

ZONING BOARD OF APPEALS DECISION SHEET

Petition Number: 20-22

Petitioner Name: Rhonda Finnerman

Map: 1

Lot: 124-B

Address: 18 Ocean Avenue

Project: Proposing to construct an addition

Special Permit Variance Both (Circle one)

Reason for granting/denying the application:

*FINDINGS: Meet statutory requirement
for MGL 40A sect 10*

Conditions:

- 1. _____
- 2. *SHOULD COMPLY*
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____

WAREHAM TOWN CLERK
2022 JUL 21 PM 3:14

Town of Wareham

BOARD OF APPEALS

Petition No. : 20-22
Book: 16299 Page: 0125
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: Rhonda Finnerman

Address: 894 Huntington Dr., Fishkill, NY

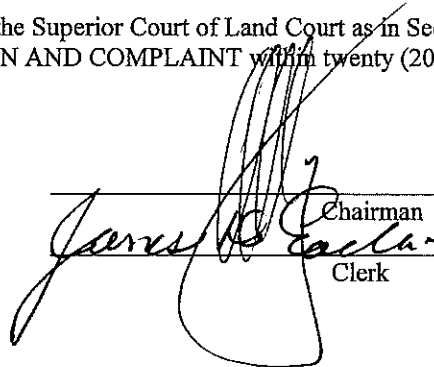
City or Town: Fishkill, NY

Affecting the rights of the owner with respect to land or buildings at 18 Ocean Avenue, Wareham MA

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. 20-22

Petition of: Rhonda Finnerman

Location of Property: 18 Ocean Avenue

Date of Notification of Hearing: July 13, 2022

Date of Hearing: July 13, 2022

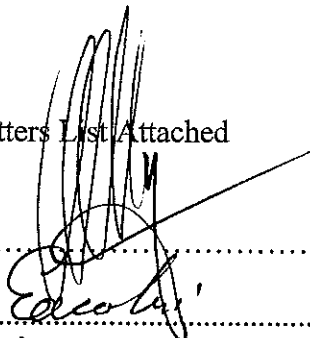
Date of Notification of Decision: July 13, 2022

DECISION: See attached

REASON:

WAREHAM TOWN CLERK
2022 JUL 21 PM 3:14

Name and Address of Abutting Owners: Certified Abutters List Attached


.....
James W. Ercolano
.....
Veronica McComie
.....
[Signature]
.....
[Signature]
.....
Board of Appeals

NOTICE OF DECISION OF THE WAREHAM ZONING BOARD OF APPEALS

Petition: 20-22

Applicant/Owner: Rhonda Finnerman

Owner Address: 894 Huntington Dr. Fishkill, NY

Subject Property Address: 18 Ocean Avenue, Wareham, MA

Subject Property Parcel ID: Map 1, Lot 124-B

Date of Public Hearing: July 13, 2022

Date of Notice: July 13, 2022

Decision/Reason:

The Zoning Board of Appeals grants a Variance to construct a second-story addition at 18 Ocean Avenue. The Board held a public hearing, took testimony and reviewed the filed documentation.

The Board found that the width of the lot is unique to the zoning district, and that the proposed addition is not more detrimental to the neighborhood than the existing conditions. 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 for a Variance, and grants the requested relief.

Conditions:

1. The renovations to be constructed per the site plan submitted with the application, entitled "18 Ocean Avenue" prepared by G.A.F Engineering, Inc., dated March 17, 2022, with a revision date of May 6, 2022, and plan set by Anthi Frangiadis Associates, dated April 11, 2022.
2. Upon completion, an "As Built" plan is to be submitted to the Building Department with a copy provided to the Board of Appeals.
3. Any relief not expressly granted hereunder is hereby denied.
4. 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.
5. 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.
6. 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.
7. 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

| TOWN OF WAREHAM ABUTTERS | | | | | | |
|-----------------------------------|--------------------------|------------------------------|----------------------------|----------|-------|----------|
| MAP & LOT | OWNER | CO-OWNER | STREET ADDRESS | TOWN | STATE | ZIP CODE |
| 1-1009 | ONSET BEACH MHP LLC | C/O MATTHEW P FALCONEIRI | 45 INDUSTRIAL PARK RD STE3 | HINGHAM | MA | 02043 |
| 1-123/B | SUMMER WIND LLC | | 53 SWEENEY LN | PLYMOUTH | MA | 02360 |
| 1-124/A | LONGDEN IAN DAVED | LONGDEN HEATER | PO BOX 1475 | ONSET | MA | 02558 |
| 1-1011 | MORAN ARTHUR E | | PO BOX 1512 | ONSET | MA | 02558 |
| 1-124/B | WILSON RHONDA A | | 894 HUNTINGTON DR | FISHKILL | NY | 12524 |
| 1-1012/C | DELUCA KAREN | | 101 PARALLEL ST | HARWICH | MA | 02645 |
| 1/C | SCOTT WILLIAM | | PO BOX 426 | ONSET | MA | 02558 |
| 1-1012/B | BESSE SANDRA | OUELLETTE JOHN J LIFE ESTATE | PO BOX 18 | ONSET | MA | 02558 |
| 1-1013 | CHARLETON RUTH M TRUSTEE | C/O PHILIP CHARLETON | PO BOX 907 | ONSET | MA | 02588 |
| 1/A | JCMA REALTY LLC | | PO BOX 1353 | ONSET | MA | 02558 |
| CERTIFIED ABUTTERS AS THEY APPEAR | | | | | | |
| ON OUR TAX ROLLS AS OF 6/2/2022 | | | | | | |
| <i>By [Signature]</i> | | | | | | |
| ASSESSORS OFFICE | | | | | | |
| REQUESTED BY | | | | | | |
| ANTHI FRANGIADIS | | | | | | |
| 508 245-3724 | | | | | | |
| ANTHI@ANTHI.F.COM | | | | | | |