

Request for

VARIANCE OR SPECIAL PERMIT

to the

WAREHAM ZONING BOARD OF APPEALS

DIANE GORFINKLE

12 Onset Bay Lane

**Point Independence
Wareham, MA**

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- PROPOSED SITE PLAN
Braman Surveying #F-1459 (10.30.22)
- PROPOSED PLAN
Lockwood Architects A1z (10.30.22)





4-14-
22
110

**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: 12 ONSET BAY LANE MAP: 2 LOT: 27

ZONING DISTRICT: OV2

USE REQUESTED: RESIDENTIAL

OWNER OF LAND & BUILDING: DIANE GORFINKLE TEL.# 609.902.8622

ADDRESS OF OWNER: 122 SAYRE DR, PRINCETON, NJ 08540

PERSON(S) WHO WILL UTILIZE PERMIT: OWNER

ADDRESS: SAME

DATE: 10.30.2022 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 R.A., of Lockwood Architects**

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: **12 Onset Bay Lane**

Landowner Name: **Diane Gorfinkle**

Owner's Address: **122 Sayre St., Princeton, NJ 08540**

Telephone Number: **609.902.8622**

Contact Person: **William H. Lockwood**

Telephone Number: **508.273.0111**

Map **2** Lots **27**

Zone **OV-2**

Date Approved _____

Date Denied _____

Comments:



TOWN of WAREHAM
Massachusetts
BUILDING DEPARTMENT

Paul E. Turner
Director of Inspectional Service

November 3, 2022

Mr. William Lockwood
P.O.Box 95
Onset, Massachusetts, 02558

RE: 12 Onset Bay Lane

Map 2, Lot 385

I have reviewed your application for a building permit to construct three additions to the dwelling located at 12 Onset Bay Lane, Wareham, Massachusetts. At this time, I must deny your request.

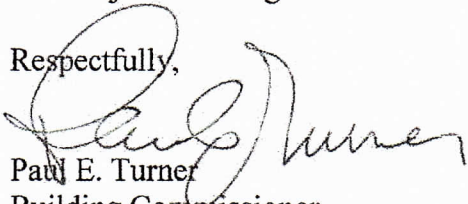
Two of the proposed additions located on the north side are encroaching on the side property set back and the Floor Area Ratio will be increased from 22.7% to 28.1%. The building coverage is also being increased from 32.8% to 38.2%. Therefore, a Special Permit and a variance will need to be secured from the Zoning Board of Appeals to proceed with your request.

Your proposal is being denied under the following sections of the Wareham Zoning By-laws:

- **Article 6: Density and Dimensional Regulations, 628 Dimensional Standards for Small Lots, category 1, side set back.**
- **Article 6: Density and Dimensional Regulations, 628 Dimensional Standards for Small Lots, category 1, F.A.R.**
- **Article 6: Density and Dimensional Regulations, 622 Village Districts, Maximum Building Coverage.**

The subject dwelling is located in the OV-2 zoning district.

Respectfully,


Paul E. Turner
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: DIANE GORFINKLE

12 Onset Bay Lane
Map 2, Lot 27

SITE DESCRIPTION

The subject property is located in the Point Independence section of Onset Village in an OV2 residential zone. The property is not located in any flood zone. The lot is about 2440 square feet which is about 25% of the 10,000 sf prescribed by the zone. The lot has 38.92' of frontage.

In addition to the existing two bedroom house, a shed is located on the property. Two on-site parking spaces are currently provided. The property is served by Town water and Town sewer. Natural gas is in the street, but the house is not currently connected.

PROJECT DESCRIPTION

Three small additions with crawl space are proposed.

REASONS FOR GRANTING THE VARIANCE/SPECIAL PERMIT

Relief is being sought from the (north) side setback to allow construction of two of the three additions. The (pre)existing non-conforming structure is only 0.4 feet off that property line. The two proposed additions would be about half a foot and a foot and a half respectively from the line. Construction would occur in the setback, but it would not increase the existing non-conformity.

Relief is sought from the Floor Area Ratio (FAR) requirement of 25% to allow an increase from the existing condition of 24.4% to a proposed condition of 28.5%. Although this creates an apparent new non-conformity, it will become a moot point once the Attorney General certifies the October 27, 2022 vote of Town meeting to change that section of the Code, deleting the FAR provisions in their entirety.

Relief is sought from the Building Coverage requirement of 20% to allow an increase in the pre-existing non-conforming condition from 34.3% to 38.5%. The current house is only about 556 square feet. If it were an apartment, Section 823 of the Wareham Zoning Code would require 650 square feet (exclusive of closets and bathrooms) as a minimum. The proposed project would add about 150 square feet, yet only bring the house up to 578 square feet by the Town's formula. Currently the second bedroom is only six feet wide which does not meet State Building Code for minimum habitable room dimension.

The petitioner intends to retire to Onset once the construction is complete. It is felt that these proposed improvements will provide an overall benefit to the petitioner, the 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.

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



TOWN OF WAREHAM ABUTTERS
 MAP 2 LOT 27 300'
 OWNER DIANE GORFINKLE

MAP & LOT	OWNER	CO-OWNER	STREET ADDRESS	TOWN	STATE	ZIP CODE
2-C4	MICHAELS NANCY S TRUSTEE	NANCY S MICHAELS REVOCABLE TR	145 MESHANTICUT PARKWAY	CRANSTON	RI	02920
2-C3	WHITE LAYNE F TRUSTEE	LAYNE F WHITE 2010 REVOC TRUST	PO BOX 1144	ONSET	MA	02558
2-C2	MORGAN BARRY A	MORGAN TERRI L	237 PROSPECT ST	FRANKLIN	MA	02038
2-C1	MILLER ANN		257 GIFFORD RD	WESTPORT	MA	02790
2-C5	MONTISANO JOSEPH F		82 BROOKLINE ST	PEPPERELL	MA	01463
2-C6	APREA JENNY M & JOHN J JR	APREA MARK A TRUSTEES	21 HARTSHORN ST	W BRIDGEWATER	MA	02379
2-C7	RAFTER JULIE H TRUSTEE	RAFTER ONSET REALTY TRUST	11 MEADOW LANE	FRAMINGHAM	MA	01701
2-C8	JOHNSON RALPH C	JOHNSON THERESA	15 ONSET BAY LN RFD3	BUZZ BAY	MA	02532
2-29	BRIGGETT MARLISSA S TRUSTEE	LS BRIGGETT IRREV TRUST	46 PETER TUFTS RD	ARLINGTON	MA	02474
2-28/B	BRIGGETT MARLISSA S TRUSTEES	BRIGGETT FAMILY IRREV TRUST	46 PETER TUFTS RD	ARLINGTON	MA	02474
2-28/A	CASSIDY JAMES P III	PETERSON LUANNE M TRUSTEES	14 ONSET BAY LN	BUZZARDS BAY	MA	02532
2-27	GORFINKLE DIANE		122 SAYRE DR	PRINCETON	NJ	08540
2-26	CUDLITZ ROBERTA S ET AL	ONEIL CAROLYN S	244 PLEASANT ST	TEWKSBURY	MA	01876
2-24	DENOVELLIS MARK A	DENOVELLIS ELIZABETH A	PO BOX 32	ONSET	MA	02558
2-23/B	CHERELLA ROBERT S JR TRUSTEE	CHERELLA FAMILY IRREV TRUST	450 WEST ELM AVE	BURBANK	CA	91506
2-23/A	LYNCH FRANCIS J III TRUSTEE	OF THE LONG NECK REALTY TRUST	173 SUZZANNE DDR	RAYNHAM	MA	02767
2-22	ONEIL KATHLEEN J TRUSTEE	KATHLEEN J ONEIL IRREVOC TRUST	PO BOX 21	ONSET	MA	02558
2-21	RUGGIERO WILLIAM J	RUGGIERO BRENDA	357 WEST BRITANNIA ST	TAUNTON	MA	02780

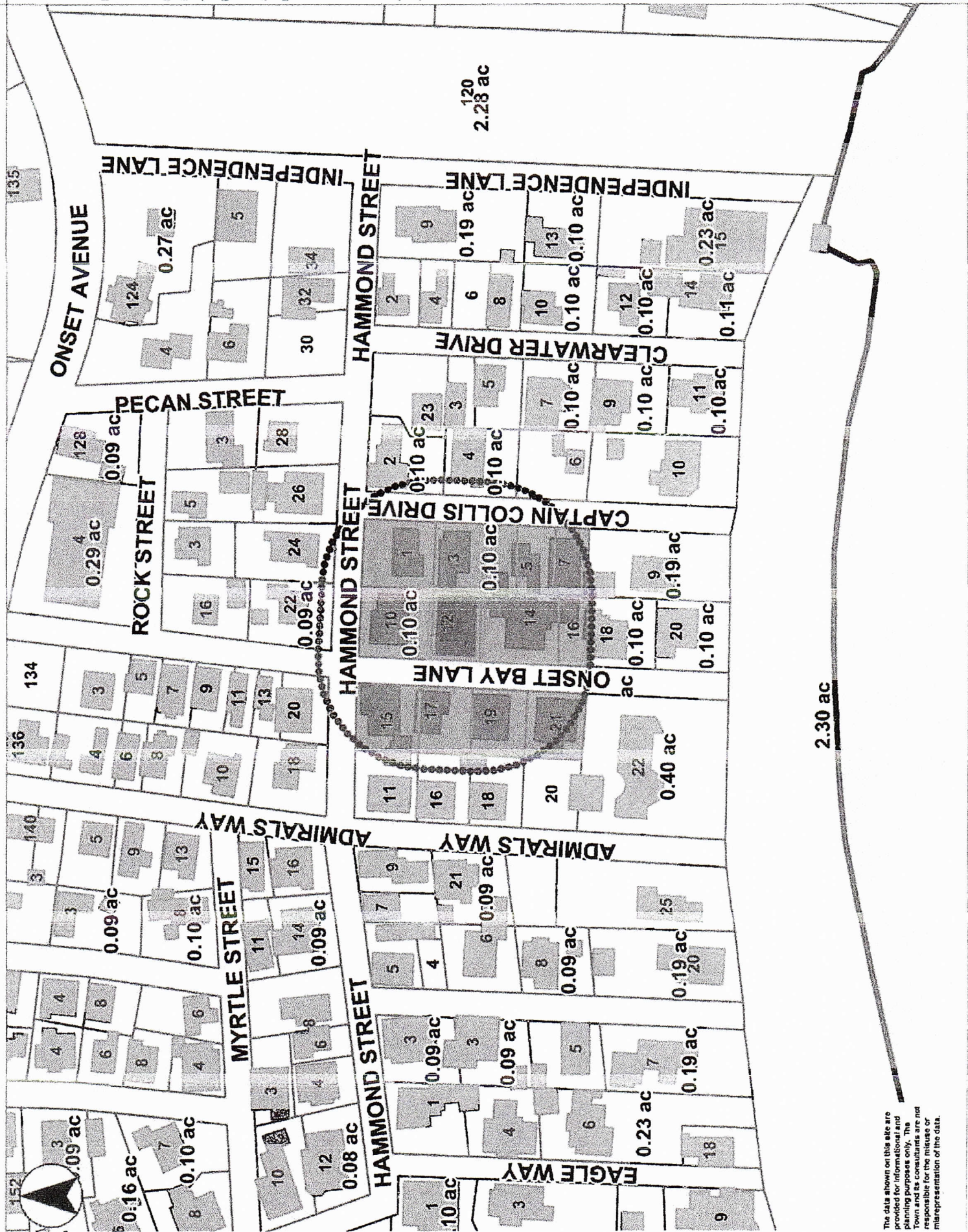
CERTIFIED ABUTTERS AS THEY APPEAR
 ON OUR TAX ROLLS AS OF 10/18/2022

By: Ronnie Atkins

ASSESSORS OFFICE

REQUESTED BY
 BILL LOCKWOOD
 508 273-0111
 LOCKWOODARCH@GMAIL.COM

- MA Phase
- Fire Station
- Police Station
- Town Hall
- Public Library
- School
- Buildings
- Parcels
- Town Boundary
- MA Highways
- Interstate
- US Highway
- Numbered Rout
- 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.



12 ONSET BAY LN

Location 12 ONSET BAY LN

Mblu 2 / 27 / 1

Acct#

Owner GORFINKLE DIANE

Assessment \$289,500

Appraisal \$289,500

PID 942

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2022	\$98,400	\$191,100	\$289,500

Assessment			
Valuation Year	Improvements	Land	Total
2022	\$98,400	\$191,100	\$289,500

Owner of Record

Owner GORFINKLE DIANE
Co-Owner
Address 122 SAYRE DR
PRINCETON, NJ 08540

Sale Price \$278,000
Certificate
Book & Page 29188/0020
Sale Date 10/01/2004
Instrument UNKQ

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
GORFINKLE DIANE	\$278,000		29188/0020	UNKQ	10/01/2004
DARELIUS CAROLE R	\$223,000		22737/0151	UNKQ	08/29/2002
WATSON TREVOR S	\$0		18988/0198	1A	10/20/2000
DUTRA JENNIFER D	\$107,000		15142/0184	1G	05/01/1997
POPE RUTH M TRUSTEE	\$1		9940/0224		09/12/1990

Building Information

Building 1 : Section 1

Year Built: 1920

Building Photo

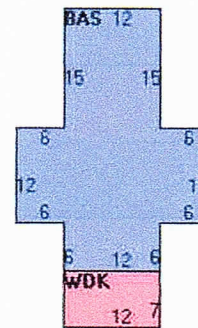
Living Area: 540
Replacement Cost: \$122,471
Building Percent Good: 80
Replacement Cost Less Depreciation: \$98,000



(https://images.vgsi.com/photos2/WarehamMAPhotos/A00\03\08\69.jpg)

Building Attributes	
Field	Description
Style:	Bungalow
Model	Residential
Grade:	Below Ave
Stories:	1 Story
Occupancy	1
Exterior Wall 1	Wood Shingle
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asphalt Shing
Interior Wall 1	Drywall
Interior Wall 2	
Interior Flr 1	Pine/Soft Wood
Interior Flr 2	Carpet
Heat Fuel	Propane Gas
Heat Type:	Hot Air-No Duc
AC Type:	None
Total Bedrooms:	2 Bedrooms
Total Bthrms:	1
Total Half Baths:	0
Total Xtra Fixtrs:	
Total Rooms:	4 Rooms
Bath Style:	Average
Kitchen Style:	Average
# of Fireplaces	
Fireplace Type	
Finish Bsmt SF	
Fin Bsmt Qual	
Num Park	
Fireplaces	
Fndtn Cndtn	
Basement	

Building Layout



(https://images.vgsi.com/photos2/WarehamMAPhotos/Sketches/942_942.)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	540	540
WDK	Deck, Wood	84	0
		624	540

Extra Features

Extra Features	Legend

No Data for Extra Features

Land

Land Use

Use Code 1010
Description SINGLE FAMILY
Zone OVR
Neighborhood 0061
Alt Land Appr Category No

Land Line Valuation

Size (Acres) 0.06
Frontage 0
Depth 0
Assessed Value \$191,100
Appraised Value \$191,100

Outbuildings

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
PAT1	PATIO			119.00 S.F.	\$400	1

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2022	\$98,400	\$191,100	\$289,500
2021	\$84,600	\$191,100	\$275,700
2020	\$79,200	\$191,080	\$270,280

Assessment			
Valuation Year	Improvements	Land	Total
2022	\$98,400	\$191,100	\$289,500
2021	\$84,600	\$191,100	\$275,700
2020	\$79,200	\$191,100	\$270,300

QUITCLAIM DEED

I, Carole R. Darelius, of Bellingham, Massachusetts in consideration of Two Hundred and Seventy-eight Thousand Dollars (\$278,000.00) grant to Diane Gorfinkle, of 122 Sayre Drive, Princeton, New Jersey, individually

with QUITCLAIM COVENANTS

the premises known as the northerly portion of Lot 27, Onset Bay Lane, Wareham, Plymouth County, Massachusetts, being described as follows:

Being a 2,440 square feet tract of land with buildings thereon, situated in the town of Wareham, Massachusetts, on the easterly side of Onset Bay Lane (4th Avenue), a public way, and shown on a plan of land titled "Plan of Lots on Onset Bay Wareham Estate of Job D. Hammond" scale 1" = 60', dated August 1882 and prepared by Alpha Land Surveying & Engineering Associates, Middleboro, MA" and being the northerly 38.92 feet of Lot 27 as shown on a plan titled "Plan of Lots on Onset Bay, Wareham, Estate of Job D. Hammond, Scale 1 in. to 60 ft., August 1982, A. Savery, Civil Engr.," recorded in Plymouth County Registry of Deeds in Plan Book 1, Page 89, said tract of land being more particularly described as follows:

Commencing at the southeast corner of the intersection of the easterly right of way line of said Onset Bay Lane with the southerly right of way line of Hammond Street, a public way;

THENCE southwesterly along the easterly right of way line of Onset Bay Lane, SOUTH 16 15' 00" WEST a distance of 66.00 feet to a found drill hole at the northwesterly corner of the tract of land herein described and the POINT OF BEGINNING.

THENCE departing said easterly right of way line, southeasterly along the southerly line of Lot 26, SOUTH 74 08' 00" east, a distance of 62.70 feet to a point for corner.

THENCE southwesterly by lot 22 as shown on said Savery plan, SOUTH 16 15' 00" WEST, a distance of 38.92 feet to a point for corner;

THENCE northwesterly by the southerly portion of said Lot 27, NORTH 74 08' 00" WEST, a distance of 62.70 feet to a point for corner in the easterly right of way line of the aforesaid Onset Bay Lane;

THENCE northeasterly along said easterly right of way line, NORTH 16 15' 00" EAST, a distance of 38.92 feet to the POINT OF BEGINNING.

CONTAINING AN AREA of 2,440 square feet more or less.

For my title see deed of Trevor S. Watson recorded in the Plymouth County Registry of Deeds in Book 22737, Page 151 for title.

Location of Property: 12 Onset Bay Lane, Wareham (Onset), Massachusetts

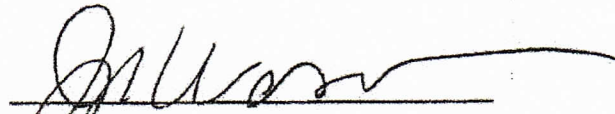
With my hand and seal this 1st day of October 2004.


Carole R. Darelius

COMMONWEALTH OF MASSACHUSETTS

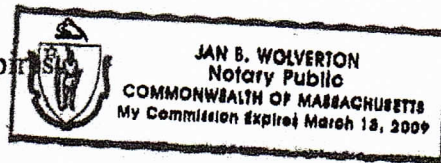
Plymouth, ss.

On this 1st day of October 2004, before me the undersigned notary public, personally appeared Carole R. Darelius and proved to me through satisfactory evidence of identification, which were MA Drivers Lic to be the person(s) whose name(s) is/are signed on the preceding or attached document, and acknowledged to me that /she/ signed it voluntarily for its stated purpose.



Notary Public

My comm'n expires



Return to:

Wolverton & Himmelfarb
P.O Box 387
8 Sandwich Road
Wareham, MA 02571

CANCELLED

**PLYMOUTH
DEEDS REG#18
PLYMOUTH**

10/01/04 2:09PM 01
000000 #3926

FEE \$1267.68

CASH \$1267.68

EXISTING HOUSE PHOTO



EXISTING VIEW FROM STREET (WEST)

WAREHAM ZONING BOARD OF APPEALS
DIANE GORFINKLE
12 Onset Bay Lane, Pont independence, Wareham