUBLIC HEARING FOR A VARIANCE/SPECIAL PERMIT

Certain uses are allowed in several zoning districts only by means of a Variance and/or Special Permit from the Zoning Board of Appeals. Those uses are indicated in the Wareham Zoning By-Laws. To apply for a Variance/Special Permit from the Zoning Board of Appeals, please do the following:

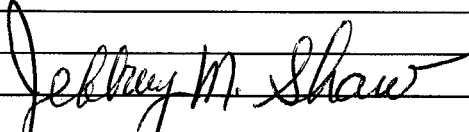
- Complete this form.
- Complete information packets. (Directions attached)
- Submit application form and packet to Town Clerk for signature.
- Submit application form and packet to Town Collector for signature.
- Submit completed form, packets, and appropriate fees** to the Zoning Board of Appeals secretary.

**Permits may be issued only after a public hearing. There is a filing fee of \$300.00 per lot, per application for all non-conforming residential lots, whether built upon or not. There is a filing fee of \$750.00 per lot, per application for all commercial applications. In the case of a multi-family development, the fee is \$300.00 plus an additional \$50.00 for every unit over two (2). Please make check payable to the Town of Wareham.

**A check to cover two (2) legal advertisements for the public hearing should be made payable to Wareham Week in the amount of \$100.00.

**The applicant will also be responsible for the costs of sending out abutter notifications by Certified Mail. The cost is \$6.90 per certified letter to each abutter. Please see Zoning Board secretary for cost of mailings. Please make check payable to the Town of Wareham.

I hereby apply for a Variance/Special Permit for a use to be made of the following described place:

STREET & NUMBER: 11 BRIDGEVIEW LANE LOT: 1012 & 1013 MAP: 5
ZONING DISTRICT: R43
USE REQUESTED: See attached narrative
OWNER OF LAND & BUILDING: JEFFREY M. SHAW TEL.# 508-922-9115
ADDRESS OF OWNER: 11 BRIDGEVIEW LANE, BUZZARDS BAY, MA 02532
PERSON(S) WHO WILL UTILIZE PERMIT: JEFFREY M. SHAW
ADDRESS: SAME
DATE: 4/3/2023 SIGNATURE: 
This application was received on the date stamped here:

Town Clerk: _____ Date: _____
Tax Collector: _____ Date: _____
Planning/Zoning Dept.: _____ Date: _____
Application fee paid: _____ Check #: _____ Receipt: _____
Advertising fee paid: _____ Check # _____ Receipt: _____
Abutters fee paid: _____ Check # _____ Receipt: _____

11 Bridge View Lane
(Map 5, Lots 1013 & 1012)
Project Narrative

The project site is located off Onset Avenue via a Right of Way apparently owned by the Town of Wareham. The locus abuts Butler Cove on the south and contains approximately 7,781 square feet of land area. Most of the site falls within a coastal flood zone.

The property falls within the R-43 Zoning District and is subject to Section 628 of the Zoning By-Law for Dimensional Standards for Existing Small Lots, Category 2 (see denial letter from the Building Inspector). The lot may be considered an existing non-conforming lot since it lacks frontage on a road.

The site contains a single-family dwelling and cottage. Section 613 of the Zoning By-Law allows only one principal residential structure on a lot (see denial letter from the Building Inspector). According to assessor's records, the main house was constructed in 1925 and the cottage was constructed in 1920. Both structures pre-date zoning, therefore, this should be considered an existing non-conforming use.

A Special Permit in accordance with Zoning By-Law Section 1352 for the alteration of an existing non-conforming structure may be required. The proposed alterations will not increase the non-conforming nature of the structure as follows:

- The existing structure is 0.2' to the northerly property line and the proposed structure location will be 0.5' to the property line.
- The existing setback to the westerly property line shall be maintained at 1.2'.
- The proposed footprint is identical to the existing footprint.
- The new structure location decreases the pre-existing non-conforming setbacks.

The new structure shall be on a new foundation system in compliance with flood zone construction standards, the existing structure does not comply with these standards. The Conservation Commission has approved this project.

Both structures are served by an individual septic system upgraded in 2001 that will remain and both structures are served by Town water.

In summary, it is our opinion that the proposed alterations will not be substantially detrimental to the neighborhood, and in fact will result in an improvement to the neighborhood.

TOWN OF WAREHAM

APPLICANT/CONTRACTOR/REPRESENTATIVE INFORMATION SHEET

Check One: _____ Variance X Special Permit _____ Site Plan _____ Appeal

Date stamped in: _____ Date decision is due _____

Applicant's Name: JEFFREY M. SHAW

Applicant's Address: 11 BRIDGEVIEW LANE, BUZZARDS BAY, MA 02532

Telephone Number: -

Cell Phone Number: 508-922-9115

Email Address: JMSHAW@VERIZON.NET

Address of Property/Project: 11 BRIDGEVIEW LANE

Landowner's Name: SAME

Owner's Address: _____

Telephone Number: _____

Contact Person: DONALD F. BRACKEN, JR., PE
BRACKEN ENGINEERING, INC. Telephone Number: 508-833-0070

Map 5 Lot 1013 & 1012 Zone R43

Date Approved _____ Date Denied _____

Comments: Special Permit required per Sections 613 and 628

BUILDING PERMIT - B-23-102 (denied 3/6/2023)
ORDER OF CONDITIONS - SE76-2772 Recorded Bk 57677, Pg 118 (issued 1/19/2023)

CANCELLED

MASSACHUSETTS EXCISE TAX
Plymouth County Registry of Deeds 001
Date: 05/17/2019 12:00 PM
Ctrl# 124113 09384 Doc# 00035574
Fee: \$2,416.80 Cons: \$530,000.00



Bk: 51119 Pg: 245 Page: 1 of 4
Recorded: 05/17/2019 12:00 PM
ATTEST: John R. Buckley, Jr. Register
Plymouth County Registry of Deeds

QUITCLAIM DEED

WE, PAUL DELIGIANIDIS AND ZOE DELIGIANIDIS, a married couple, of 7 Ashmont Road, Wellesley Hills, Massachusetts 02481 grant to

JEFFREY M. SHAW and MELANIE J. SHAW as Husband and Wife, by the entirety, hereinafter of 11 Bridge View Lane, Bourne, Massachusetts 023532

For consideration paid and in full consideration of FIVE HUNDRED THIRTY THOUSAND DOLLARS (\$530,000.00)

With quitclaim covenants

PARCEL I

The land together with the buildings thereon at Long Neck in Wareham, Plymouth County, Massachusetts forming the northerly portion of a tract of land formerly owned by John J. Ryder and conveyed by deed to Gertrude B. Thomas and recorded with Plymouth County Registry of Deeds, Book 1252, Page 576, bounded and described as follows:

NORTHERLY forty-nine and twenty-five hundredths (49.25) feet more or less by land now or formerly of Olive L. Rider;

EASTERLY one hundred fourteen (114.0) feet by a road or private way leading to the shore of Butler's Cove;

SOUTHERLY forty-four (44.0) feet by the remaining portion of the aforesaid tract;

WESTERLY one hundred eleven and eighty hundredths (111.80) feet by land now or formerly of John Blackwell, where a road or right of way exists.

WAREHAM
Property: 11 Bridge View Lane

Also a right of way over land now or formerly owned by John J. Ryder as described in aforesaid deed to Gertrude B. Thomas.

PARCEL 2

The land in Wareham with the buildings thereon in that part thereof called Long Neck situated on the Southerly side of Onset Avenue and lying on Butler's Cove and bounded and described as follows, namely;

Property Address: 11 Bridge View Lane, Bourne, Massachusetts 02352

BEGINNING at the northeasterly corner of the parcel to be conveyed at a pipe bound situated in the westerly side line of a passageway leading to Onset Avenue, which point is also the southeasterly corner of land of E.S. Stanwood; thence

SOUTH $81^{\circ}-5'$ West, forty-four and $45/100$ (44.45) feet by land of said E.S. Stanwood to an iron pipe situated in the easterly side line of a way, thence

SOUTH $10^{\circ}-49'$ East thirty-nine and $99/100$ (39.99) feet to a pipe bound: thence

SOUTH $10^{\circ}-49'$ East forty (40) feet more or less to the low water line of Buzzards Bay, thence

EASTERLY by the low water line of Buzzards Bay to a point; thence

NORTH $2^{\circ}-30'$ East, forty (40) feet more or less to a stake; thence

NORTH $2^{\circ}-30'$ East, twenty-two and $30/100$ (22.30) feet to a pipe bound; thence

NORTH $8^{\circ}-30'$ West, twenty-two (22) feet to the first mentioned bound and point of beginning.

Containing 0.05 acres to the high water line be the same, more or less.

The above premises are subject to a fifteen foot (15') right of way running in an East-West direction as recorded with Plymouth County Registry of Deeds Book 2847, Page 411.

Also see Plan dated November 23, 1960, recorded with said Registry in Book 2864, Page 313.

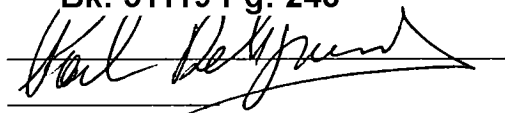
Together with all rights, benefits, and privileges to the extent available and subject to transfer included in license #7651 issued to George M. Reid and Jeannine T. Reid, dated January 22, 1999, recorded with Plymouth County Registry of Deeds in Book 17100, Page 43.

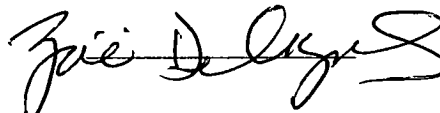
Together with all rights, privileges, and easements connected therewith and subject to restrictions and easements of record and are hereby conveyed subject to any building and zoning by law requirements which may be in force and applicable.

Being the same premises as set out bounded and described on "Plan of Land at Long Neck - Wareham as surveyed for Kenneth W. Martin" June 1949 Alan Beale, Civil Engineer.

We, PAUL DELIGIANIDIS AND ZOE DELIGIANIDIS, do hereby release any and all homestead rights that we have in the property located at 11 Bridge View Lane, Bourne, Massachusetts 02352, and further state under the pains and penalties of perjury that there is no other person who can claim the benefit of a homestead in the property Meaning and intending to convey and hereby conveying the same premises conveyed to Grantors' by virtue of a deed dated March 15, 2003, recorded with the Plymouth County Registry of Deeds at Book 24483, Page 169.

Witness our hands and seals this 16 day of May, 2019.


Paul Deligianidis

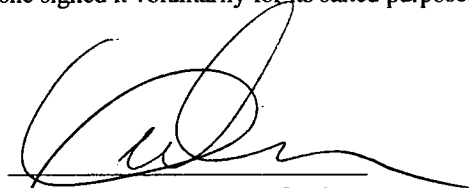

Zoe Deligianidis

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

May 16, 2019

On this 16 day of May, 2019, before me, the undersigned notary public, personally appeared PAUL DELIGIANIDIS, provided to me through satisfactory evidence of identification, which was MA Drivers license to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.


Notary Public Paula Papadimitriou
My Commission Expires: 8-15-19

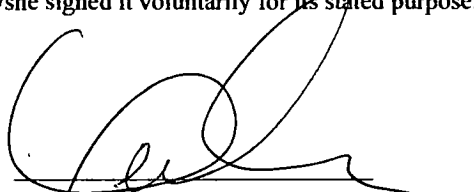
PAULA PAPADIMITRIOU
NOTARY PUBLIC
My commission exp. 8-15-19

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

May 16, 2019

On this 16 day of May, 2019, before me, the undersigned notary public, personally appeared ZOE DELIGIANIDIS, provided to me through satisfactory evidence of identification, which was MA Drivers license to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.


Notary Public Paula Papadimitriou
My Commission Expires: 8-15-19

PAULA PAPADIMITRIOU
NOTARY PUBLIC
My commission exp 8-15-19





TOWN of WAREHAM

Massachusetts

BUILDING DEPARTMENT

Paul Turner
Director of Inspectional Services

March 6, 2023

Mr. Jefferey Shaw
61 Progressive Avenue
West Bridgewater, Massachusetts 02532

RE: 11 Bridge View Lane / Map 5, Lot's 1012 and 1013

I have reviewed your Building Permit application B-23-102 to “excavate, partial demolition and rebuild” of a pre-existing, non-conforming cottage located at 11 Bridge View Lane, Wareham, Massachusetts. At this time I must deny your request.

Your application is being denied under the following section of the Wareham Zoning By-Laws:

Article 6: Density and Dimensional Regulations:

613 One Principle Residential Building Per Lot

**628 Dimensional Standards For Existing Small Lots, Category 2
Side and rear setbacks**

Therefore, a Special Permit must be secured from the Zoning Board of Appeals in order to proceed with your application.

The subject dwelling is located in **R-43** Zoning district.

Respectfully,

Paul E Turner
Building Commissioner
Zoning Enforcement Officer

It is the owners' responsibility to check with other departments to ensure full compliance.

In accordance with the provisions of MGL chapter 40A §§ 15, you may apply to the Zoning Board of Appeals for the above noted relief within thirty (30) days of receipt of this letter.

[Home](#) » [Departments](#) » [Assessing Department](#) » [Abutter Request Form - Online](#) » [Webform results](#)

Submission #127

[View](#)[Delete](#)

Welcome to the website. For Help Documentation & Videos, please visit our [Municipal User Center](#) or, for schools, visit our [Schools User Center](#). **It is recommended you write down the following credentials to login to the User Center - Username: "CivicOpen" and Password: "ClientUser10!"**

[Previous submission](#)[Next submission](#)[Print](#) [Resend e-mails](#)

Submission information

Form: [Abutter Request Form - Online](#)
Submitted by Anonymous (not verified)
March 7, 2023 - 4:08pm
173.166.103.185

Contact Information

Penni Pomeroy

Phone Number:

15088330070

Email Address:

penni@brackeneng.com

Date of Request:

March 7, 2023

Owners Name:

Jeffrey M. Shaw

Property Location:

11 Bridge View Lane

Map/Lot

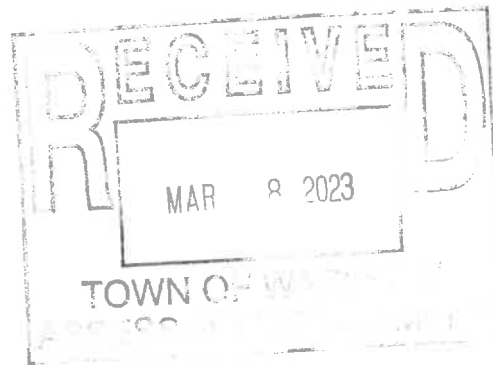
Map 5, Lots 1013 & 1012

Distance Required

300'

Which Board are you appearing before?

Zoning Board of Appeals

[Previous submission](#)[Next submission](#)

TOWN OF WAREHAM ABUTTERS				
MAP 5 LOTS 1013 + 1012				
OWNERS JEFFREY M + MELANIE J SHAW				
MAP & LOT	OWNERS	STREET ADDRESS	TOWN & STATE	ZIP CODE
5-0-1	CAMILLERI KRISTYN TRUSTEE & COADY FAMILY TRUST	7 BRIDGE VIEW LN,	BUZZARDS BAY, MA	02532
5-0-1012	SHAW JEFFREY M, SHAW MELANIE J	11 BRIDGE VIEW LN,	BUZZARDS BAY, MA	02532
5-0-1013	SHAW JEFFREY M, SHAW MELANIE J	11 BRIDGE VIEW LN,	BUZZARDS BAY, MA	02532
5-0-1014	VELOZO GERALD, VELOZO THERESA	231 WORTH COURT NORTH,	W PALM BEACH, FL	33405
5-0-1015	TEED WILLIAM C LIFE ESTATE,	21 ONSET AVE,	BUZZARDS BAY, MA	02532
5-0-1016	ANDERSON ROBERT S, ANDERSON CATHERINE C	PO BOX 507,	ONSET, MA	02558
5-0-1026	HOLE KATHRYN E,	3720 W 146TH ST,	HAWTHORNE, CA	90250
5-0-1027	TOWN OF WAREHAM,	TOWN HALL,	WAREHAM, MA	02571
5-0-2	SULLIVAN PAUL R, SULLIVAN BEVERLY E	9 BRIDGE VIEW LN,	BUZZARDS BAY, MA	02532
5-0-3	KOWALIK LEO F JR & MARGARET M, KOWALIK LEO F III	30 ONSET AVE	BUZZARDS BAY, MA	02532
CERTIFIED ABUTTERS AS THEY APPEAR				
ON OUR TAX ROLLS AS OF 3/8/2023				
<i>W. Renee Atkins</i>				
ASSESSORS OFFICE				
REQUESTED BY				
PENNI POMEROY				
508 833-0070				
PENNI@BRACKENENG.COM				



MA. COORD. SYSTEM
MAINLAND ZONE
N
W E
S

MASS COORDINATE SYSTEM
MAINLAND ZONE MERIDIAN
DETERMINED USING A
CARLSON BRX7 GPS RTK UNIT
COLLECTION DATE 06/02/2022

BRIDGE VIEW LANE
(PRIVATE)

#30 ONSET AVENUE
MAP 5 PARCEL 3
N/F
LEO F. KOWALIK, JR.,
MARGARET M. KOWALIK &
LEO F. KOWALIK, III

#20 ONSET AVENUE
MAP 5 PARCEL 1014
N/F
GERALD & THERESA VELOZO

PROPOSED FOUNDATION
UNDER EXISTING COTTAGE
SET TOP OF FOUNDATION AT
ELEVATION 16.2
(SEE DETAIL)

#9 BRIDGE VIEW LANE
MAP 5 PARCEL 2
N/F
PAUL R. & BEVERLY E. SULLIVAN

MAP 5
PARCELS 1013 & 1012
7,781± S.F.
(TO MHW)

PROPOSED EROSION CONTROL
(SEE DETAIL)

FLOOD ZONE 'X'
FLOOD ZONE 'X' 500 YEAR
FLOOD ZONE 'X' 500 YEAR
FLOOD ZONE 'AE' EL. 15

#18 ONSET AVENUE
MAP 5 PARCEL 1015
N/F
WILLIAM C. TEED, TRUSTEE OF
THE WILLIAM C. TEED LIVING TRUST

0.2'± EXISTING
0.5' PROPOSED

1.2'±
EXISTING &
PROPOSED

"SMART VENT"
FLOOD VENT (TYP.)

PROPOSED CRAWL SPACE
FOUNDATION

320± S.F.

CRAWL ACCESS

PROPOSED FOUNDATION DETAIL
(N.T.S.)

CONSTRUCTION NOTE:
PROPERTY LINE OFFSETS TO PROPOSED DWELLING
ARE TO MATCH EXISTING

SITE BENCHMARK
SURVEY NAIL IN PAVEMENT
EL.=9.12 (NAVD88)

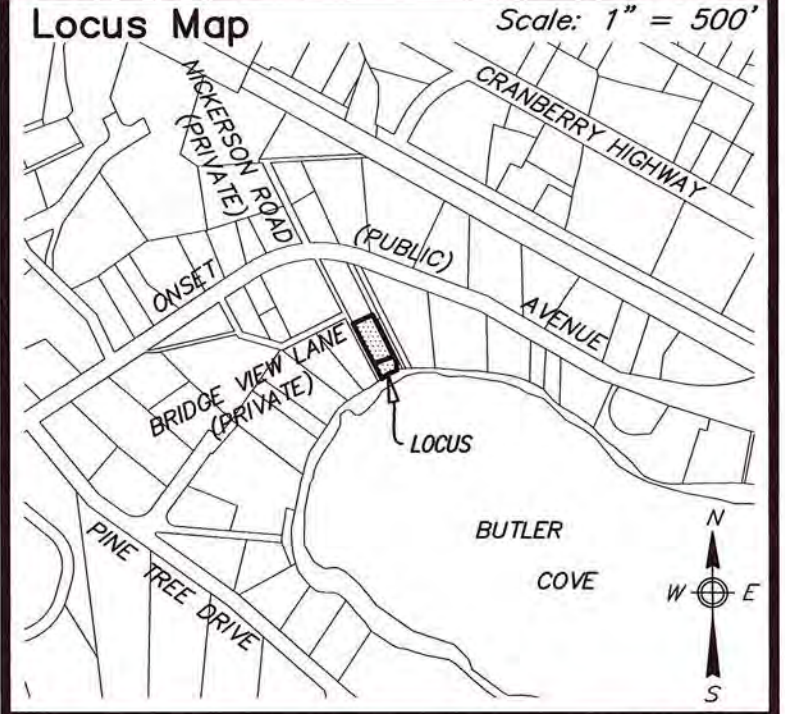
CONSTRUCTION
MACHINERY
ACCESS

#16 ONSET
EXISTING
DWELLING
(APPROX.)

#18 ONSET AVENUE
MAP 5 PARCEL 1026
N/F
KATHRYN E. HOLE

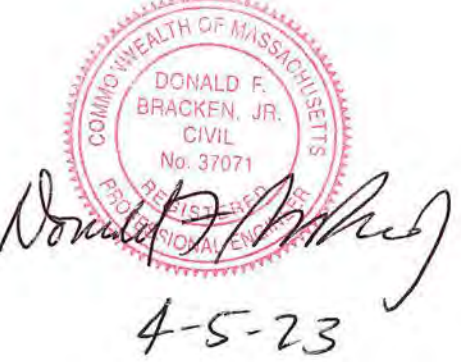
FLOOD ZONE 'AE' EL. 15
FLOOD ZONE 'AE' EL. 14

BUTLER COVE



Notes

- LOCUS: #11 BRIDGE VIEW LANE
MAP 5 PARCELS 1013 & 1012
- OWNER: JEFFREY M. SHAW
MELANIE J. SHAW
11 BRIDGE VIEW LANE
WAREHAM, MA 02532
- DEED REF: Deed Bk: 51119 Pg: 245
- PLAN REF: Plan Bk: 3 Pg: 167
Plan Bk: 41 Pg: 1007
Plan Bk: 2864 Pg: 313
- LOCUS DOES FALL WITHIN SPECIAL FLOOD HAZARD
ZONES AE (EL. 14) & AE (EL. 15) AS SHOWN ON
FEMA FLOOD INSURANCE RATE MAP No.
25023C-0582-K dated 02/05/2014.
- LOCUS DOES NOT FALL WITHIN THE NATURAL
HERITAGE and ENDANGERED SPECIES PROGRAM
(NHESP) AREAS OF ESTIMATED HABITATS OF RARE
WILDLIFE and PRIORITY HABITATS OF RARE SPECIES.
- LOCUS IS SERVICED BY PRIVATE SEWERAGE, AS
SHOWN ON PLAN TITLED SITE PLAN & SEPTIC DESIGN
PREPARED FOR GEORGE REID #22 ONSET AVENUE,
ONSET (WAREHAM), MA. DATED 8-6-01, PREPARED
BY MCKINNON & KEESE ENGINEERING.

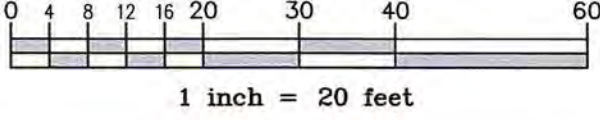


ZONING REQUIREMENTS

ZONE: R-43*	REQUIRED	EXISTING/PROPOSED
LOT AREA:	5,001-10,000* s.f.	7,781± s.f.
FRONT YARD:	20'*	N.A.
SIDE YARD:	10'*	0.2'±/0.5'
REAR YARD:	10'*	90'±/90'±±
FLOOR AREA RATIO:	25%	17.8%/17.8%

* SECTION 628 DIMENSIONAL REQUIREMENTS FOR CATEGORY 2 PROPERTY.

PLAN SCALE



Prepared By:



49 HERRING POND ROAD
BUZZARDS BAY, MA 02532
(tel) 508.833.0070
(fax) 508.833.2282

19 OLD SOUTH ROAD
NANTUCKET, MA 02554
(tel) 508.325.0044
www.brackeneng.com

SITE PLAN TO ACCOMPANY
SPECIAL PERMIT
APPLICATION
IN WAREHAM, MA

Prepared For:
JEFFREY & MELANIE SHAW
#11 BRIDGE VIEW LANE
MAP 5 PARCELS 1012 & 1013

No.	Date	Revision Description	By
-	-	-	-

Date: APRIL 5, 2023
Drawn: DAF/JPH/BEI
Checked: DFB/DAF
Sheet: 1 of 1