

ORIGINAL

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: 65 Jefferson St Hines MAP: 6 LOT: 49  
 ZONING DISTRICT: \_\_\_\_\_  
 USE REQUESTED: PRIVATE Residence New Deck  
 OWNER OF LAND & BUILDING: Ed Kinsman TEL.# 646 957 3027  
 ADDRESS OF OWNER: 2419h Valley Rd Ridgefield, CT 06877  
 PERSON(S) WHO WILL UTILIZE PERMIT: CONTRACTOR (TRSD)  
 ADDRESS: \_\_\_\_\_  
 DATE: 3/30/21 SIGNATURE: [Signature]

This application was received on the date stamped here:

WAREHAM TOWN CLERK  
2021 APR 6 11:41 AM

Town Clerk: \_\_\_\_\_ Date: \_\_\_\_\_  
 Tax Collector: Kathy Deig Date: 4/6/21  
 Planning/Zoning Dept.: Bonnie Rapson Date: 4/6/2021  
 Application fee paid: 300.00 Check #: 3537 Receipt: \_\_\_\_\_  
 Advertising fee paid: \_\_\_\_\_ Check #: \_\_\_\_\_ Receipt: \_\_\_\_\_  
 Abutters fee paid: 133.11 Check #: 3539 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: EDWARD KINSMAN

Applicant's Address: 2 High valley rd Ridgefield, CT 06877

Telephone Number: 203 438 5205

Cell Phone Number: 646 957 3027

Email Address: ed.kinsman@yahoo.com

Address of Property/Project: 65 Jefferson stores rd, EAST WAREHAM

Landowner's Name: EDWARD + LAUREN KINSMAN

Owner's Address: 2 High valley Rd Ridgefield, CT 06877

Telephone Number: 646 957 3027

Contact Person: Ed Kinsman Telephone Number: \_\_\_\_\_

Map 6 Lot 419 Zone \_\_\_\_\_

Date Approved \_\_\_\_\_ Date Denied \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PROPERTY ADDRESS: 65 Jefferson Shores Road, Buzzards Bay, MA 02532

37376  
Received & Recorded  
PLYMOUTH COUNTY  
REGISTRY OF DEEDS  
01 MAY 2009 01:01PM  
JOHN R. BUCKLEY, JR.  
REGISTER  
Bk 37145 Pg 319-320

**QUITCLAIM DEED**

I, **PATRICIA ANNE PYTTE** and **JOHN HOWARD RYAN**, of RR2, Box 143A, 233 Elmwood Road, South Salem, New York 10590 for consideration paid and in full consideration of **FOUR HUNDRED FIFTEEN THOUSAND DOLLARS AND 00/100 (\$415,000.00)** grant to **EDWARD G. KINSMAN AND LAUREN MILMERSTADT-KINSMAN**, Husband and Wife, Tenants by the Entirety, of 2 High Valley Road, Ridgefield, Connecticut 06877, with **QUITCLAIM COVENANTS** the land in Wareham, Plymouth County, Massachusetts, described as follows:

The land with the buildings thereon, designated as Lot #49, as shown on a "Plan of Jefferson Shores", Wareham, Massachusetts, A. P. Trufant, C. E., April 19, 1926, recorded with the Plymouth County Registry of Deeds in Plan Book 5, Page 554.

Said Lot #49 as shown on said Plan is bounded and described as follows:

Southwesterly            by Jefferson Road Sixty (60) feet;  
Northwesterly           by Lot #50 on said Plan one hundred twenty (120) feet;  
Northeasterly           by Buttermilk Bay sixty (60) feet; and  
Southeasterly           by a passageway one hundred twenty (120) feet.

The above described premises are conveyed subject to and with the benefit of all such other rights, rights of way, easements, appurtenances, reservations and restrictions of record if there be any now in force and applicable.

**GRANTOR TITLE:** see Deed with reservation of a Life Estate from Mary Shields a/k/a Mary Elizabeth Ryan Shields to Patricia Anne Pytte and John Howard Ryan, dated November 17<sup>th</sup>, 2000, and recorded in the Plymouth County Registry of Deeds in Book 19477, Page 140. See also Death Certificate of Mary Shields dated February 19<sup>th</sup>, 2009 and recorded in the Plymouth County Registry of Deeds in Book 36824, Page 177.

**LOCUS:** Now known as 65 Jefferson Shores Road, Wareham, Plymouth County, Massachusetts

[SIGNATURE PAGES TO FOLLOW]

After recording mail to:

Mr. Edward Kinsman  
Mrs. Lauren Milmerstadt Kinsman  
2 High Valley Road  
Ridgefield, CT 06877

PLYMOUTH  
DEEDS REG  
PLYMOUTH  
**CANCELLED**

05/01/09 12:58PM 01  
000000 #3275

FEE \$1892.40

CASH \$1892.40

WITNESS my hand and seal this 25 day of April, 2009

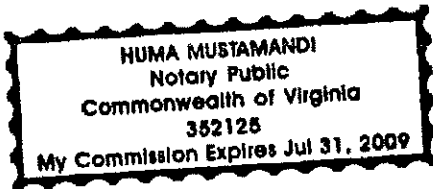
Patricia Anne Pytte  
Patricia Anne Pytte

John Howard Ryan  
John Howard Ryan

Virginia  
COMMONWEALTH OF MASSACHUSETTS

Fairfax County, SS.

On this 25 day of April, 2009, before me, the undersigned notary public, personally appeared John Howard Ryan, proved to me through satisfactory evidence of identification which were valid driver's licenses, to be the person whose name is signed on the preceding document and acknowledged to me that he signed it voluntarily for its stated purpose.



[Signature]  
Notary Public:  
My Commission Expires: 07/31/2009  
[Affix Seal]

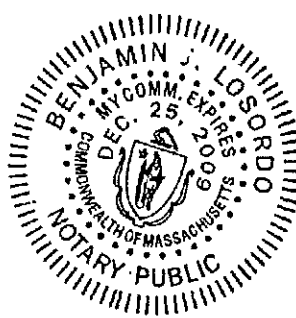
Comm 6 Mass.

Plymouth, ss

May 1, 2009

Then personally appeared Patricia Anne Pytte \*  
and acknowledged our foregoing instrument to me her  
free set & deed. Before me.  
\* Identified by  
NY Driver License

[Signature]



The foregoing is a true copy from the  
Plymouth County Registry of Deeds.  
Book 37145 Page 319  
Attest: John R. Buckley  
Register

*P118-492*



2018 00077129

Bk: 50297 Pg: 288 Page: 1 of 2  
Recorded: 09/17/2018 10:30 AM  
ATTEST: John R. Buckley, Jr. Register  
Plymouth County Registry of Deeds

**QUITCLAIM DEED**

I, **DIETER A. LANGE**, being married, of Buzzards Bay, Massachusetts

For consideration paid in the amount of SEVENTEEN THOUSAND AND 00/100 (\$17,000.00)  
DOLLARS

Hereby grant to **EDWARD KINSMAN**, and **LAUREN KINSMAN**, husband and wife as tenants by  
the entirety, of 2 High Valley Road, Ridgefield, CT 06877

**With QUITCLAIM COVENANTS**

The land in Buzzards Bay (Wareham), Plymouth County, Massachusetts, more particularly  
described as follows:

Being PARCEL A on a plan of land entitled "Approval Not Required Plan 67 Jefferson Shores  
Road Assessors Map 6 Lot 50 Wareham, Massachusetts (Plymouth County)", recorded in the  
Plymouth County Registry of Deeds in Plan Book 602, Page 96de.

The above described premises are conveyed subject to and with the benefit of all rights,  
restrictions, easements, appurtenances, reservations, and rights of way of record insofar as the  
same are still in force and applicable.

Grantor hereby releases any and all homestead rights to the within premises, whether created  
by declaration or operation of law, and further states, under the pains and penalties of perjury,  
that there are no other persons entitled to any homestead rights to the property being  
conveyed herein.

The property was not the primary residence of the Grantor, spouse, or any other.

For title reference, see deed recorded in Book 47839, Page 103.

**Property address: Parcel A, Jefferson Shores Road, Buzzards Bay, MA**

MASSACHUSETTS EXCISE TAX  
Plymouth District ROD #11 001  
Date: 09/17/2018 10:30 AM  
Ctrl# 117741 25277 Doc# 00077129  
Fee: \$77.52 Cons: \$17,000.00

**CANCELLED**

*mail*  
Returned to: Edward + Lauren Kinsman  
2 High Valley Rd.  
Ridgefield CT 06877

Signed under the pains and penalties of perjury this 17 day of September, 2018.

Dieter A. Lange  
DIETER A. LANGE

COMMONWEALTH OF MASSACHUSETTS

Plymouth ss.

On this 17 day of September, 2018, before me, the undersigned notary public, personally appeared DIETER A. LANGE proved to me through satisfactory evidence of identification, which were  driver's license [ ] personal knowledge, to be the person/s whose name/s is/are signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose, and acknowledged the truthfulness of the statements contained therein.



Rebecca L. Moore  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires February 28, 2019

Rebecca L. Moore

Notary Public:  
My Commission Expires: 2/28/19

The foregoing is a true copy from the  
Plymouth County Registry of Deeds.  
Book 50297 Page 288  
Attest: John R. Doolittle  
Register









March 30, 2021

RE: Section E, Zoning Board of Appeals Statement

To whom it may concern,

I have a deck in place that was installed by the previous owner a number of years ago based on its present condition. It has become hazardous for people entering the house and needs to be replaced. The house does not have a typical front door configuration and the deck is located on the right side of the house adjacent to a large retaining wall. The existing deck sits 3 feet above grade and measures approximately 3' x 18'. The footings/posts and decking will be solely on my property and will abut the Jefferson Shores Association easement. I have spoken with the association president and have permission from the board to build the deck.

The proposed deck will be constructed in the same location but will become 9'5" x 24'. I trust that I have provided all the information required and look forward to a positive outcome.

Thanks for your Consideration

Ed Kinsman



# TOWN of WAREHAM

*Massachusetts*

## BUILDING DEPARTMENT

David L Riquinha  
Building Commissioner

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Ed Kinsman  
2 High Valley Road  
Ridgefield, CT 06877

March 18, 2021

**RE:** 65 Jefferson Shores Road

Map # 6, Lot # 49

I have reviewed your proposal to construct a new 25' x 9.5' side deck on your property located at 65 Jefferson Shores Road, in Wareham, MA. The proposal is not in compliance with current zoning regulations and must be denied at this time.

You have applied for a permit to replace a pre-existing non-conforming side deck with a new non-conforming deck on a considerably larger footprint. The current deck and dwelling are non-conforming on the right side and you are proposing to extend the new deck all the way to the property which leaves a zero side back as well as a non-conforming front yard setback. You must apply for and secure a Special Permit from the Zoning board of Appeals in order to continue with your request. If the Zoning Board finds that the proposal is substantially more detrimental to the neighborhood, a Variance will be required.

The submitted permit application which includes a site plan by "John L. Libby Consulting, Inc." labeled "File # 2018-029" comprised of one page dated August 22, 2018 is being denied under the following sections of the Wareham Zoning By-law:

- **Article 6, Table 621, Residential Districts,** The proposed side deck does not comply with the setback requirements for the R-30 zoning district.
- **Article 13 Section 1352 Non-conforming Structures:** 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 unless the Board of Appeals finds that the expansion will result in a substantial detriment to the neighborhood in which case a Variance may be required.

The subject dwelling is located in the R-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.**

Building Permit  
**B-21-95**

**Your Submission**

Attachments

- Conservation
- Commissioner Review
- Denial Letter Fee
- Building Department Review
- Permit Fee Review
- Taxes
- Dept Comments

**Your submission**

Submitted Feb 17, 2021 at 9:06am

**Contact Information**

**ed kinsman**

Email address

ed.kinsman@yahoo.com

Phone Number

6469573027

Mailing Address

2 High Valley Rd , Ridgefield, CT 06877

TOWN OF WAREHAM ABUTTERS

MAP 6 LOT 49

PWMER EDWARD G KINSMAN & LAUREN MILMERSTADT-KINSMAN

MAP & LOT	OWNER	CO-OWNER	STREET ADDRESS	TOWN	STATE	ZIP CODE
6-1051/A	JEFFERSON SHORES ASSOC INC	C/O GLENNA HARDMAN	30 JEFFERSON SHS RD	BUZZARDS BAY	MA	02532
6-45	ANGUS DONALD H JR	CLARK ELAINE M	57 JEFFERSON SHS RD	BUZZARDS BAY	MA	02532
6-64	MCCARTHY TRACY LEE	MCCARTHY RICHARD FRANCIS JIFE ESTATE	46 JEFFERSON SHORES RD	BUZZARDS BAY	MA	02532
6-47	TRAVIS WAYNE A	TRAVIS ANN C TRUSTEES	6 FREEDOM TRAIL	NORFOLK	MA	02056
6-59/B	KINGCADE STEPHEN P	KINGCADE MICHELLE A	15 NECTAR RD	WALPOLE	MA	02081
6-52	SWEETMAN ARTHUR L	SWEETMAN PAULINE R LIFE ESTATE	71 JEFFERSON SHORES RD	BUZZARDS BAY	MA	02532
6-102	BYRD WILLIAM L		17 WOODSIDE AVE	BUZZARDS BAY	MA	02532
6-48	MORLE SALVATORE	MORLE MIRELLA	72 GAFFNEY RD	DEDHAM	MA	02026
6-49	KINSMAN EDWARD G	MILMERSTADT-KINSMAN LAUREN	2 HIGH VALLEY RD	RIDGEFIELD	CT	06877
6-104	MASTRIA SUSAN M		21 WOODSIDE AVE	BUZZARDS BAY	MA	02532
6-103	CARNEY JOHN A	CARNEY JOANNE M	8 SHERMAN DRIVE	S DEERFIELD	MA	01373
6-50/B	GRADY RICHARD P + CLINTON	GRADY JENNA TRUSTEES	140 GREENMEADOW DR	TEWKSBURY	MA	01876
6-63	CARUSO RICHARD	CARUSO ELLEN ELIZABETH RENNIE	519 BROADWAY	HANOVER	MA	02339
6-105/A	LOVE PAUL E JR	LOVE NANCY J	25 WOODSIDE AVE	BUZZARDS BAY	MA	02532
6-61/B	KELEHER PATRICK J	KELEHER LINDA J	395 ELLIS RD	N ATTLEBORO	MA	02760
6-58	SALPOGLOU EFFRAXIA P	SALPOGLOU DEMETRIOS	11 VERNON ST	NEWTON	MA	02458

CERTIFIED ABUTTERS AS THEY

APPEAR ON OUR TAX ROLLS

AS OF 2/15/2021

*W. Peter Adams*

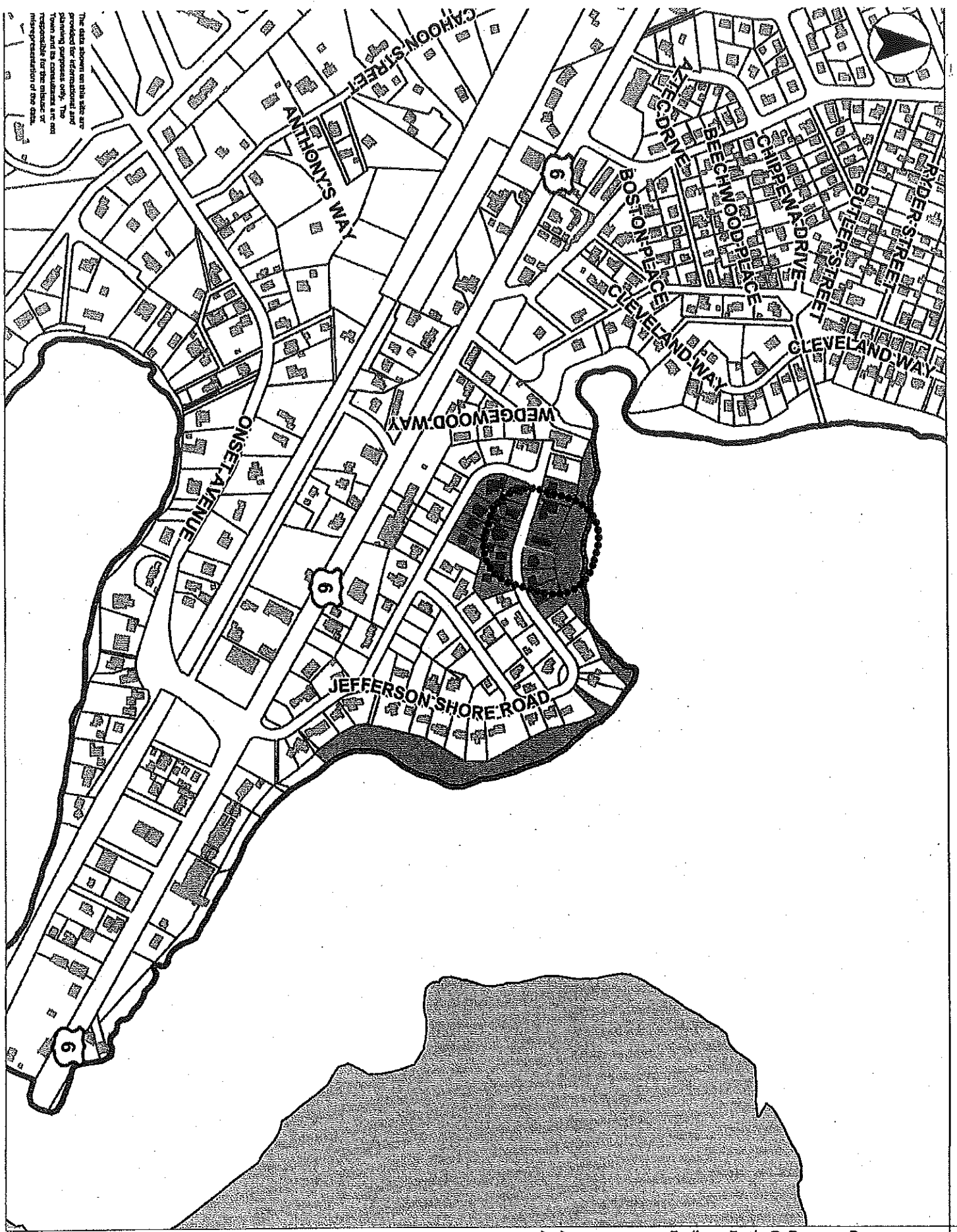
ASSESSORS OFFICE

REQUESTED BY

EDWARD KINSMAN

646 957-3027

ED.KINSMAN@CUSHWAKE.COM



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.

640

1280 ft

Printed on 03/23/2021 at 10:25 AM

MassOnline by PeopleGIS

- MA Parcel
- Fire Station
- Police Station
- Town Hall
- Public Library
- School
- Buildings
- Parcels
- Streets
- Boundary
- MA Highway
- MA 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
- 50-60 ft
- 60-70 ft
- 70+ ft
- Abutting Town Labels
- Abutting Towns