

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: 4 SHAMROCK CIRCLE MAP: 119 LOT: 928

ZONING DISTRICT: R-130

USE REQUESTED: _____

OWNER OF LAND & BUILDING: DEBORIS MILLARD TEL.# 860-379-3719

ADDRESS OF OWNER: 4 SHAMROCK CIRCLE E. WAREHAM, MA 02538

PERSON(S) WHO WILL UTILIZE PERMIT: DEBORIS MILLARD

ADDRESS: 4 SHAMROCK CIRCLE E. WAREHAM MA 02538

DATE: 8/1/2021 SIGNATURE: Deboris E. Millard

This application was received on the date stamped here:

Town Clerk: _____ Date: _____

Tax Collector: Briette Benoit Date: 8.11.21

Planning/Zoning Dept.: Dona Raposo Date: 8-10-21

Application fee paid: 300.00 Check #: 151 Receipt: _____

Advertising fee paid: 100.00 Check #: 152 Receipt: _____

Abutters fee paid: 73.35 Check #: 153 Receipt: _____

WAREHAM TOWN CLERK
2021/08/01 11:57:17

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: DEONIS MILLARD

Applicant's Address: 4 SHAMROCK CIRCLE E. WAREHAM 02538

Telephone Number: 860-379-3719

Cell Phone Number: SAME

Email Address: 1961dmil@gmail.com

Address of Property/Project: 4 SHAMROCK CIRCLE

Landowner's Name: DEONIS MILLARD

Owner's Address: 4 SHAMROCK CIRCLE E. WAREHAM

Telephone Number: 860-379-3719

Contact Person: DEONIS MILLARD Telephone Number: 860-379-3719

Map 119 Lot 928 Zone R-130

Date Approved _____ Date Denied _____

Comments: _____



TOWN of WAREHAM

Massachusetts

BUILDING DEPARTMENT

David L Riquinha
Building Commissioner

Patricia Healey
4 Shamrock Circle
East Wareham, MA 02538

July 22, 2021

RE: 4 Shamrock Circle (Garage addition)

Map # 119, Lot # G-28

I have reviewed your application to modify your existing dwelling, located at 4 Shamrock Circle, in Wareham, MA. Your proposal is not in compliance with current zoning regulations and must be denied at this time.

After careful review of your application, it is my understanding that you are looking to construct a new 22' x 26' two car garage addition on the side of your existing dwelling. The current structure is conforming on three sides; however, the front yard setback fails to meet the requirement. The new addition would intensify the existing front yard nonconformity while creating a new nonconformity along the right property line. You must submit an application to the Zoning Board of Appeals, and request relief for the front setback intensification, as well as additional relief for the new right side nonconformity.

Your building permit application is being denied under the following sections of the Wareham Zoning By-law:

- **Article 6, Table 621, Residential Districts,** The proposed addition does not comply with the setback requirements for the R-130 zoning district.
- **Article 13 Section 1352 Non-conforming Structures:** You are expanding the building along a nonconforming front setback. 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 be substantially more detrimental to the neighborhood in which case a Variance will be required.

- **Article 13 Section 1357 Non-conforming Structures:** Any proposed change that adds a new nonconformity requires relief from the Zoning Board of Appeals. You are creating a new nonconformity on the right side of the property and a Variance is required in order to proceed.

You must bring this letter to the Zoning Board office and apply for a hearing where you will request the necessary relief as mentioned above. If you are successful, you will be required to wait 20 days for the statutory appeal period to lapse; you will then need to record the ZBA decision with the Plymouth County Registry of Deeds; then apply for a new building permit to construct the addition and perform the work in accordance with the zoning approval. The existing permit application has been denied and will not be reopened to perform the requested work.

The subject dwelling is located in Zoning district R-130.

Respectfully,

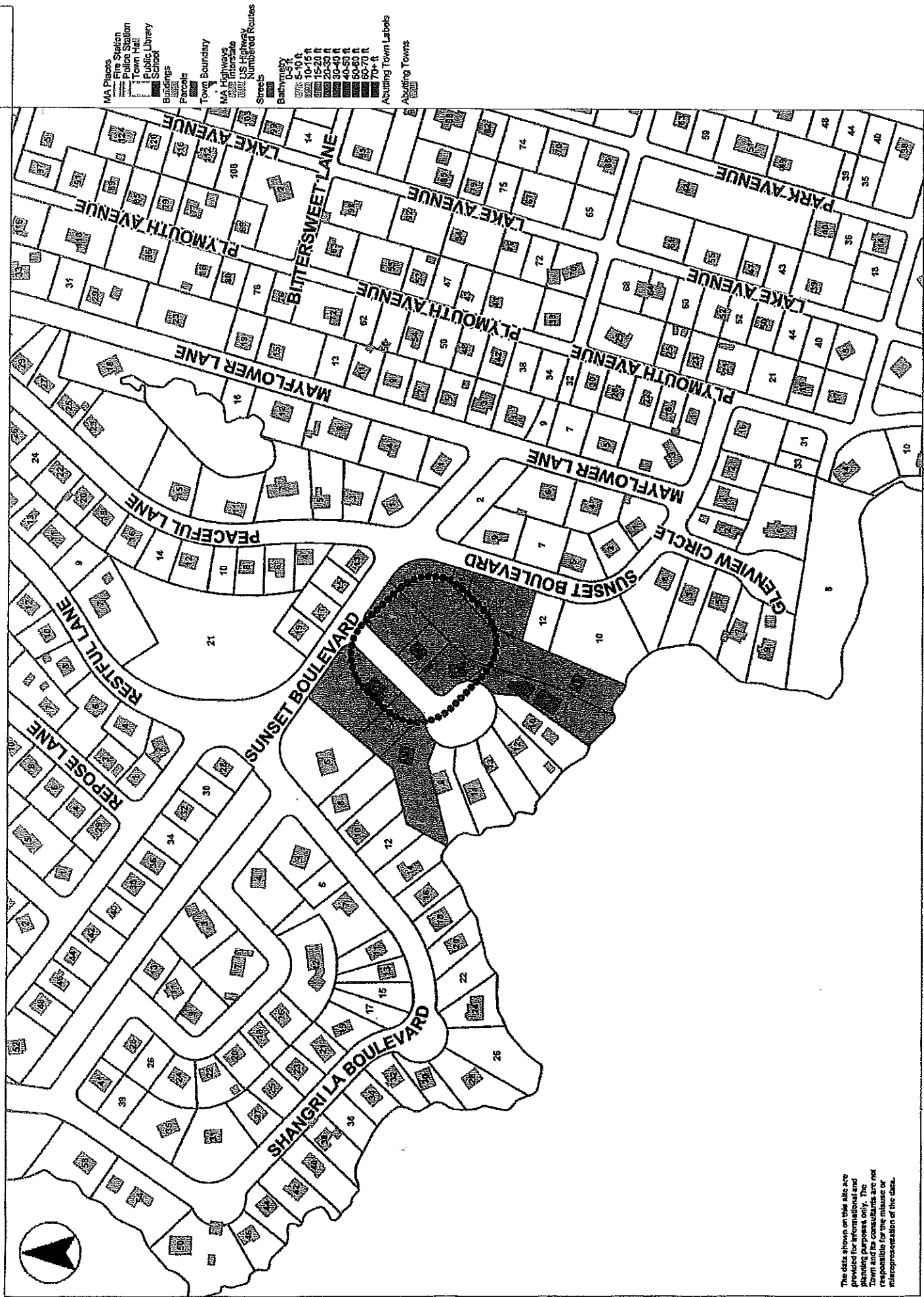
David Riquinha
Building Commissioner
Zoning Enforcement Officer

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.

73.35

| MAP & LOT | OWNER | CO-OWNER | STREET ADDRESS | TOWN | STATE | ZI CODE |
|---|---------------------|---------------------------|--------------------------|------------|-------|---------|
| TOWN OF WAREHAM ABUTTERS | | | | | | |
| MAP 119 LOT G28 | | | | | | |
| OWNER DENNIS MILLARD & PATRICIA L HEALY | | | | | | |
| 119-G1 | KELLEY KENNETH J | KELLEY DENISE L | 7 SHAMROCK CIR | E WAREHAM | MA | 02538 |
| 119-G35 | COLTON DAVID A | C/O MARY COLTON | 1241 ADAMS ST #F611 | DORCHESTER | MA | 02124 |
| 119-GC | KEEFE EDWARD W | KEEFE WILLIAM F TRUSTEES | 8 SHAMROCK CIR | E WAREHAM | MA | 02538 |
| 119-G36 | BROOKS GARY B | LUBIN SANDRA I | 3 SHAMROCK CIRCLE | E WAREHAM | MA | 02538 |
| 119-GB | GRIFFIN MARTIN T | | 46 OCEAN ST | QUINCY | MA | 02171 |
| 119-G28 | MILLARD DENNIS | HEALY PATRICIA L | 4 SHAMROCK CIR | E WAREHAM | MA | 02538 |
| 119-G24 | ROFFE JEAN S | C/O DANIEL FLYNN | 7 WAREHAM LAKE SHORES DR | E WAREHAM | MA | 02538 |
| 119-GA | FRENETTE HENRY N JR | FRENETTE BETTE M TRUSTEES | 8257 ALLENDALE COURT | NAPLES | FL | 34120 |
| 119-1008 | TOWN OF WAREHAM | | 54 MARION RD | WAREHAM | MA | 02571 |
| TOWN OF WAREHAM ABUTTERS | | | | | | |
| AS THEY APPEAR ON OUR TAX ROLLS | | | | | | |
| AS OF 7/26/2021 | | | | | | |
| <i>G.P. Dennis</i> | | | | | | |
| ASSESSORS OFFICE | | | | | | |
| REQUESTED BY | | | | | | |
| DENNIS E MILLARD | | | | | | |
| 860 379-3719 | | | | | | |
| 1961DMIL@GMAIL.COM | | | | | | |



- MA Places
- Police Station
- Town Hall
- Public Library
- School
- Buildings
- Parcels
- Town Boundary
- Major Highways
- US Highways
- Numbered Routes
- 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. This information is not intended to be used as a basis for any legal or other responsibility for the release or misrepresentation of the data.



Printed on 07/26/2021 at 09:02 PM

*** Electronic Recording ***
Doc#: 00048214
Bk: 54865 Pg: 45 Page: 1 of 2
Recorded: 04/27/2021 03:59 PM
ATTEST: John R. Buckley, Jr. Register
Plymouth County Registry of Deeds

MASSACHUSETTS EXCISE TAX
Plymouth District ROD #11 001
Date: 04/27/2021 03:59 PM
Ctrl#
Fee: \$0.00 Cons: \$1.00

QUITCLAIM DEED

Property Address: 4 Shamrock Circle, E. Wareham, MA 02538

I, **Patricia L Healey**, a married woman, of Wareham, MA, for consideration paid and in full consideration of **ONE DOLLAR (\$1.00)**, hereby grant to **Dennis Millard** and **Patricia L. Healey**, husband and wife, as tenants by the entirety, now of **4 Shamrock Circle, Wareham, MA 02538**, with **QUITCLAIM COVENANTS**:

The land in Wareham, Plymouth County, Massachusetts, with any buildings thereon, described as follows:

Two (2) certain parcels of land situated on Lakeview Circle in Wareham, Plymouth County, Massachusetts being shown as Lots 27 and 28 on a plan entitled " Plan of 'Glen Shores' in Wareham, Mass. Scale 1"=50', May 16, 1959 Corse and Tibbetts Engnr. & Surveyors, Rochester & Marion, Mass for the Eagle Hill Inc. Wareham, Mass." which Plan is recorded with the Plymouth County Registry of Deeds in Plan Book 11, Page 753, as Plan 421 of 1959.

Subject to gas transmission easements in favor of Algonquin Gas Transmission Company recorded at Book 2847, Page 227.

Subject to a water betterment in favor of the Wareham Fire District recorded at Book 19208, Page 11.

Subject to a taking of easements to layout water pipes by the Wareham Fire District recorded at Book 15823, Page 73.

Subject to a utility easement to New England Telephone & Telegraph Company recorded at Book 3471, Page 126.

For grantor's title, see deed dated May 16, 2002 and recorded on May 16, 2002 in the Plymouth County Recording Office at Book 22089, Page 214.

Executed under seal this 22 day of April, 2021.

Patricia L Healey
Patricia L Healey

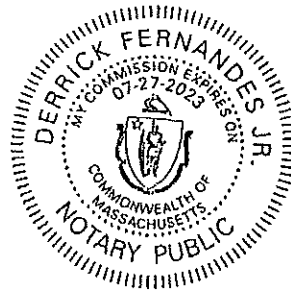
COMMONWEALTH OF MASSACHUSETTS

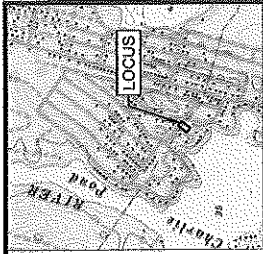
COUNTY OF Norfolk

On this 22 day of April, 2021, before me, the undersigned notary public, personally appeared the above-named, Patricia L. Healey, proved to me through satisfactory evidence of identification, which were Drivers License / Passport, to be the person(s) who signed the preceding or attached document in my presence, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose, by his/her/their free act and deed.

[Signature]
Notary Public Signature

My Commission Expires: 7/27/23





U.S.G.S. LOCUST MAP
SCALE: 1"=200'

- NOTE:**
- ELEVATIONS BASED UPON APPROXIMATE HIGH SEA LEVEL, CURVA, REFER TO ARCHITECTURAL PLANS FOR FURTHER INFORMATION.
 - NO SURFACE OR SUBSURFACE OBSERVATIONS WERE CONDUCTED ON THIS PROPERTY TO DETERMINE SOIL CLASSIFICATION AND GROUNDWATER. CONTRACTOR TO VERIFY TO BOTTOM OF FOUNDATION OR CHAIR, FOUNDATION FLOOR.
 - EXISTING EASEMENTS SHOWN ON THIS PLAN WERE BASED ON BOOK 287, PAGE 227 (EASEMENT) RECORDED AT THE PLAINFIELD APPROXIMATE ONLY. EASEMENT LOCATION IS APPROXIMATE ONLY.
 - EXISTING SEWER SYSTEMS WILL LOCATE BY RECORD AS-BUILT PLAN DATED MARCH 14, 2002. LOCATIONS ARE APPROXIMATE ONLY.

I hereby certify that the lot corners, dimensions, and setbacks in the PROPOSED ADDITION as shown on this plan are correct and were based on a field instrument survey. Commencement to the Town of Wareham is hereby registered under the supervision of the Surveying Enforcement Agent.



MAP 119
Case

Professional Land Surveyor

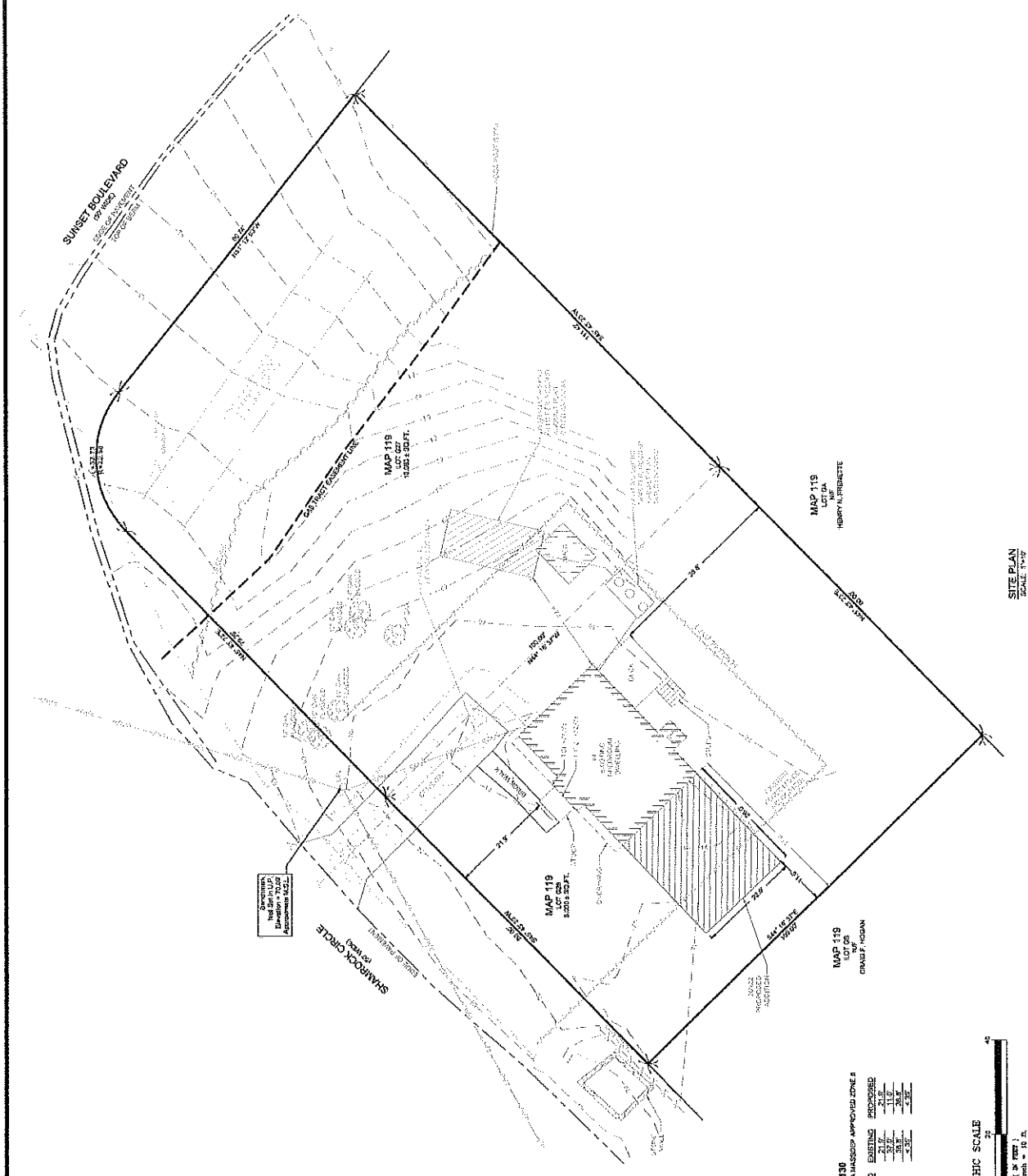
PROPOSED ADDITION PLAN

AT
2 & 4 SHAMROCK CIRCLE
EAST WAREHAM, MA 02538

PREPARED FOR:
DENNIS MILLARD

PREPARED BY:
JC ENGINEERING, INC.
2854 CRANBERRY HIGHWAY
EAST WAREHAM, MA 02538

SCALE: 1" = 10' APRIL 5, 2021



SITE PLAN
SCALE: 1"=10'

ZONING DISTRICT: R-330
PROPERTY SITUATED WITHIN A MASSDEP APPROVED ZONE #

| REQUIRED | EXISTING | PROPOSED |
|-----------------|----------|----------|
| FRONT SETBACK * | 21.8' | 21.8' |
| SIDE SETBACK * | 32.0' | 11.0' |
| REAR SETBACK * | 32.0' | 11.0' |
| BUILDING HEIGHT | 35.0' | 12.0' |

OWNER OF RECORD:
PATRICIA L. HEALEY
EAST WAREHAM, MA 02538

PERMITS:
AS SHOWN ON OCCUPANCY PERMITS:
2019-0000000000 (ISSUED 7/17/2019)

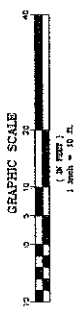
ASSESSORS: MA S.A. LEC
MAP 118, LOTS 102B & 107

RECORD REFERENCE:
BOOK 2228, PAGE 214

PLAN REFERENCE:
PLAN BOOK 11, PAGE 729

ZONING DISTRICT: R-330
PROPERTY SITUATED WITHIN A MASSDEP APPROVED ZONE #

| REQUIRED | EXISTING | PROPOSED |
|-----------------|----------|----------|
| FRONT SETBACK * | 21.8' | 21.8' |
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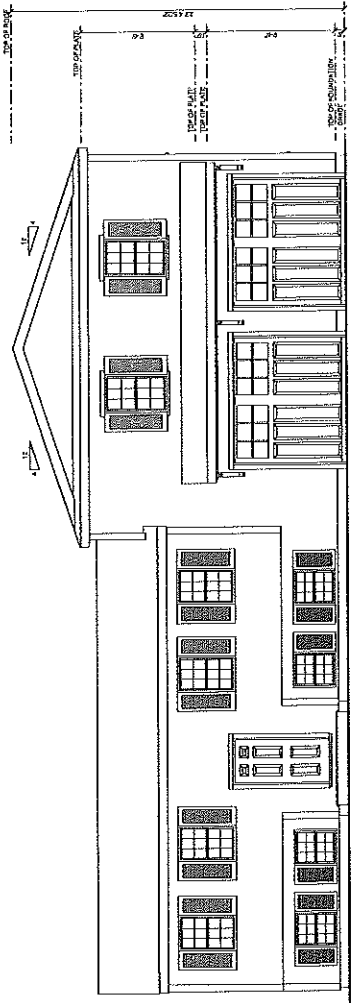
GENERAL NOTES:

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE 2018 MASSACHUSETTS BUILDING CODE, 809 CMR. REFER TO 2018 MASSACHUSETTS BUILDING CODE, 809 CMR.

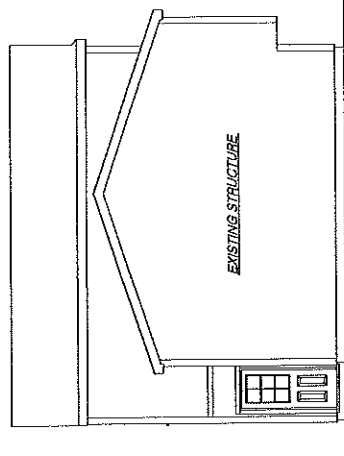
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING DEPARTMENT AND ANY OTHER AGENCIES THAT MAY BE APPLICABLE TO THIS PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING DEPARTMENT AND ANY OTHER AGENCIES THAT MAY BE APPLICABLE TO THIS PROJECT.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING DEPARTMENT AND ANY OTHER AGENCIES THAT MAY BE APPLICABLE TO THIS PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING DEPARTMENT AND ANY OTHER AGENCIES THAT MAY BE APPLICABLE TO THIS PROJECT.

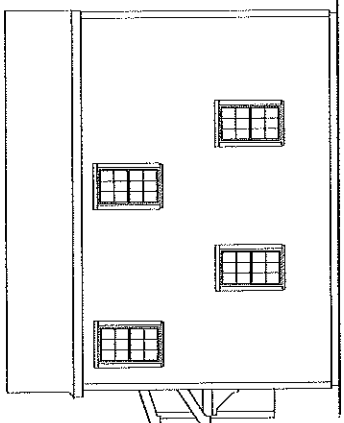
REFER TO 2018 MASSACHUSETTS BUILDING CODE, 809 CMR.



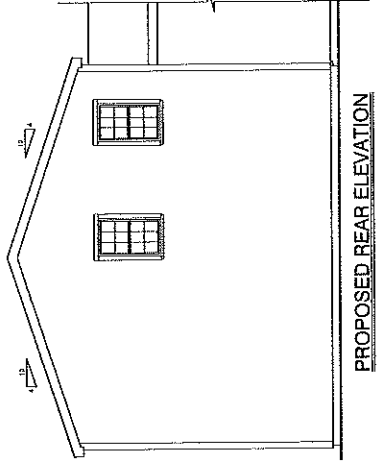
PROPOSED FRONT ELEVATION



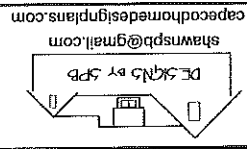
PROPOSED LEFT ELEVATION



PROPOSED RIGHT ELEVATION



PROPOSED REAR ELEVATION



DE SKINs by SFB
 RESIDENTIAL/COMMERCIAL
 DESIGN & CONSULTING
 POCASSET, MA
 (508) 495-2881
 shawmspb@gmail.com
 capecodhomedesignplans.com

GARAGE DESIGN
 PREPARED FOR: DENNIS MILLARD
 224 SHAMROCK CIRCLE
 EAST WAREHAM, MA

PLAN DATE: 7-27-21
 DRAWN BY: SFB
 REVISIONS:

SCALE: 1/8" = 1'-0"
 UNLESS NOTED

A1

SCALE: 1/8"=1'-0"
UNLESS NOTED

REVISIONS:

DRAWN BY: SPB

PLAN DATE: 7/27/21

284 SHARROCK CIRCLE
EAST WAHREHAM, MA.

PREPARED FOR: DENNIS MILLARD

PC SKIN'S BY: SPB
RESIDENTIAL/COMMERCIAL
DESIGN & CONSULTING
POCASSETT, MA.
(508) 495-2881

PC SKIN'S BY: SPB
shawmspb@gmail.com
capcোধমেডেসিগ্নপ্লানস.com

PROPOSED MAIN FLOOR-GARAGE LAYOUT

