

TOWN CLERK
10/19/2023

THE COMMONWEALTH OF MASSACHUSETTS

Town of Wareham

BOARD OF APPEALS

Petition No. : 32-23

Book: 54109 Page: 38

Date: September 13, 2023

Certificate of Granting of Appeal / Minor Modification
(General Laws Chapter 40A, Section 11)

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

To: 2707 Cranberry Highway

Address: 2707 Cranberry Highway

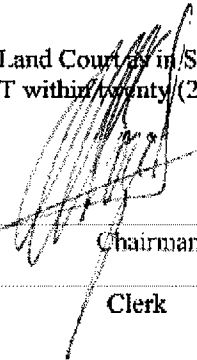
City or Town: Wareham, MA 02571

Affecting the rights of the owner with respect to land or buildings at 2707 Cranberry Highway, Assessor's Map 133 Lot 1000/B2

The Board of Appeals certifies that the decision attached hereto is a true and correct copy of its decision to grant an Appeal to the Building Commissioner's Notice of Violation/Minor Modification 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 special permit, 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 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

I hereby certify that 20 days have elapsed after the decision was filed in the office of the Town Clerk of Wareham and no appeal has been filed in accordance with Section 17, Chapter 40 A of the Massachusetts General Laws.

Alina O. Thend
Town Clerk

SEP 19 2023

Plymouth County Registry of Deeds
Book 54109, Page 38

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

WAREHAM TOWN CLERK
2023 SEP 27 PM 2:35

No. 32-23

Petition of: Peter Nahas

Location of Property: 2707 Cranberry Highway, Wareham, MA

Date of Notification of Hearing: August 24, 2023 & August 31, 2023

Date of Hearing: September 13, 2023

Date of Notification of Decision: September 14, 2023

DECISION: See attached

REASON:

Name and Address of Abutting Owners: Certified Abutters List Attached

I hereby certify that 20 days have elapsed after the decision was filed in the office of the Town Clerk of Wareham and no appeal has been filed in accordance with Section 17, Chapter 40 A of the Massachusetts General Laws.


Town Clerk

Board of Appeals

SEP 14 2023

NOTICE OF DECISION OF THE WAREHAM ZONING BOARD OF APPEALS

Petition: 32-23

Applicant: Peter Nahas

Owner: 2707 Cranberry Highway

Owner Address: 2707 Cranberry Highway, Wareham, MA 02571

Subject Property Address: 2707 Cranberry Highway, Wareham, MA 02571

Subject Property Parcel ID: Map 133 Lot 1000/B2

Date of Public Hearing: September 13, 2023

Date of Notice: September 14, 2023

Decision/Reason:

The Petitioner was before the Zoning Board of Appeals on September 13, 2023, pursuant to a Notice of Violation dated July 11, 2023, issued by the Building Commissioner who determined that the Petitioner was in violation of the Special Permit granted to this property June 5, 2017 by the Planning Board. More specifically he stated that the landowner was in violation of condition #21, which stated "No outside storage of materials and equipment shall be allowed". Accordingly, the Petitioner brought the appeal to the Board of Appeals who granted the Minor Modification of the Special Permit.

The Board of Appeals first looked at the request to vote on whether this was a Major or Minor Modification of the Special Permit 2017. After hearing testimony from Petitioners counsel, and their direct abutters, the Board found that this would be a Minor Modification as it is not changing any of the dimensions of the project or creating any new nonconformities or hazards. After voting 5-0-0 on the Minor, they agreed that Minor Modification should be allowed as several other businesses in the area have equipment yards in this area. They found that allowing materials and equipment behind the building in the yard was not detrimental to the neighborhood.

This hereby vacates the Notice of Violation previously issued by the Building Commissioner, as the site may now be in compliance with the modified Conditions of the Special Permit.

Further, the granting of this Minor Modification:

Conditions:

1. The Owner will put up screening on the fence and gate at the front of the building
2. There shall be no equipment or materials outside of the front of the building. Equipment and materials shall be stored in the back fenced in yard.
3. All other non-modified conditions of the decision shall remain in force.

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

TOWN OF WAREHAM ABUTTERS
 MAP 133 LOT 1000/B2
 OWNER 2707 CRANBERRY HIGHWAY

MAP & LOT	OWNERS	STREET ADDRESS	TOWN & STATE	ZIP CODE
115-0-A	BUTHER RICHARD L	19 PINEVIEW TERR	WAREHAM, MA	02576
115-0-1	POWER MICHAEL	2714 CRANBERRY HWY,	WAREHAM, MA	02571
115-0-10	RODRIGO JOAN C,	4 SPRING AVE,	WAREHAM, MA	02571
115-0-11	FANIEL SHARON L,	6 SPRUCE ST,	WAREHAM, MA	02571
115-0-13	SHERMAN MICHAEL E,	3 DIVISION AVE,	WAREHAM, MA	02571
115-0-2	ROHRBACH CHARLES, ROHRBACH VICTORIA	2712 CRANBERRY HWY,	WAREHAM, MA	02571
115-0-3	VASCIANNE HENRY	2710 CRANBERRY HWY,	WAREHAM, MA	02571
115-0-4	HOHL JARED	2706 CRANBERRY HWY,	WAREHAM, MA	02571
115-0-5	MIRANDA SETH, MIRANDA ATHENA	2706 CRANBERRY HWY,	WAREHAM, MA	02571
115-0-CLB CM	SHERIDAN HOME BUILDERS INC,	100 HEDGES POND RD,	PLYMOUTH, MA	02860
133A-0-B1	JACOBS MARY BETH,	7A MEADOWLARK DRIVE,	WAREHAM, MA	02571
133A-0-B2	LATHAM PETER R JR, LATHAM JOSEPH W	7B MEADOWLARK DR,	WAREHAM, MA	02571
133A-0-17	MCGONAGLE HUGH D, MCGONAGLE MARYANN	2 PHEASANT AVE,	WAREHAM, MA	02571
133A-0-18	KING GABRIEL A, KING SHELLEY M	454 COUNTY RD,	WAREHAM, MA	02576
133A-0-19	PENNINGTON HENRY B, PENNINGTON DORIS A	21 WHIPPOORWILL WAY,	WAREHAM, MA	02571
133A-0-20	HARDSO G WILLIAM G,	19 WHIPPOORWILL WAY,	WAREHAM, MA	02571
133A-0-21	GOMES RASHAUN AMADO, JOIA CAYLEEN	121 FEARING HILL RD,	WAREHAM, MA	02576
133A-0-22	KASPAR PAUL F, KASPAR JUDITH	15 WHIPPOORWILL WAY,	WAREHAM, MA	02571
133A-0-23	AYALA JOHN R, AYALA JOAMINE	13 WHIPPOORWILL WAY,	WAREHAM, MA	02571
133A-0-24	SILVA KERRIETH P, SILVA KAREN A	53 FOSDICK RD,	CARVER, MA	02330
133A-0-25	RULISON SUSAN M,	16 WHIPPOORWILL WAY,	WAREHAM, MA	02571
133A-0-46	SMITH HOLLY	184 PEARL ST,	SOMERVILLE, MA	02148
133A-0-47	FERRANTI JAMES N, FERRANTI ANTOINETTE M	12 WHIPPOORWILL WAY	WAREHAM, MA	02571
133A-0-48	OMALLEY JOHN R	10 WHIPPOORWILL WAY,	WAREHAM, MA	02571
133A-0-49	SMITH DOUGLAS B SR, SMITH EILEEN M	2707 CRANBERRY HWY	WAREHAM, MA	02571
133-0-1000B2	DEMIRANDA MANUEL	2648 CRANBERRY HWY,	WAREHAM, MA	02571
133-0-1000B3	GRACE LIGHTHOUSE FELLOWSHIP,	PO BOX 1,	WAREHAM, MA	02571
133-0-1000B1	ST JUSTE JEAN ROBERT, ST JUSTE MAGDALA	2718 CRANBERRY HWY,	WAREHAM, MA	02571

CERTIFIED ABUTTERS AS THEY APPEAR ON
 OUR TAX ROLLS AS OF 7/27/2023

W. Roni Atkins
 ASSESSORS OFFICE

REQUESTED BY
 JULIAN A MORTON
 508 295-2522

CHERYL.MORTON@MORTONVALLE.COM

