

ZONING BOARD OF APPEALS DECISION SHEET

Petition Number: 19-22

WAREHAM TOWN CLERK  
2022 JUL 21 PM3:15

Petitioner Name: John J. Perrone & Kimberly A. Sullivan

Map: 94

Lot: F3

Address: 14 Fonseca Way

Project: Proposing to construct a detached garage

Special Permit  Variance  Both (Circle one)

Reason for granting/denying the application:

FINDINGS: meets STANDARD conditions  
and STATUTORY requirements MGL 40A Sect 10.

Conditions:

1. STANDARD CONDITIONS
2. AS PER PLAN BY J.C. ENGINEERING
3. DATE: 2/14/2022
4. \_\_\_\_\_
5. RIDGE NOT TO EXCEED 17' FEET.
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

Town of Wareham

BOARD OF APPEALS

Petition No. : 19-22  
Book: 52898 Page: 0220  
Date: 07/13/2022

Certificate of Granting of Variance  
(General Laws Chapter 40A, Section 11)

The Board of Appeals of the Town of Wareham hereby certifies that a Special Permit has been granted:

To: John J. Perrone & Kimberly A. Sullivan

Address: 14 Fonseca Way

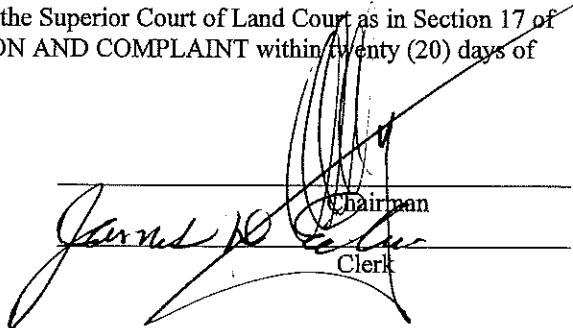
City or Town: West Wareham, MA

Affecting the rights of the owner with respect to land or buildings at 14 Fonseca Way, Assessor's  
Map 94 Lot F3

The Board of Appeals certifies that the decision attached hereto is a true and correct copy of its decision to grant a Special Permit and that copies of said decision, and of all plans referred to in the decision, have been filed with the ZBA, Conservation Commission, and the Town Clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 provides that no variance, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the Town Clerk that twenty days have elapsed after the decision has been filed in the office of the Town Clerk and no appeal has been filed or that, if such appeal has been filed, that it has been dismissed or denied, is recorded in the Registry of Deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The owner or applicant shall pay the fee for such recording or registering. A copy of the registered decision shall be returned to the Board of Appeals as proof of filing.

Any person aggrieved by this decision may appeal to the Superior Court of Land Court as in Section 17 of Chapter 40A, M.G.L. by filing a NOTICE OF ACTION AND COMPLAINT within twenty (20) days of the date of filing of this decision.

  
Chairman  
Clerk

**TOWN OF WAREHAM**  
*Board of Appeals*  
CLERK'S RECORD OF NOTIFICATION

No. 19-22

Petition of: John J. Perrone & Kimberly A. Sullivan

Location of Property: 14 Fonseca Way

Date of Notification of Hearing: July 13, 2022

Date of Hearing: July 13, 2022

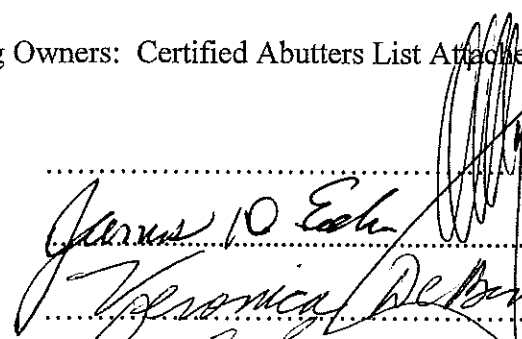
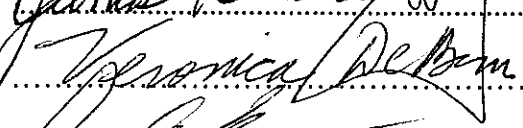

Date of Notification of Decision: July 13, 2022

DECISION: See attached

REASON:

WAREHAM TOWN CLERK  
2022 JUL 21 PM 3:15

Name and Address of Abutting Owners: Certified Abutters List Attached

  
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.....  
Board of Appeals

**NOTICE OF DECISION OF THE WAREHAM ZONING BOARD OF APPEALS**

**Petition: 19-22**

**Applicant/Owner: John J. Perrone & Kimberly A. Sullivan**

**Owner Address: 14 Fonseca Way, Wareham, MA**

**Subject Property Address: 14 Fonseca Way, Wareham, MA**

**Subject Property Parcel ID: Map 94, Lot F-3**

**Date of Public Hearing: July 13, 2022**

**Date of Notice: July 13, 2022**

**Decision/Reason:**

The Zoning Board of Appeals grants a Variance for the construction of a detached garage in the front yard at 14 Fonseca Way. The Board held a public hearing, took testimony and reviewed the filed documentation.

The Board found that the proposed detached garage is not more detrimental to the neighborhood than the existing conditions and requires a Variance. The project does not create a substantial impact to the neighborhood, and it meets the standard considerations of statutory requirements under MGL Chapter 40A Section 10.

The Board finds the proposal meets the tests under State law and Wareham Zoning Bylaw for a Variance, and grants the requested relief.

**Conditions:**

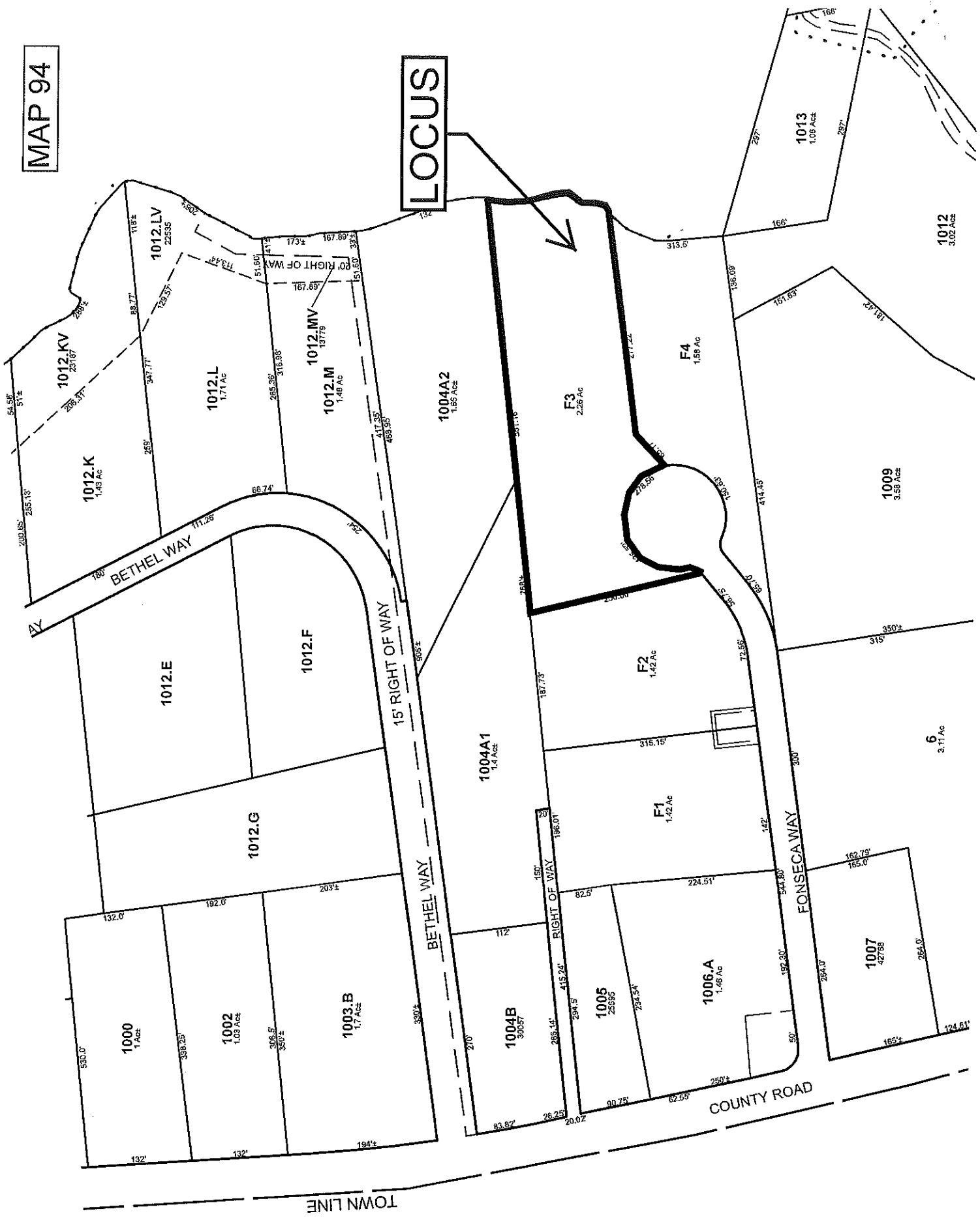
1. The construction of the garage is to be constructed per the site plan submitted by the applicant, by J.C. Engineering, dated February 14, 2022.
2. The roof ridge of the proposed garage shall not exceed 17 feet.
3. Upon completion, an "As Built" plan is to be submitted to the Building Department with a copy provided to the Board of Appeals.
4. Any relief not expressly granted hereunder is hereby denied.
5. For this decision to become effective, a copy of said decision and notice thereof must be filed at the Plymouth County Registry of Deeds and must bear the certification of the Town Clerk that twenty (20) days have elapsed and no appeals have been filed, or that if such appeal has been filed, that it has been dismissed or denied. A certified copy of said recording must be thereafter filed with the Board of Appeals.
6. If substantial use or construction permitted by this Variance has not commenced within one year from the date of which a copy of this decision is filed with the Town Clerk, excluding the amount of time required for an appeal period to expire and the amount of time required to pursue and await the determination of any such appeal, then this Variance shall expire in so far as the foregoing statement is modified by Chapter 195 of the Acts of 1984. Any person exercising rights under a duly appealed Variance does so at the risk that a court may reverse the permit and any construction performed under the permit may be ordered undone.
7. Any person aggrieved by this decision of the Zoning Board of Appeals may file an appeal pursuant to the provisions of M.G.L. Chapter 40A, section 17 within twenty (20) days of the filing of this decision in the office of the Town Clerk. If no appeal is taken within the allotted time, the Clerk will so certify.

8. **If the applicant wishes to modify the approved Record Plans, it shall submit proposed modifications in accordance with the provisions of this paragraph. Where such modification is deemed substantial, the same standards and procedures applicable to an original application for approval shall apply to such modification and a public hearing shall be required by the ZBA; provided, however, that the ZBA may determine that a proposed modification is insubstantial and approve the same without the need for any further ZBA approval.**

**VOTE: (5-0-0) By the Wareham Zoning Board of Appeals**

MAP 94

LOCUS





TOWN OF WAREHAM ABUTTERS

MAP & LOT	OWNER	CO-OWNER	STREET ADDRESS	TOWN	STATE	ZIP CODE
MAP 94 LOT F3 300'						
OWNER JOHN PERRONE & KIMBERLY SULLIVAN						
94-1009	BARBOZA JOSEPH EDWARD		634 COUNTY RD	W WAREHAM	MA	02576
94-F3	PERRONE JOHN J	SULLIVAN KIMBERLY A	14 FONSECA WAY	W WAREHAM	MA	02576
94-1012/M	ANDREWS DOMINGO J JR	ANDREWS DEBRA BOUCHER TRUSTEES	11 BETHEL WAY	W WAREHAM	MA	02576
94-F4	PERRONE CAMILLE		11 FONSECA WAY	W WAREHAM	MA	02576
94-F1	TUCKER JUSTIN C		6 FONSECA WY	W WAREHAM	MA	02576
94-1012	TWEEDY & BARNES CO		31 HOME DEPOT DR #228	PLYMOUTH	MA	02360
94-6	SEARLES PAULINE M		660 COUNTY RD	W WAREHAM	MA	02576
94-1013	TWEEDY JOHN E & BARNES VICTOR	D/B/A TWEEDY & BARNES CO	31 HOME DEPOT DR #228	PLYMOUTH	MA	02360
94-F2	BURKE DAVID J	BURKE CORALEE T	10 FONSECA WY	W WAREHAM	MA	02576
94-1004/A1	SEMEDO KENNETH	SEMEDO HENRIETTA	680 COUNTY RD	W WAREHAM	MA	02576
94-1004/A2	BERRIAULT BRANDON		9 BETHEL WAY	W WAREHAM	MA	02576
CERTIFIED ABUTTERS AS THEY APPEAR ON						
OUR TAX ROLLS AS OF 4/28/2022						
<i>By [Signature] &amp; [Signature]</i>						
ASSESSORS OFFICE						
REQUESTED BY						
BRADLEY BERTOLO						
508 273-0377						
BBERTOLO@JCENG.ORG						