

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: 78 West Blvd. MAP: 1 LOT: 744
ZONING DISTRICT: OV-2
USE REQUESTED: Put in a Bilco bulkhead door for entrance to basement
OWNER OF LAND & BUILDING: K.B. Conlon TEL.# 508-221-7137
ADDRESS OF OWNER: 78 West Blvd. Orset MA. 02558
PERSON(S) WHO WILL UTILIZE PERMIT: Contractor: Bruce Bradley.
ADDRESS: 12 Birch Street, Buzzards Bay MA. 02532
DATE: 2/10/21 SIGNATURE: [Signature]

This application was received on the date stamped here:

Town Clerk: _____ Date: _____
Tax Collector: Shane Hotal Date: 2-16-21
Planning/Zoning Dept.: Sonia Raposo Date: 2-18-2021
Application fee paid: 300.00 Check #: 702 Receipt: _____
Advertising fee paid: 100.00 Check #: 701 Receipt: _____
Abutters fee paid: 103.23 Check #: 703 Receipt: _____

WAREHAM TOWN CLERK
2021 FEB 18 AM 9:23

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: K.B. Conlon. (J92)

Applicant's Address: 78 West Boulevard, Onset Ma. 02558

Telephone Number: 508-221-7137

Cell Phone Number: 508-221-7137

Email Address: KBJ9250@aol.com

Address of Property/Project: 78 West Boulevard Onset Ma. 02558

Landowner's Name: K.B. Conlon

Owner's Address: SAME

Telephone Number: SAME

Contact Person: SAME Telephone Number: SAME

Map 1 Lot 744 Zone OU-2

Date Approved _____ Date Denied _____

Comments: _____



TOWN OF WAREHAM

Massachusetts

BUILDING DEPARTMENT

David L Riquinha
Director of Inspectional Services

Jaz Conlon
78 West Boulevard
Onset, MA 02558

February 8, 2021

RE: 78 West Boulevard

Map # 1, Lot # 744

I have reviewed your application to install an egress bulkhead at 78 West Boulevard in Onset, MA. The proposal is not in compliance with the Wareham Zoning by-law and must be denied at this time.

You are seeking permission to install a new egress bulkhead at the rear of your pre-existing non-conforming single family dwelling. The existing structure is 70" from the property line at this location, and the installation of said bulkhead will reduce that setback to 6" from the rear property line where 5' is required. You must apply for and secure a Special Permit from the Zoning Board of Appeals in order to proceed. A Variance will be required if the Board finds that the proposed bulkhead will result in a substantial detriment to the neighborhood.

The above information was compiled based on information and plans provided to me along with the permit application. If there is any new information, or changes to this plan, please provide them to me and I will amend my findings accordingly.

Your application is being denied based on the following sections of the Wareham Zoning By-law:

- **Article 13, Section 1392, De Minimis:** Structures less than 4' in height are permitted to be installed at half the normal required setback for that district. 5' is required for the bulkhead.
- **Article 13, Section 1352, Procedures:** Alteration or expansion of a lawfully pre-existing non-conforming residential structure requires relief from the zoning Board of Appeals. A Special Permit is required for expansion of a lawfully non-conforming structure unless the Board of Appeals finds that the expansion will be substantially more detrimental to the neighborhood in which case a Variance will be required.

The subject dwelling is located in the OV-2 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.

QUITCLAIM DEED

I, KYLE R. CONLON, of 78 West Boulevard, Onset, Plymouth County, Massachusetts, being married, for consideration of less than One Hundred and 00/100 (\$100.00) Dollars, grant to KYLE R. CONLON and K.B. CONLON, Husband and Wife as Tenants by the Entirety, of 78 West Boulevard, Onset, Plymouth County, Massachusetts, with quitclaim covenants

The land in Wareham, Plymouth County, Massachusetts, with the buildings thereon, shown as Lot numbered 744 on Plan of Land of Onset Bay Grove Association, Wareham, Massachusetts 1878 J.E. Starbuck, Civil Engineer filed with the Plymouth County Registry of Deeds in Plan Book 1 at Page 58; Said Lot is more particularly bounded and described as follows:

- SOUTHWESTERLY: fifty (50) feet by West Boulevard;
- NORTHERLY: eighty five (85) feet by Lot 745 as shown on said plan;
- NORTHEASTERLY: forty four and 32/100 (44.32) feet by Osseo Avenue as shown on said plan; and
- SOUTHEASTERLY: eighty five (85) feet by Lot 743 as shown on said plan.

Containing 4008 square feet.

For title reference see deed of Charles J. Piona Jr. and Mary Armstrong Piona, to this grantor, recorded with Plymouth Registry of Deeds in Book *17445* Page *129* dated *3/11/01*

Witness my hand and seal this 19th day of March, 2003.


KYLE R. CONLON

Property address: 78 West Boulevard, Onset, Massachusetts

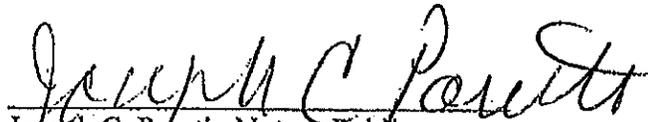
Received & Recorded
PLYMOUTH COUNTY
REGISTRY OF DEEDS
21 MAR 2003 11:51AM
JOHN R. BUCKLEY, JR.
REGISTER
Bk 24549 Pg 350

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss.

March 19, 2003

Then personally appeared the above-named KYLE R. CONLON and acknowledged the foregoing instrument to be his free act and deed, before me


Joseph C. Paruti, Notary Public
My commission expires March 19, 2004

mail 1
Joseph C. Paruti
65 Compass Drive
E. Falmouth, MA 02536

BRUCE J. BRADLEY
MASONRY
12 BIRCH STREET
BUZZARDS BAY MA. 02532
(508)-776-7480

1/21/2021

78 WEST BLVD ONSET MA- REAR

R.E . Bilco door,

- Excavate to the footing.
- Pour concrete footing with ½ " re- rod.
- Lay 2 core block and grout cores with ½" re-rod.
- Tar foundation.
- Install Bilco Classic Series Size B 51"X64"X22"and stringer kit 2"X10" treads.
- Install door at base of stairs

Total- \$4800

Thank you ,

Bruce J. Bradley

I CERTIFY THE LOCATIONS, ELEVATIONS AND TIES SHOWN ON THIS PLAN RESULT FROM AN ACTUAL SURVEY MADE ON THE GROUND, AND TO THE BEST OF MY KNOWLEDGE CONFORMS TO THE ZONING BYLAWS OF THE TOWN OF WAREHAM.

Sheldon J. ...
 REGISTERED PROFESSIONAL LAND SURVEYOR

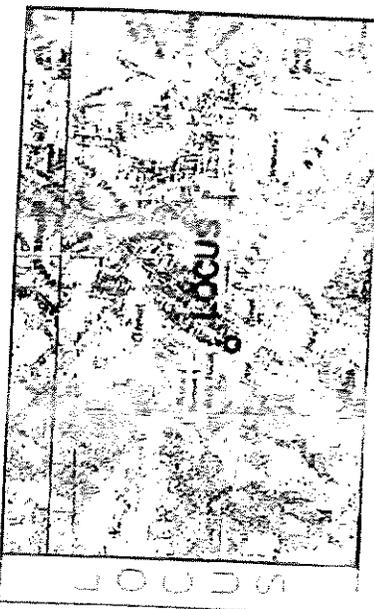
12-27-01
 DATE

OSSEO AVENUE

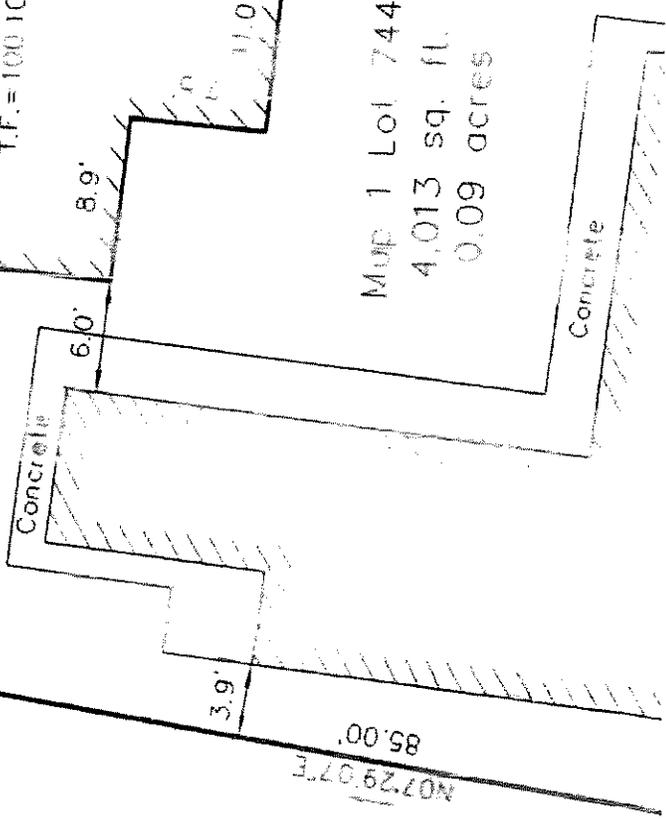
S82°57'30"E

Wareham Highway Bound

4.5' BENCH = 100.00
 Wareham Highway Bound



EXISTING FOUNDATION
 T.F. = 100 10



Map 1 Lot 744
 4,013 sq. ft.
 0.09 acres



LCP 11483A

N/F
 ROSLYN
 SIEGEL
 100. 2429
 170. 237

N/F
 ALBERT J.
 CARRIER

85.00
 N07°29'07"E

85.00
 N03°46'08"E



78 West Blvd-proposed location for bulkhead



CONSTRUCTION DETAIL

CONSTRUCTION DETAIL (CONTINUED)

Element	Cd	Description	Element	Cd	Description
Style: 03		Colonial			
Model: 01		Residential			
Grade: 05		Above Ave			
Stories: 2		2 Stories			
Occupancy: 1		Wood Shingle			
Exterior Wall 1: 14					
Exterior Wall 2: 03		Gable/Rip			
Roof Structure: 03		Asphalt Shing			
Roof Cover: 05		Drywall			
Interior Wall 1: 12		Hardwood			
Interior Wall 2: 11		Ceramic Tile			
Interior Fir 1: 03		Gas			
Interior Fir 2: 04		Forced Hot Air			
Heat Fuel: 03		Central			
Heat Type: 03		3 Bedrooms			
AC Type: 03					
Total Bedrooms: 3					
Total Bathrms: 0					
Total Half Baths: 0					
Total Xtra Fixts: 6		6 Rooms			
Total Rooms: 02		Average			
Bath Style: 02		Average			
Kitchen Style: 02					
# of Fireplaces: 0					
Fireplace Type: 0					
Finish Bsmnt SF: 0					
Fin Bsmnt Qual: 0					

CONDO DATA

Parcel Id	C	Owne	0.0
Adjust Type	Code	Description	Factor%
Condo Fir			
Condo Unit			

COST / MARKET VALUATION

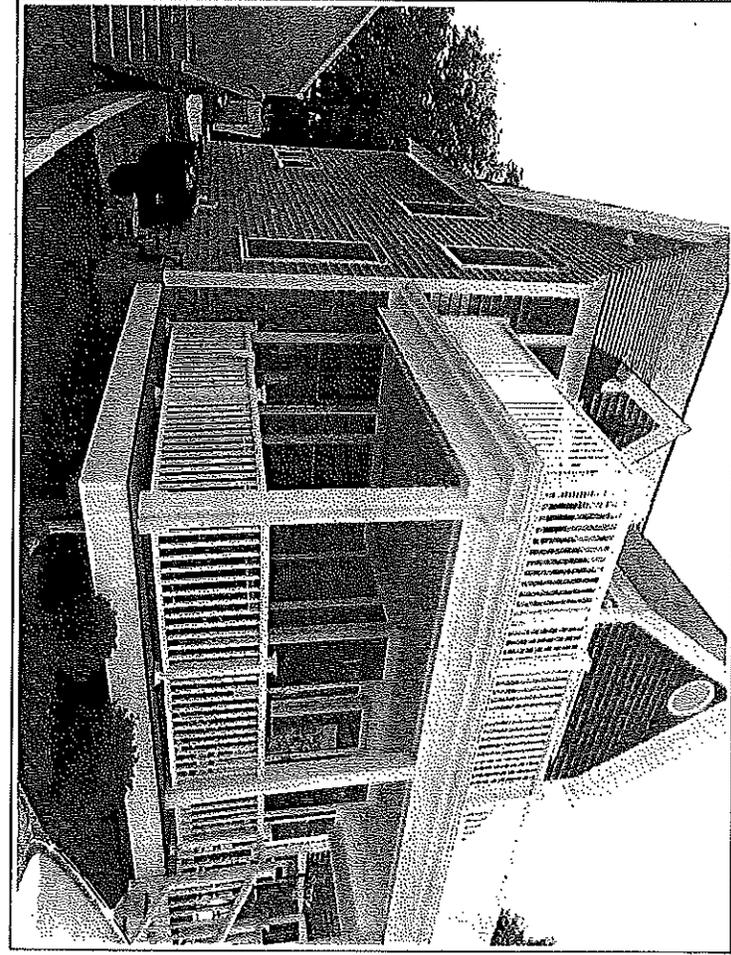
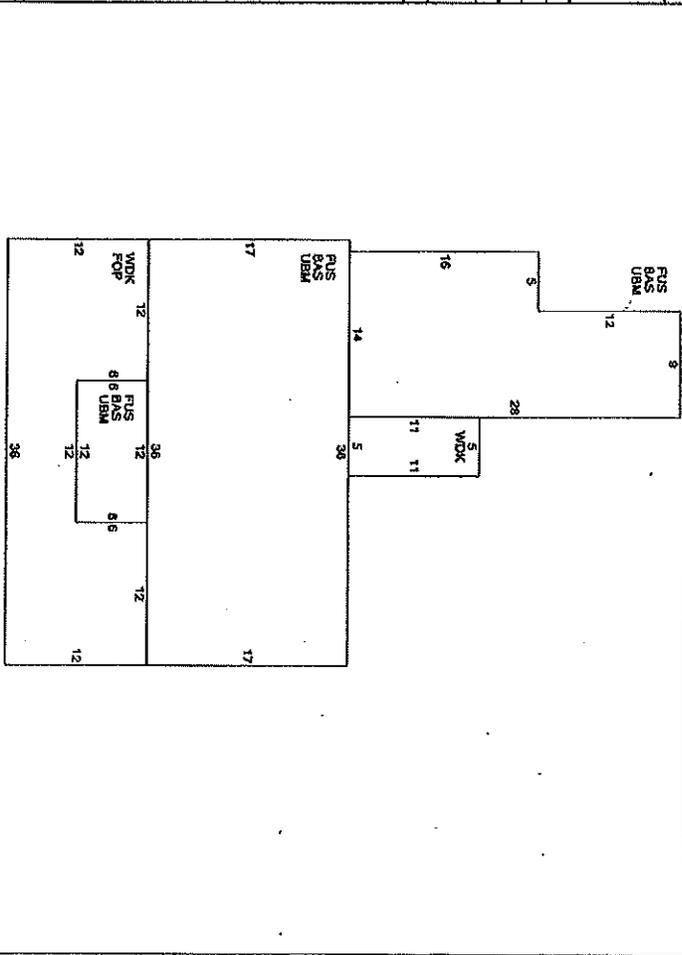
Building Value New	317,008
Year Built	2005
Effective Year Built	2009
Depreciation Code	A
Remodel Rating	
Year Remodeled	10
Depreciation %	0
Functional Obsol	0
External Obsol	1
Trend Factor	
Condition	
Condition %	90
Percent Good	285,300
RCNLD	
Dep % Ovr	
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Description	UB	Units	Unit Price	Yr Bilt	Cond.	Cd	% Gd	Grade	Grade Adj.	Appr. Value
WHL	WHIRLPOOL	B	1	2500.00	2008			90		0.00	2,300
PAT2	PATIO	L	420	9.00	2005			75		0.00	2,800

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BAS	First Floor	1,016	1,016		0	
FOP	Open Porch	0	360		0	
FUS	Upper Story	1,016	1,016		0	
UBM	Basement Unfin	0	1,016		0	
WDK	Deck, Wood	0	415		0	
Tl Gross Liv / Lease Area		2,032	3,823			



CURRENT OWNER				UTILITIES				STRT / ROAD				LOCATION				CURRENT ASSESSMENT														
CONLON KYLE R	CONLON KB	110 ADAMS ST #3	HOBOKEN NJ 07030	1 Level	2 Public Water	3 Public Sewer	4 Gas	1 Paved	2 Suburban	RES BLDG	RES LAND	RES OTHER	RES BLDG	RES OTHER	Code	Assessed	Assessed	Assessed	925	WAREHAM, MA										
				SUPPLEMENTAL DATA				Plan # Assoc. Parcels				1090	1090	1090	1091	1091	287,600	304,300	2,800	133,100	2,800									
Total Ac 0.09				Total Ac 0.09				District 20				Assoc Pld#				1090	1090	1090	1091	1091	287,600	304,300	2,800	133,100	2,800					
GIS ID M_269447_832484				Assoc Pld#								1090	1090	1090	1091	1091	287,600	304,300	2,800	133,100	2,800									
Total												730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600

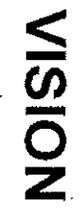
RECORD OF OWNERSHIP												PREVIOUS ASSESSMENTS (HISTORY)																			
CONLON KYLE R	CONLON KYLE	CONLON KYLE	PIONA CHARLES J JR	BK-VOL/PAGE	SALE DATE	QU	VI	SALE PRICE	VC	Year	Code	Assessed	Year	Code	Assessed	Year	Code	Assessed	Year	Code	Assessed										
24549	0350	03-21-2003	U	100	1A	2021	1090	287,600	2020	1090	1090	267,400	2019	1090	1090	260,200	1090	1090	294,800	1090	1090	1,900									
19445	0129	03-01-2001	Q	339,000	1	1090	1090	304,300	1090	1090	2,800	1091	1091	127,300	1091	128,300	1091	1091	128,300	1091	1091	128,300									
6917	0216	07-01-1986	Q	1	U	1090	1090	2,800	1091	1091	133,100	1091	1091	127,300	1091	128,300	1091	1091	128,300	1091	1091	128,300									
Total												730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600	730,600

EXEMPTIONS												OTHER ASSESSMENTS												
Year	Code	Description	Amount	Code	Description	Number	Amount	Code	Description	Number	Amount	Code	Description	Number	Amount	Code	Description	Number	Amount	Code	Description	Number	Amount	
Total												0.00												
Assessing Neighborhood												B												
Nbhd												Tracing												
0061												Batch												

NOTES
 OLD COTTAGE DEMOAND
 NEW DWELLING 2003

BUILDING PERMIT RECORD												VISIT / CHANGE HISTORY											
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments	Date	Id	Type	Is	Cd	Purpose/Result									
MIN WTRVW												Total Appraised Parcel Value 730,600											

LAND LINE VALUATION SECTION																							
#	Use Cod	Description	Zone	D	Front	Depth	Land Units	Unit Price	I. Factor	S.A.	Acres	CFact	St.Idx	Adj.	Notes	Special Pricing	S. Adif	Adj Unit	Land Value				
2	1091	MULTI HSES	OVR	2	0	0	0 SF	56	1.00000	5	1.000	1.00	0061	1.80		0	0.0000		0				
Total Card Land Units 0												SF											
Total Card Land Area 0.0920												Parcel Total Land Area 0.0920											
Total Land Value												0											



CONSTRUCTION DETAIL

CONSTRUCTION DETAIL (CONTINUED)

Element	Cd	Description	Element	Cd	Description
Style: 06		Conventional			
Model: 01		Residential			
Grade: 03		Below Ave			
Stories: 1.75		1 3/4 Stories			
Occupancy: 1		Wood Shingle			
Exterior Wall 1: 14		Gable/Hip			
Exterior Wall 2: 03		Asphalt Shing			
Roof Structure: 03		Drywall			
Roof Cover: 05		Carpet			
Interior Wall 1: 14		Ceramic Tile			
Interior Wall 2: 11		Gas			
Interior Fir 1: 03		Forced Hot Air			
Interior Fir 2: 04		Central			
Heat Type: 04		1 Bedroom			
AC Type: 03					
Total Bedrooms: 01					
Total Bathrms: 1					
Total Half Baths: 0					
Total Xtra Fixtrs: 3					
Total Rooms: 3					
Bath Style: 02					
Kitchen Style: 02					
# of Fireplaces: 0					
Fireplace Type: 0					
Finish Bsrmt SF: 0					
Fin Bsrmt Qual: 0					

CONDO DATA

Parcel Id	C	Owne	0.0
Adjust Type			
Condo Fir			
Condo Unit			

COST / MARKET VALUATION

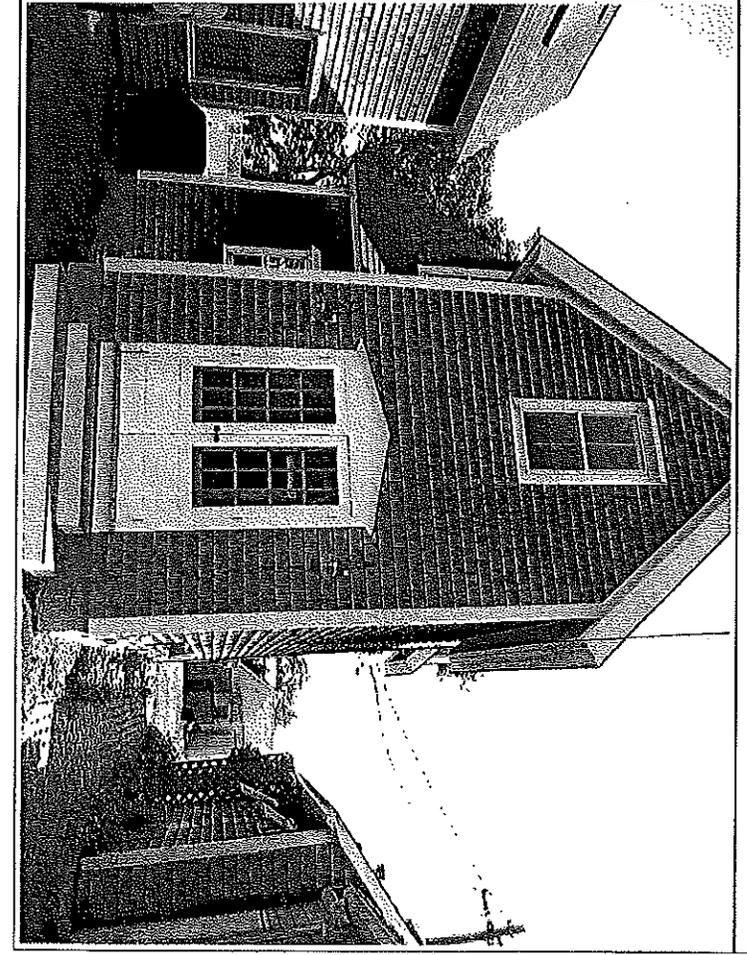
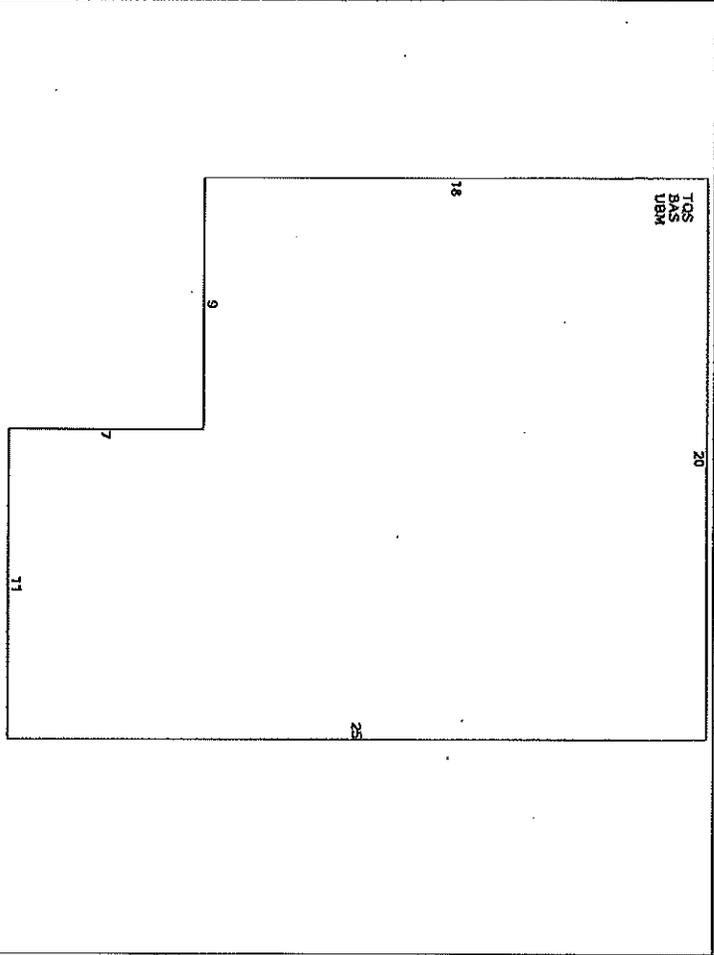
Building Value New	147,913
Year Built	2001
Effective Year Built	2009
Depreciation Code	A
Remodel Rating	10
Year Remodeled	0
Depreciation %	0
Functional Obsol	1
External Obsol	0
Trend Factor	1
Condition %	90
Percent Good	133,100
RCNLD	
Dep % Ovr	
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	

OB - OUTBUILDING & YARD ITEMS(D) / XF - BUILDING EXTRA FEATURES(B)

Code	Description	UB Units	Unit Price	Yr Bilt	Cond.	Cd	% Gd	Grade	Grade Adj.	Appr. Value
PAT2	PATO	L	420	9.00	2003		75		0.00	2,800

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Underrec Value
BAS	First Floor	437	437		0	
TOS	3/4 Story Fin	306	437		0	
UBM	Basement Unfin	0	437		0	
TD Gross Liv / Lease Area		743	1,311			





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.

800
1600 ft

Printed on 02/10/2021 at 01:04 PM

- MA Phase Station
- Police Station
- Town Hall
- Public Library
- School
- Buildings
- Parcels
- Town Boundary
- MA Highways
- Interstate
- US Highway
- Numbered Road
- Streets
- Bathymetry
- 0-5 ft
- 5-10 ft
- 10-15 ft
- 15-20 ft
- 20-30 ft
- 30-40 ft
- 40-50 ft
- 50-70 ft
- 70+ ft
- Abutting Town Label:
- Abutting Towns

February 10th, 2021

Wareham Zoning Board of Appeals

For your consideration;

My name is a Jaz Conlon, I have been a resident of 78 West Boulevard Onset MA since 2000.

My late husband Kyle Conlon, an architect and builder, designed and rebuilt our back house starting in 2001 and completed it in 2003. He passed away sadly in 2005 of cancer. I completed the front house on my own in 2007.

The entrance to the basement in the backhouse is a trap door on the floor of the kitchen, and right in front of the main entrance to the house.

A few days after my husband passed away my neighbor Lorraine McDonald of 59 West Central Avenue came over to see me, walked through the front door, and fell through to the basement as the door was up. It was a horrific accident, and the outcome could have been far worse, but ultimately she recovered from her injuries. I have taken extreme precautions whenever the basement door is open, but I have never been comfortable with this access, nor the weight of the door when opening it.

I met with several contractors to review all options available, inside and out. There is nowhere with enough space, nor a safer location on the inside of the house. The options on the outside of the house are limited to the backside, as the other 2 sides have doors and or plumbing.

The recommendation given by all 3 contractors is to put in a Bilco Classic Series Size B Bulkhead Basement Door on the backside of the building. This option is the shortest, least in length available. The measurement of the Bilco Series B is 51"X 64"x 22". The property line is 70" from the house. The proposed bulkhead is in the setback; therefore I am seeking a special permit so I can eliminate the danger and hazard of the only present entrance to the basement.

Thank you very much for your time,

K.B. (Jaz) Conlon

508-221-7137

78 West Boulevard, Onset, MA 02558

P.O. Box 1533, Onset, MA 02558

Mailing address: 110 Adams Street Apt # 3 , Hoboken NJ 07030