

REQUEST FOR
SPECIAL PERMIT OR VARIANCE

to the

WAREHAM ZONING BOARD OF APPEALS

MARIA COLELLA

**114 Onset Ave.
Onset, MA**

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GAF Engineering, Inc. #20-9548



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:

- o Complete this form.
- o Complete information packets. (Directions attached)
- o Submit application form and packet to Town Clerk for signature.
- o Submit application form and packet to Town Collector for signature.
- o 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 \$80.00.

**The applicant will also be responsible for the costs of sending out abutter notifications by Certified Mail. The cost is \$6.73 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: 114 ONSET AVE MAP: 2 LOT: 1000 A
ZONING DISTRICT: MR30
USE REQUESTED: RESIDENTIAL
OWNER OF LAND & BUILDING: MARIA S. COLELLA TEL.# 508.733.8885
NOMINEE TRUST
ADDRESS OF OWNER: 83 DOWNEY ST., WOPKINGTON, MA 01748
PERSON(S) WHO WILL UTILIZE PERMIT: OWNER
ADDRESS: SAME
DATE: _____ 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: _____

TOWN OF WAREHAM

APPLICANT/CONTRACTOR/REPRESENTATIVE INFORMATION SHEET

Check Applicable: _____ Variance _____ Special Permit _____ Site Plan _____ Appeal _____

Date stamped in: _____ Date decision is due _____

Applicant's Name: WILLIAM H. LOCKWOOD

Applicant's Address: PO BOX 95, ONSET, MA 02558

Telephone Number: 508.273.0111

Cell Phone Number: 508.221.1843

Email Address: LOCKWOODARCH@GMAIL.COM

Address of Property/Project: 114 ONSET AVE.

Landowner's Name: MARIA S. COLELLA NOMINEE TRUST

Owner's Address: 84 DUNN ST., HOPKINGTON, MA 01748

Telephone Number: 508.733.8885

Contact Person: WILLIAM H. LOCKWOOD Telephone Number: 508.273.0111

Map 2 Lot 1000A Zone MR30

Date Approved _____ Date Denied _____

Comments: _____



TOWN of WAREHAM

Massachusetts

BUILDING DEPARTMENT

David L Riquinha
Director of Inspectional Services

Maria Colella
83 Downey Street
Hopkinton, MA 01748

November 4, 2020

RE: 114 Onset Ave, Unit #1

Map 2, Lot 1000A

I have reviewed your proposal to raze your existing dwelling and reconstruct a larger residential structure at 114 Onset Ave. in Onset, MA. The proposed construction does not meet the requirements of the Zoning by-law for the MR-30 zoning district and must be denied at this time.

You are applying to raze the existing structure and replace it with a new structure on the same site. The existing structure is 7' from Onset Avenue and you are proposing to maintain the same setback with a slightly larger building. A Special permit is required from the Zoning Board of Appeals unless the Board finds that the proposal is substantially more detrimental to the neighborhood than the existing structure; or that the proposal does not comply with the listed criteria in section 1355 of the zoning by-law, in which case a variance will be required (*zbl §1356*).

The submitted permit application documents which include a site plan by Walter E. Rowley & Associates labeled "plan no. R 330" comprised of one page dated January 19, 1975; and the architectural drawing by Lockwood Architects labeled "project no 1266" comprised of one page and dated September 15, 2020, are being denied under the following sections of the Wareham Zoning By-law:

- **Article 6, Table 621, Residential Districts:** Setbacks for the MR-30 zoning district are 20' in the front yard and 10' on the sides and rear.
- **Article 13, Section 1355, Non-conforming structures:** A lawfully pre-existing non-conforming single or two-family residential structure may, by Special Permit be demolished and reconstructed on the same site provided it meets the criteria laid out in Towns' zoning by-law. Review and approval for this project falls under the jurisdiction of the Zoning Board of Appeals.

The subject dwelling is located in the MR-30 Zoning district.

Respectfully,

David Riquinha
Building Commissioner
Zoning Enforcement Officer

It is the owners' responsibility to check with other departments, i.e. Health, and conservation, etc. 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.

NARRATIVE REGARDING PROJECT

RE: **MARIA COLELLA**

114 Onset Ave.
Map 2, Lot 100A

SITE DESCRIPTION

The subject property (structure) is Unit 1 (of 8) of the Ships-A-Shore Condominium Association located in the Point Independence section of Onset in an MR30 residential zone. It is not located in any flood zone. The commonly held lot is about 1.1 acres (+/- 47,900 SF), which is less than the 245,000 square feet that would be required for 8 units

The 282.72 feet of frontage on Onset Ave is greater than the 250 feet required. There is no physical access to the property from Onset Ave. The property obtains additional frontage from both Maple Street and Churbuck Lane. The existing Onset Ave. (front) setback is currently about 10 feet and proposed to remain the same.

On-site parking spaces are currently provided all eight units on the property. The property is served by both Town water and sewer, as well as natural gas.

PROJECT DESCRIPTION

Unit 1 (photo included in the appendices) is a single story structure that is proposed to be demolished. A new one and a half story with basement structure is proposed to be constructed essentially on the same footprint, but slightly larger.

REASONS FOR GRANTING THE VARIANCE/SPECIAL PERMIT

Relief is being sought from the front setback to allow the new structure to occupy the same place as the existing building, so the pre-existing non-conforming setback remains unchanged, and consistent with two adjacent units.

It is felt that these proposed improvements will provide an overall benefit to the petitioner, property, and to the neighborhood, and can be accomplished (b) without substantial detriment to the public good during or after construction. It is further felt that this can be accomplished (c) without nullifying or substantially derogating from the intent or purpose of the Wareham Zoning Bylaws.

Being a multi-family condominium, the property is (d) unique in this primarily single family neighborhood

Relief will allow beneficial enjoyment of the property by the petitioners. We, therefore believe that this Special Permit/Variance can be reasonably granted, and encourage the Board to favorably review this request.



MAP & LOT	OWNER	CO-OWNER	STREET ADDRESS	TOWN	STATE	ZIP CODE
TOWN OF WAREHAM ABUTTERS						
MAP 2 LOT 1000/A						
OWNER MARIA S COLELLA						
2-229	JONES MICHAEL	JONES PATRICIA	PO BOX 1583	ONSET	MA	02558
2-232	COYLE GERARD J	COYLE KATHLEEN M	5 INDEPENDENCE LN	BUZZARDS BAY	MA	02532
2-1003	PT INDEPENDENCE YACHT CLUB INC	C/O CHRISTINE COUGHLIN	61 RANGELEY RD	ARLINGTON	MA	02474
2-1042	KUPPENS CHRISTOPHER	KUPPENS MARGARET	133 ONSET AVE	BUZZARDS BAY	MA	02532
2-E4	PALMER MARY JANE		PO BOX 477	BUZZARDS BAY	MA	02532
2-1000/F	ALLEN SHIRLENE		116 ONSET AVE UNIT 6	ONSET	MA	02558
2-1000/E	HASKELL STEVEN	HASKELL DEBORAH	46 BUNKER LN	ROTONDA WEST	FL	33947
2-1000/B	MONTI JOSEPH P		P O BOX 781	BELLINGHAM	MA	02019
2-1000/D	SMITH BRENT R + CHERYL A TRS	SMITH CHERYL A + BRENT R TRS	47 SNOWOOD DR	THORNTON	NH	03285
2-1000/C	OCONNOR JOHN	OCONNOR JUDITH	41 OLD CART RD	AUBURN	MA	01501
2-1000/H	GONSALVES CARL R		3 MAPLE ST #8	BUZZARDS BAY	MA	02532
2-1000/G	HARDIMAN LOUISE A	HARDIMAN JAMES E	30 SYCAMORE ST	BROCKTON	MA	02301
2-1000/A	COLELLA MARIA S TRUSTEE	MARIA S COLELLA NOMINEE TRUST	83 DOWNEY ST	HOPKINTON	MA	01748
2-1043	MANN SUSAN C TRUSTEE	SUSAN C MANN REV TRUST	PO BOX 41	ONSET	MA	02558
3-1032	HANNON WILLIAM J		17 MAPLE ST	BUZZARDS BAY	MA	02532
3-236/B	KILEY GERARD F	RONDEAU-KILEY MARY CO TRS	13 MAPLE ST	BUZZARDS BAY	MA	02532
3-236/A	HIGGINS JULIE M	HIGGINS JON C	11 MAPLE ST	BUZZARDS BAY	MA	02532
3-1016	HOGAN MICHAEL P	DWYER MARGARET M	23 ASPEN HOLLOW DR	N EASTON	MA	02356
3-235/B	TEVES DENNIS A	TEVES ADELE TRUSTEES	12 MAPLE ST	BUZZARDS BAY	MA	02532
3-FC40	RICHARDS JONATHAN S	RICHARDS TERI L	448 FRONT ST	MARION	MA	02738
3-234	KATZ JEFFREY A	KATZ CHERYL A	9 HERITAGE DR	BERKLEY	MA	02779
2-T4	ANDERSON FREDERICK B	ANDERSON MELANIE	125 ONSET AVE RFD#3	BUZZARDS BAY	MA	02532
3-FC50	MARTIN MICHAEL A	MARTIN MARY BETH	PO BOX 1108	ONSET	MA	02558
3/B-4-20	PRUNIER ALLAN V	PRUNIER HELEN M	4 MAPLE ST RR3	BUZZARDS BAY	MA	02532
3-FC41	ZAJAC JEFFREY S	ZAJAC CHRISTINE M	5 BUBBLING BROOK RD	FRANKLIN	MA	02038
3-FC43	BRYSON BETH F TRUSTEE	FERRARI FAMILY IRREV TRUST	309 VERNON ST	BRIDGEWATER	MA	02324
2-T1	MANN SUSAN C		PO BOX 41	ONSET	MA	02558
2-T6	ROGERS DAVID D		121 ONSET AVE	BUZZARDS BAY	MA	02532
3-FC39	WHITE PAUL J	WHITE SANDRA L	PO BOX 787	ONSET	MA	02558
3-1020	PHIPPS DONALD EMERSON		PO BOX 1800	ONSET	MA	02558
2-1000-10						
2-1041/A	HOLICK JAMES WALTER	BRUNI-HOLICK PAMALA JANE	PO BOX 763	MIDDLEBORO	MA	02346
CERTIFIED ABUTTERS LIST						
AS THEY APPEAR ON OUR TAX						
ROLLS AS OF 12/31/2019						
ASSASSORS OFFICE						
REQUESTED BY BILL LOCKWOOD						
508 273-0111						

G. P. Adams

- MA Places
 - Fire Station
 - Police Station
 - Town Hall
 - Public Library
 - School
- Buildings
- Parcels
- Town Boundary
- MA Highways
 - Interstate
 - US Highway
 - Numbered Route
- Streets
 - Bathymetry
 - 0-5 ft
 - 5-10 ft
 - 10-15 ft
 - 15-20 ft
 - 20-30 ft
 - 30-40 ft
 - 40-50 ft
 - 50-60 ft
 - 60-70 ft
 - 70+ ft
- Abutting Town Labels
- Abutting Towns



The data shown on this site are provided for informational and planning purposes only. The town and its consultants are not responsible for the misuse or misrepresentation of the data.



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SHIPS-A-SHORE CONDOMINIUM ASSOCIATION
3 MAPLE STREET
ONSET, MA 02558

November 6, 2020

The below listed Managers of the Ships-A-Shore Condominium Association hereby provide their approval for Maria Colella to proceed with the reconstruction project of her condominium, Unit 1.

John O'Connor, President

A handwritten signature in blue ink that reads "John O'Connor".

Louise Hardiman, Secretary/Treasurer

A handwritten signature in blue ink that reads "Louise Hardiman".



2013 00106368

Bk: 43817 Pg: 68 Page: 1 of 2
Recorded: 11/13/2013 11:53 AM
ATTEST: John R. Buckley, Jr. Register
Plymouth County Registry of Deeds

RECORD AND RETURN TO:
Maria S. Colella
83 Downey St
Hopkinton, MA 01748

MAIL
1

~ Recording Information Area ~

QUITCLAIM DEED

I, Maria S. Colella, of Middlesex County, Massachusetts, individually, for consideration paid of One Dollar and 00/100 (\$1.00), grant to Maria S. Colella, as Trustee of The Maria S. Colella Nominee Trust, udt dated March 12, 2013

with QUITCLAIM COVENANTS

Property in Onset, Plymouth County, Massachusetts, known as Unit No. 1 (the "Unit"), of the Ships-A-Shore condominium (the "Condominium"), located at 3 Maple Street in Onset, Massachusetts, which Condominium was created pursuant to M.G.L. Chapter 183A by the recording of a Master Deed dated December 21, 1976 and recorded at the Plymouth Registry of Deeds in Book 4256, Page 62, as amended of record.

Said Unit is laid out as shown on the floor plans recorded with the Master Deed and on the copies of such plans filed with the original deed to the Unit, to which is affixed a verified statement in the form provided for in M.G.L.c 183A, Section 9.

The Unit is conveyed together with an undivided 14% interest in the areas and facilities as defined and described in the Master Deed and the exclusive right to use those Common Areas and Facilities appurtenant to said Unit as set forth in the Master Deed and the Unit Deed.

The Unit is subject to and has the benefit of all rights, easements, agreements, interest and provisions contained in the Master Deed and the condominium Trust and By-Laws recorded therewith, as any of the same may be amended from time to time pursuant to the provisions thereof, as well as the provisions of Chapter 183A of the Massachusetts General Laws as the same may be amended from time to time.

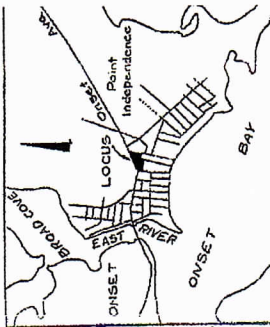
For Grantor's title see Plymouth Registry of Deeds Book 32230, Page 288.

[SIGNATURE AND NOTARY PAGE TO FOLLOW]

Property Address: 3 Maple Street Unit 1, Onset, MA 02558



THESE PLANS ARE FOR ASSASSINMENT
PARCELS OR PARTS OF PARCELS
AND ARE NOT TO BE USED FOR
ANY OTHER PURPOSES



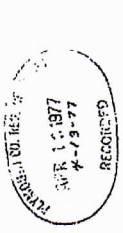
KEY MAP
 Traced from U.S.G.S. Scale 1"=2000'
 Onset, Gloucester
 REFER TO ASSESSORS PLAT
 NO.2 LOT 1000

Town of Wareham Planning Board Approval
 under the Subdivision Control Law not
 required.

John Westgate CLERIC
 ENDORSEMENT OF THIS PLAN DOES
 NOT COMPRISE A DETERMINATION
 BY THE PLANNING BOARD OF
 COMPLIANCE WITH WAREHAM
 ZONING BY-LAWS.
 Date April 14, 1977

FOR REGISTRY USE ONLY

PLYMOUTH CO. DEEDS
 Book 4256 Page 62



77-24
 I CERTIFY THAT THIS PLAN HAS BEEN
 PREPARED IN CONFORMANCE WITH THE RULES
 AND REGULATIONS OF THE REGISTERS OF DEEDS



PLAN OF LAND
 PREPARED FOR

WILLIAM RAWLS
SHIPS & SHORE STREET
ONSET, MASS.

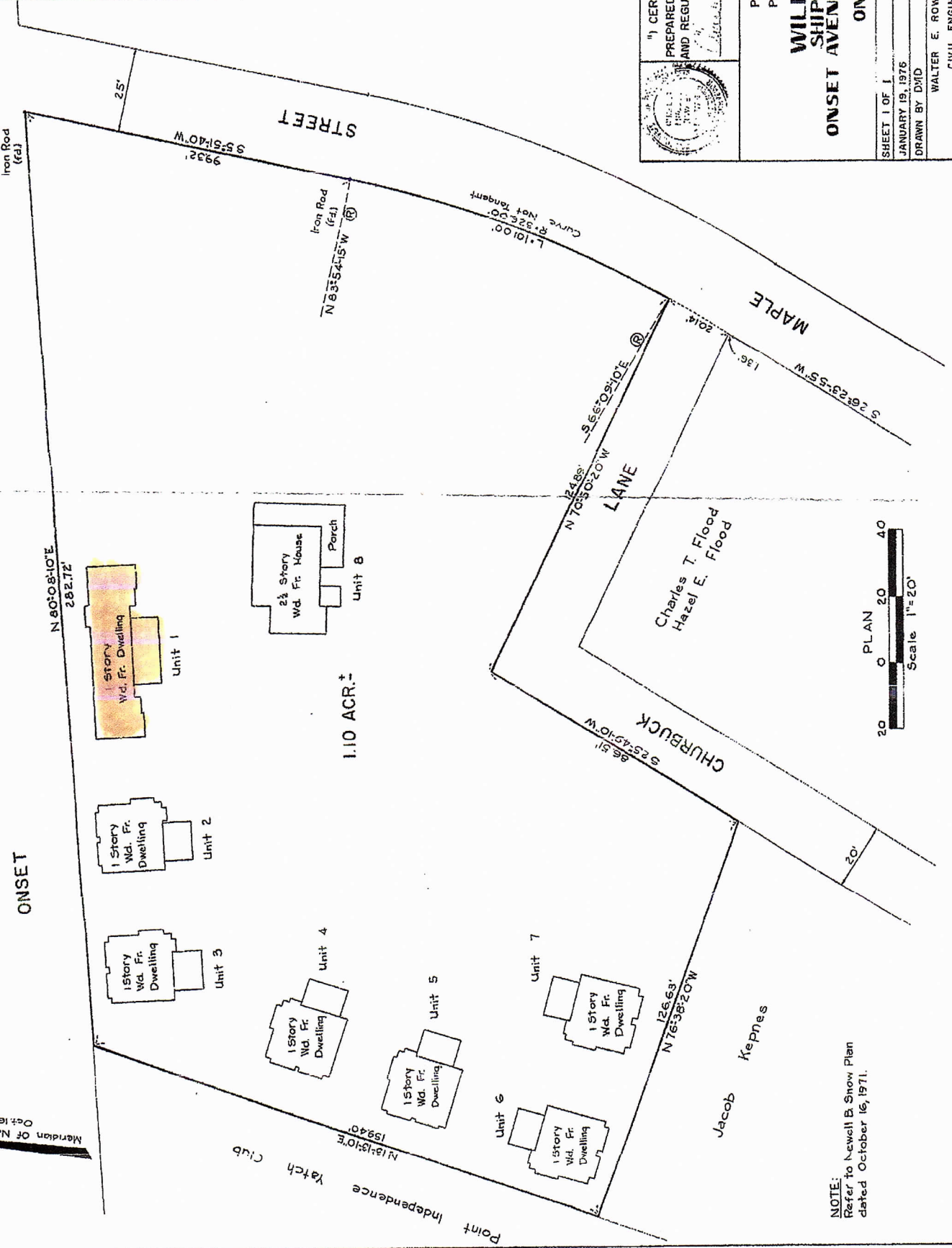
SHEET 1 OF 1
 JANUARY 19, 1976
 DRAWN BY DMD

W.O. 75-353
 PLAN NO. R 330
 FOLIO NO. 861

WALTER E. ROWLEY & ASSOCIATES, INC.
 CIVIL ENGINEERS & SURVEYORS
 WEST WAREHAM & FALMOUTH, MASS.

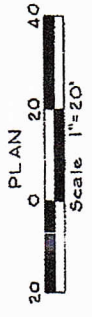
77-24

AVENUE



1.10 ACR.±

Charles T. Flood
 Hazel E. Flood



NOTE:
 Refer to Newell B. Snow Plan
 dated October 16, 1971.

Mardon Of Newell B Snow Plan
 Oct 16, 1971

EXISTING HOUSE PHOTO



EXISTING VIEW FROM SOUTHEAST
(BUILDING TO BE DEMOLISHED)