

THE COMMONWEALTH OF MASSACHUSETTS

Town of Wareham

BOARD OF APPEALS

Petition No. : 36-23
Book: 45569 Page: 0140
Date: September 27, 2023

Certificate of Granting of Special Permit
(General Laws Chapter 40A, Section 11)

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

To: Richard W. Hull & Edward V. Trs of Mary F Hull Irrev Trust

Address: 23 Mast Hill Road

City or Town: Hingham, MA 02043

Affecting the rights of the owner with respect to land or buildings at 34 Briarwood Dr, Assessor's Map 53 Lot 211

The Board of Appeals certifies that the decision attached hereto is a true and correct copy of its decision to grant a Special Permit 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 as 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.

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.

James D. Escobedo
Chairman
Clerk

Debra A. Thermo
Town Clerk

00071082

BOOK 58413 PAGE 130

Recorded On:

Nov 01, 2023 at 10:07A

NOV 01 2023

PLYMOUTH COUNTY REGISTRY OF DEEDS

John R. Buckley Jr. Register

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

No. 36-23

Petition of: David Regan

Location of Property: 34 Briarwood Dr., Wareham, MA

Date of Notification of Hearing: September 7, 2023 & September 14, 2023

Date of Hearing: September 27, 2023

Date of Notification of Decision: September 28, 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.

.....
James D. Escobedo
.....

Debra A. Tremo
.....
Town Clerk Board of Appeals

NOV 01 2023

NOTICE OF DECISION OF THE WAREHAM ZONING BOARD OF APPEALS

Petition: 36-23

Applicant: David Regan

Owner: Richard W. Hull & Edward V, Trs of Mary F Hull Irrev Trust

Owner Address: 23 Mast Hill Road, Hingham, MA 02043

Subject Property Address: 34 Briarwood Dr. Wareham, MA

Subject Property Parcel ID: Map 53 Lot 211

Date of Public Hearing: September 27, 2023

Date of Notice: September 28, 2023

Decision/Reason:

The Board held a public hearing and heard testimony regarding the applicant's proposal to construct an attached, two-car garage on the subject property located in an R-30 zoning district. The construction would create a non-conforming front and side yard setback, according to Article 6 of the Zoning Bylaws. However, the Board found that the existing development was already in non-conformance with dimensional standards, and the resulting design of the dwelling with the garage addition was in keeping with the character of the neighborhood. Further, granting relief for this project will not derogate from the intent of the zoning bylaws. Consequently, the Board finds this proposal acceptable as a Special Permit, and hereby grants the Special Permit by unanimous vote [5-0-0].

Conditions:

1. The dwelling is to be constructed per the plans submitted with the application, entitled "Plot Plan for Addition" prepared for David L Regan by Grady Consulting, LLC. and dated June 5, 2023
2. Upon completion, an "As Built" plan is to be submitted to the Building Department with a copy provided to the Board of Appeals.
3. Any relief not expressly granted hereunder is hereby denied.
4. For this decision to become effective, a copy of said decision and notice thereof must be filed at the Plymouth County Registry of Deeds and must bear the certification of the Town Clerk that twenty (20) days have elapsed and no appeals have been filed, or that if such appeal has been filed, that it has been dismissed or denied. A certified copy of said recording must be thereafter filed with the Board of Appeals.
5. If substantial use or construction permitted by this Special Permit has not commenced within two years from the date of which a copy of this decision is filed with the Town Clerk, excluding the amount of time required for an appeal period to expire & the amount of time required to pursue and await the determination of any such appeal, then this Special Permit/Variance shall expire in so far as the foregoing statement is modified by Chapter 195 of the Acts of 1984. Any person exercising rights under a duly appealed Special Permit/Variance does so at the risk that a court may reverse the permit & any construction performed under the permit may be ordered undone.
6. Any person aggrieved by this decision of the Zoning Board of Appeals may file an appeal pursuant to the provisions of M.G.L. Chapter 40A, section 17 within twenty (20) days of the filing of this decision in the office of the Town Clerk. If no appeal is taken within the allotted time, the Clerk will so certify.
7. If the applicant wishes to modify the approved Record Plans, it shall submit proposed modifications in accordance with the provisions of this paragraph. Where such modification is deemed substantial, the same standards and procedures applicable to an original application for approval shall apply to such modification and a public hearing shall be

required by the ZBA; provided, however, that the ZBA may determine that a proposed modification is insubstantial and approve the same without the need for any further ZBA approval.

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

ZONING BOARD OF APPEALS DECISION SHEET

Petition Number: 36-23

Petitioner Name: David Regan

Map: 53

Lot: 211

Address: 34 Briarwood Drive, Wareham, MA

Project: Proposing to construct an attached two-car garage

Special Permit and/or Variance Both (Circle one)

Reason for granting/denying the application:

Conditions:

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.

TOWN OF WAREHAM ABUTTERS
 MAP 53 LOT 211
 OWNERS DAVID & ANDREA L REGAN

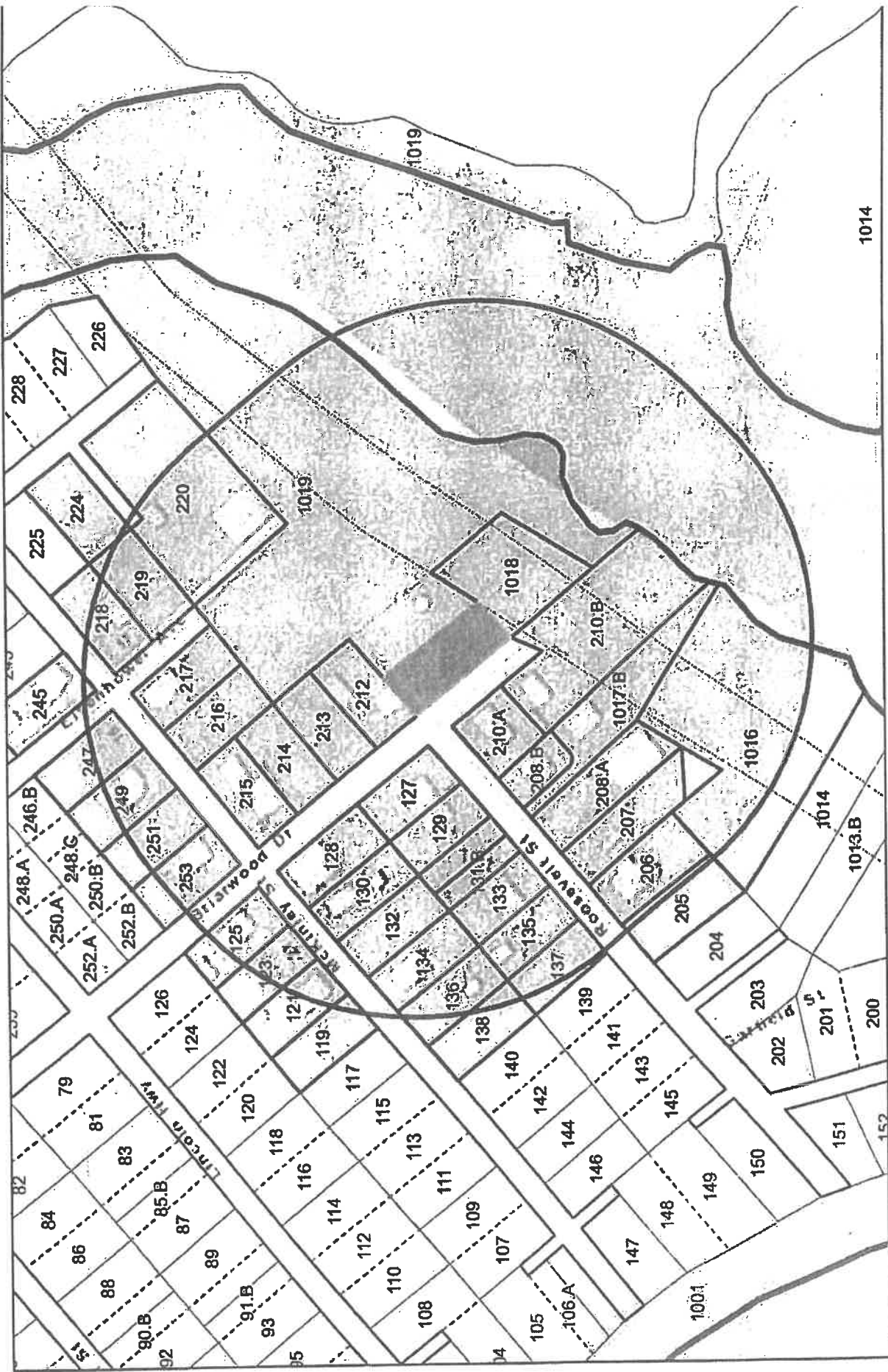
MAP & LOT	OWNERS	STREET ADDRESS	TOWN & STATE	ZIP CODE
53-0-1016	CAPOZZOLI GERALD R, CAPOZZOLI PAULINE C/O NICOLE CAPOZZOLI	14 CHESTNUT ST	STOUGHTON, MA	02072
53-0-1017.B	MANN DOUGLES SCOTT, MANN DONNA MAYBELLE	137 MAIN ST	CARVER	02330
53-0-121	BOMBARDIER JOSEPH, BOMBARDIER KERRI B	458 BARK ST,	SWANSEA, MA	02777
53-0-125	HICKS CYNTHIA O EYNON, HICKS ROBIN M	PO BOX 294,	ASHLAND, MA	01721
53-0-127	MCHUGH CHARLES III, MCHUGH KAREN	1 ROOSEVELT ST	WAREHAM, MA	02571
53-0-128	ANDREWS KENNETH	27 BRIARWOOD DR,	WAREHAM, MA	02571
53-0-130	HALL JAMES, HALL EDUARDA M	29 GLOUCESTER ST,	ARLINGTON, MA	02476
53-0-131.B	SPANG JAMES R LIFE ESTATE,	7 ROOSEVELT ST,	WAREHAM, MA	02571
53-0-134	VELLUCCI ALFRED P,	26 MCKINLEY ST,	WAREHAM, MA	02571
53-0-137	CENTOFANTI STEPHEN TRUSTEE OF, GILDA CENTOFANTI REV TRUST	115 LUNA LN,	WALTHAM, MA	02451
53-0-138	THERIAULT JOHN E, THERIAULT CHERYL L	41 MCKINLEY ST,	WAREHAM, MA	02571
53-0-205	RICCIARDI VICTOR, RICCIARDI CAROL ANN	25 WILLIAM ORTHANK LN,	SOUTHBOROUGH, MA	01772
53-0-208.B	PRESTON NANCY BORDEAUX,	4 ROOSEVELT ST,	WAREHAM, MA	02571
53-0-210.A	JASON JEAN A,	33 BRIARWOOD DR,	WAREHAM, MA	02571
53-0-210.B	MOREIRA MARIA	237 BROCKLEMAN RD	LANCASTER, MA	01523
53-0-211	REGAN DAVID L, REGAN ANDREA L	34 BRIARWOOD DR,	WAREHAM, MA	02571
53-0-214	WEICHEL NICHOLAS A	26 BRIARWOOD DR,	WAREHAM, MA	02571
53-0-216	TELLO RONALD, TELLO STEVEN F C/O MARY ANN PICHARD	24 CABOT DR	NASHUA, NH	03064
53-0-218	CRAWFORD FAMILY REALTY TRUST,	12 CENTER VILLAGE	LYNNFIELD, MA	01940
53-0-220	CUNEO DENISE M,	20 EISENHOWER AVE,	WAREHAM, MA	02571
53-0-224	CRAWFORD JAMES A III,	15 SHELLEY LN,	WESTFORD, MA	01886
53-0-242.B	ADAMS PAUL J, ADAMS MARILYN L TRUSTEES	30 ASPEN DR,	BRIDGEWATER, MA	02324
53-0-247	DOYLE RICHARD T,	17 MCKINLEY ST,	WAREHAM, MA	02571
53-0-251	GARCIA JOHN, TSUI JOSEPHINE	24 BRIARWOOD DR,	WAREHAM, MA	02571

CERTIFIED ABUTTERS AS THEY APPEAR
 ON OUR TAX ROLLS AS OF 8/1/2023

W. Renee O'Brien
 ASSESSORS OFFICE

REQUESTED BY
 DILLION BRADY
 781 585-2300
 DILLONB@GRADYCONSULTING.COM

ArcGIS Web Map



8/1/2023, 12:01:41 PM

Parcels with CAMA Data

Parcel Lines

Public Road

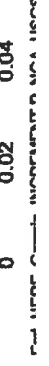
Common Line

Right of Way

Miscellaneous Lines

1:2,257

0 0.01 0.02 0.03 0.04 0.05



Official Receipt for Recording in:

Plymouth County Registry of Deeds
50 Obery St.

Plymouth, Massachusetts 02360

Issued To: SS

Recording Fees

Document Description	Number	Book/Page	Recording Amount
NOTC	00071082	58413 130	\$105.00
OR WAREHAM TOWN APPEALS			
OR HULL RICHARD W TR			
OR HULL EDWARD V TR			
OR MARY F HULL IRREVOCABLE TRUST			

POST\$2 \$2.00

\$107.00

Collected Amounts

Payment Type	Amount
Check	489 \$107.00
	----- \$107.00

Total Received : \$107.00
Less Total Recordings: \$107.00

Change Due : \$.00

Thank You
JOHN R. BUCKLEY, JR. - Register of Deeds
By: Jacelyn Rhoads

Receipt# 3533751 Date 11/01/2023 Time 10:07a