

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: 34 MAYFLOWER RIDGE DR. MAP: 132 LOT: MR4
ZONING DISTRICT: CG & MR30
USE REQUESTED: ACCESSORY BUILDING RESIDENTIAL
OWNER OF LAND & BUILDING: RICHARD H. & KIM M. MCNAIR TEL.# 508-726-7617
ADDRESS OF OWNER: 34 MAYFLOWER RIDGE DR. WAREHAM, MA 02571
PERSON(S) WHO WILL UTILIZE PERMIT: RICHARD H. & KIM MCNAIR
ADDRESS: 34 MAYFLOWER RIDGE DR., WAREHAM, MA 02571
DATE: _____ SIGNATURE: FILE COPY

This application was received on the date stamped here:

Town Clerk: _____ Date: _____
Tax Collector: _____ Date: _____
Planning/Zoning Dept.: _____ Date: _____
Application fee paid: _____ Check #: _____ Receipt: _____
Advertising fee paid: _____ Check # _____ Receipt: _____
Abutters fee paid: _____ Check # _____ 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: RICHARD H. & KIM MCNAIR

Applicant's Address: 34 MAYFLOWER RIDGE DR., WAREHAM, MA 02571

Telephone Number: 508-726-7617

Cell Phone Number: _____

Email Address: rmpcnaire@yahoo.com

Address of Property/Project: 34 MAYFLOWER RIDGE DR.

Landowner's Name: RICHARD H. & KIM MCNAIR

Owner's Address: 34 MAYFLOWER RIDGE DR., WAREHAM, MA 02571

Telephone Number: 508-726-7617

Contact Person: ROBERT A. BRAMAN, JR. Telephone Number: 508-748-9669

Map 132 Lot MR4 Zone CG & MR30

Date Approved _____ Date Denied _____

Comments: _____

BRAMAN SURVEYING & ASSOC., LLC



61 Allen Street, Marion, MA
508-748-9669

July 30, 2020

Wareham Zoning Board of Appeals
54 Marion Road
Wareham, MA 02571

RE: 34 Mayflower Ridge Drive, Wareham Assessors Map 132, Lot MR4

Dear Members,

Richard H. & Kim M. McNair are seeking a variance from Article 625 note 2 of the Town of Wareham Zoning By-Laws to construct an accessory building that has a front setback less than the existing principal building. See attached denial letter from David Morris, Wareham Building Commissioner.

The site is unique. Due to soil conditions there is a vegetated wetland located along the southerly side of the property that encompasses approximately 23% of the 1.11 acre lot. With the location of existing residential principal building, topography and the 30-foot No Activity Zone, required by the Wareham Wetland Protective By-Law, the only option for an accessory building is to locate it front of the existing principal building. The proposed accessory building is an allowed use and will have a front setback of 45 feet. The current front setback requirement for a principal building in Zones CG and MR-30 is 20 feet. Denial of the variance would result in the prevention of the land to be used as zoned.

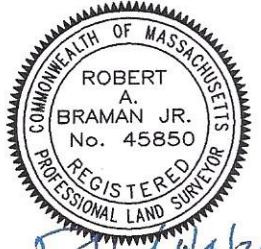
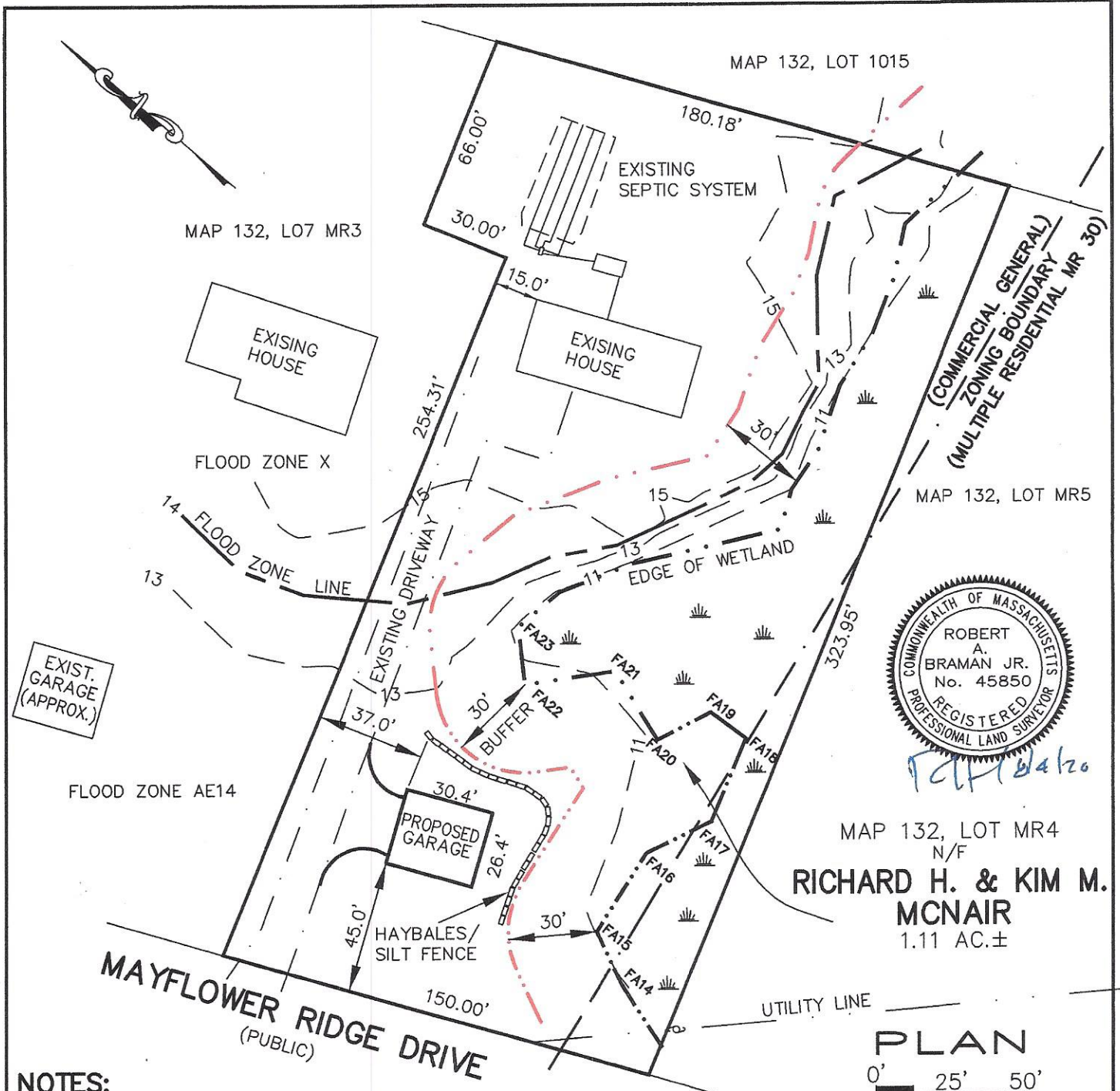
The existing residential home was constructed in 2003. At that time accessory buildings were allowed with a front setback less than the principal building and the applicants intended to construct an accessory building in the future.

The granting of the variance will not be a detriment to the public good and will not nullify or substantially derogate from the intent of purpose of the Wareham Zoning By-Laws. In fact, as shown on the attached plan, there is a similar accessory structure located directly to the north that has a front setback less than the principal building.

Sincerely,

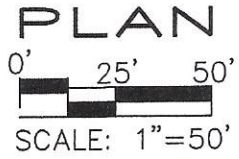
Handwritten signature of Robert A. Braman, Jr. in blue ink, appearing as 'Ritz'.

Robert A. Braman, Jr., RPLS



RCH 6/12/20

MAP 132, LOT MR4
N/F
RICHARD H. & KIM M. MCNAIR
1.11 AC.±



NOTES:

1. TOWN OF WAREHAM ASSESSORS MAP 132 LOT MR4
2. ELEVATIONS ARE SHOWN IN FEET AND TENTHS BASED ON THE PLANE OF NAVD 1988.
3. PROPOSED CONSTRUCTION WILL BE IN ACCORDANCE WITH MASS. BUILDING CODE AND F.E.M.A. FLOOD ZONE REGULATIONS.
4. CONTRACTOR IS RESPONSIBLE FOR DIGSAFE NOTIFICATION, PROTECTION AND LOCATION OF ALL ABOVE AND OR UNDERGROUND UTILITIES.
5. FLOOD ZONE INFORMATION SHOWN IS FROM F.I.R.M. COMMUNITY-PANEL NUMBER 255223 0557 K MAP DATED: JULY 17, 2012
6. WETLAND LOCATION TAKEN FROM AS-BUILT SEPTIC PLAN, PREPARED FOR RICHARD H. MCNAIR, DATED 6/18/2003, BY BRAMAN & HANDY ENGINEERING, INC.

REVISED: 8/4/2020

SITE PLAN	
PREPARED FOR	
RICHARD H. & KIM M. MCNAIR	
34 MAYFLOWER RIDGE DRIVE WAREHAM, MA.	
SCALE: 1"=50'	SHEET 1 OF 1
DATE: JULY 27, 2020	FOLIO NO.: F-1291
DRAWN BY: RAB, JR.	PLAN NO.: 1291-SP
BRAMAN SURVEYING & ASSOCIATES, LLC LAND SURVEYORS AND CIVIL ENGINEERS 61 ALLEN STREET, MARION, MA 02738	



TOWN of WAREHAM

Massachusetts

BUILDING DEPARTMENT

David Morris
Director of Inspectional Services

July 21, 2020

Richard McNair
34 Mayflower Ridge DR.
Wareham, MA 02571

RE: 34 Mayflower Ridge Dr.

I have reviewed your proposal of a detached garage. At this time, I must deny the proposal. According to Article 625 note 2 of the Town of Wareham Zoning By-Laws, an accessory building's front setback shall be equal to or greater than the existing principal building's front setback. Your proposal will require a Variance and/or Special Permit from the Zoning board of Appeals.

The subject dwelling is located in the CG and MR-30 Zoning district.

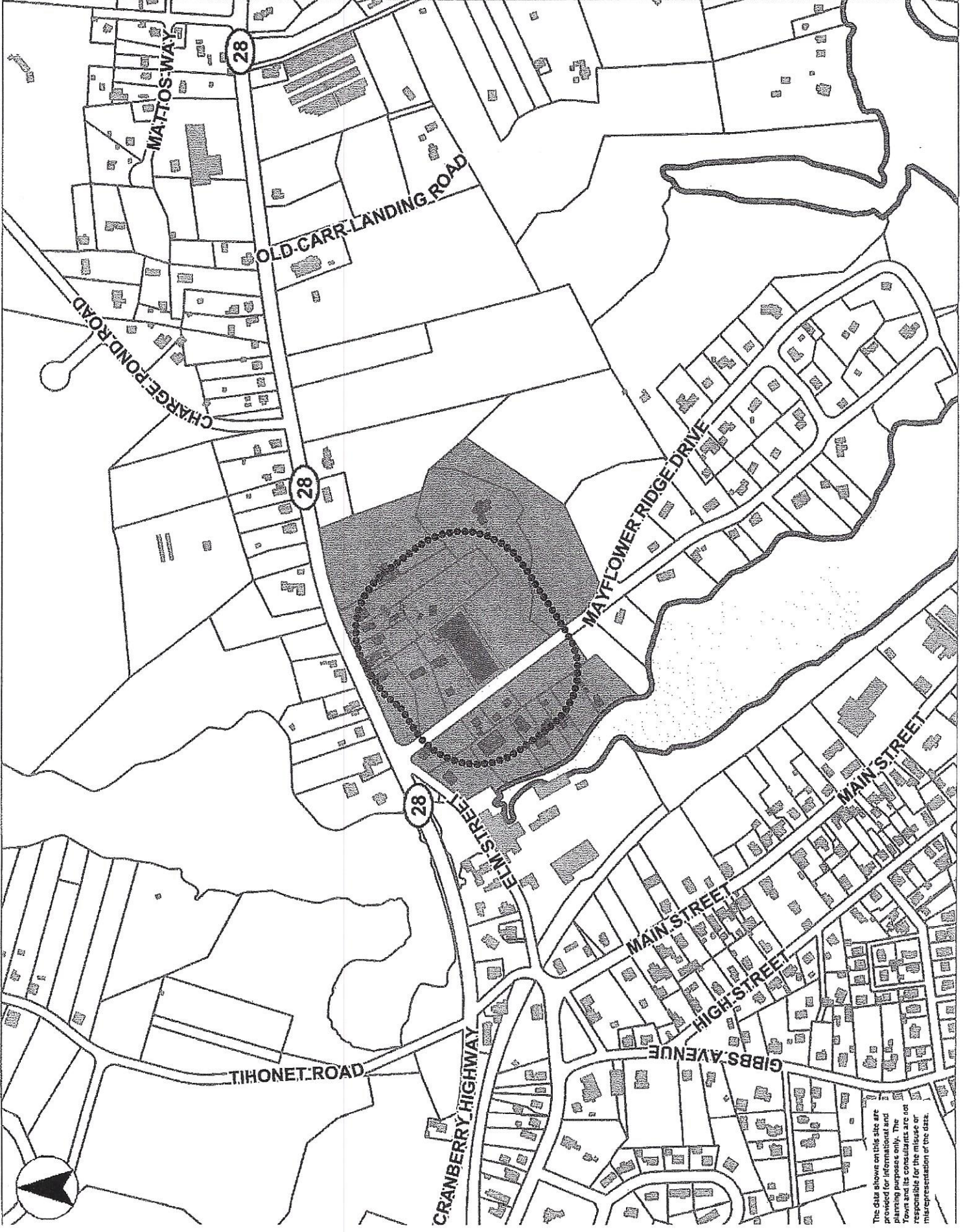
Respectfully,

David Morris
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 Appeals for the above noted relief within thirty (30) days of receipt of this letter.

- MA Places
 - Fire Station
 - Police Station
 - Town Hall
 - Public Library
 - School
- Buildings
- Parks
- Town Boundary
- MA Highways
 - Interstate
 - US Highway
 - Numbered Rte.
- 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 Label
- Abutting Towns



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.

53909

Received & Recorded
PLYMOUTH COUNTY
REGISTRY OF DEEDS
13 MAR 2003 11:48AM
JOHN R. BUCKLEY, JR.
REGISTER
Bk 24470 Pg 218-219

DEED

DENNIS P. McCARTHY, TRUSTEE OF MAYFLOWER REALTY TRUST, Under Declaration of Trust, dated May 21, 2002, recorded in Plymouth County Registry of Deeds, Book 22106, page 285-297

In consideration of **ONE HUNDRED FIFTEEN THOUSAND DOLLARS**
(\$115,000.00)

Grants to **RICHARD H. MCNAIR AND KIM M. MCNAIR, Husband and Wife,**
as Tenants by the Entirety

of 222B Hathaway Street
Wareham, MA 02571

With Quitclaim Covenants

The land together with any buildings thereon situated in Wareham, Plymouth County, Massachusetts, shown as Lot D-4 on plan entitled "Approval Not Required Plan, Prepared for Mayflower Realty Trust, Mayflower Ridge Drive & Cranberry Highway, Wareham, Mass., Scale: 1"=60', Date: September 12, 2002, Braman & Handy Engineering, Inc., Civil Engineers & Surveyors, 258 Main Street, Buzzards Bay, MA", recorded in Plymouth County Registry of Deeds as Plan #750 of 2002, in Plan Book 46. page 95.

Together with all rights, privileges and easements connected therewith and subject to restrictions and easements of record and are hereby conveyed subject to any building and zoning law requirements which may be in force and applicable.

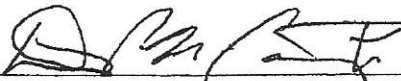
Being a portion of the premises conveyed in deed of W.H. Maze Company to Dennis P, McCarthy, Trustee of the Mayflower Realty Trust, dated May 17, 2002, recorded in Plymouth County Registry of Deeds, Book 22106, Page 300.

**LOCUS: Mayflower Ridge Drive
Wareham**

03/13/03 11:40AM 01
000000 #5270
FEE \$524.40
CASH \$524.40

CANCELLED
PLYMOUTH
DEEDS REG#18
PLYMOUTH

Executed as a sealed instrument this 11th day of March 2003.

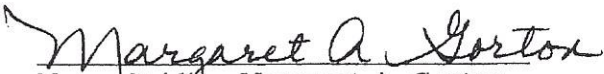

DENNIS P. McCARTHY, TRUSTEE
MAYFLOWER REALTY TRUST

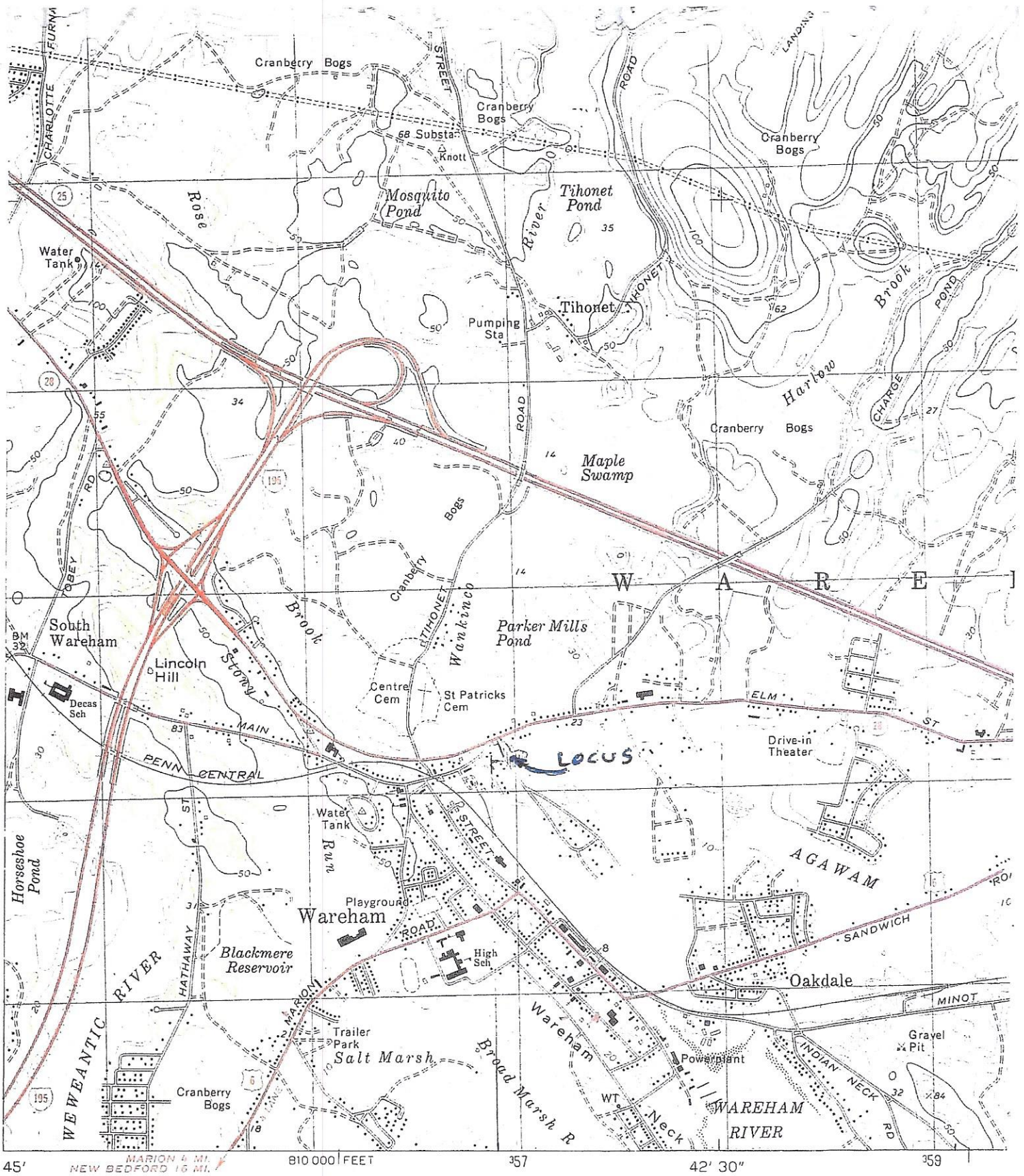
THE COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH SS.

March 11 2003

Then personally appeared the above named Dennis P. McCarthy, Trustee of the Mayflower Realty Trust and acknowledged the foregoing to be his free act and deed before me


Notary Public Margaret A. Gorton
My Commission Expires:
July 31, 2009



Mapped, edited, and published by the Geological Survey

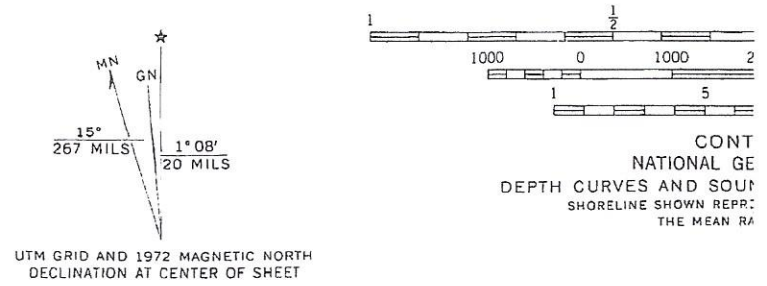
Control by USGS, USC&GS, and Massachusetts Geodetic Survey

Topography by planetable surveys 1934-1935. Revised from aerial photographs taken 1971. Field checked 1972

Selected hydrographic data compiled from USC&GS chart 251 (1970)
This information is not intended for navigational purposes

Polyconic projection. 1927 North American datum
10,000-foot grids based on Massachusetts coordinate system,
mainland zone

1000-meter Universal Transverse Mercator grid,
zone 19



CONT
NATIONAL GE
DEPTH CURVES AND SOU
SHORELINE SHOWN REPR:
THE MEAN RA

UTM GRID AND 1972 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

THIS MAP COMPILES