*** Electronic Recording ***

Doc#: 00080028

Bk: 58515 Pg: 99 Page: 1 of 7 Recorded: 12/07/2023 03:37 PM ATTEST: John R. Buckley, Jr. Register Plymouth County Registry of Deeds

TOWN OF WAREHAM

Board of Appeals
CLERK'S RECORD OF NOTIFICATION

WAREHAM TOWN CLERK 2023 NOV 7 PM3:58

No. 43-23

Petition of: Stephen & Dianne McDonou	Petition	of: Step	hen & Dia	inne McD	onoug	h
---------------------------------------	----------	----------	-----------	----------	-------	---

Location of Property: 24 Highland Bay Drive, Wareham, MA

Date of Notification of Hearing:

October 5, 2023 & October 12, 2023

Date of Hearing: October 25, 2023

Date of Notification of Decision:

October 26, 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	James Wo Caroban
Town Clerk	Board of Appeals

THE COMMONWEALTH OF MASSACHUSETTS

Town of Wareham

WAREHAM TOWN CLERK 2023 NOV 7 PM3:58

BOARD OF APPEALS

Petition No.:

43-23

Book: 51643

Page: 0283

Date: October 25, 2023

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

The Board of A	opeals of the Town of Wareham hereby certifies that a Variance has been granted:
То:	Stephen & Dianne McDonough
Address:	24 Highland Bay Drive
City or Town:	Wareham, MA
	thts of the owner with respect to land or buildings at <u>24 Highland Bay Drive, Assessor's V67.A, W68, & 1001.A</u>
grant a Variance	ppeals certifies that the decision attached hereto is a true and correct copy of its decision to and that copies of said decision, and of all plans referred to in the decision, have been filed 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

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.

Board of Appeals as proof of filing.

Decomber 1, 2023

Chairman

Clerk

NOTICE OF DECISION OF THE WAREHAM ZONING BOARD OF APPEALS

Petition: 43-23

Applicant: Stephen & Dianne McDonough

Owner: same

Owner Address: 24 Highland Bay Dr., Wareham, MA

Subject Property Address: 24 Highland Bay Dr., Wareham, MA Subject Property Parcel ID: Map 58 Lot(s) W67-A, W68, & 1001-A

Date of Public Hearing: October 25, 2023

Date of Notice: October 26, 2023

Decision/Reason:

The Zoning Board of Appeals held a public hearing on October 25, 2023 to hear testimony and to make findings on the proposed project. The applicant is proposing to construct a new 10' x 30' deck along with a 4' x 6' expansion of the porch, and separately removing a 10' x 10' existing deck and replacing it with a new 10' x 15' deck along with a 10' x 8' staircase down to grade. While the improvements are in keeping with the character of the neighborhood, the expansions create new nonconformities and so require zoning bylaw variances for relief. The variances are for rear and side line setback reductions because of the extension of the decks and staircase. The Board found that the shape of the lot and the construction of the building were such that they create a hardship when trying to improve the property. Further the Board found that the relief when granted would not derogate from the intent of the Zoning Bylaws, and this does not impact the district adversely.

Consequently, the Board voted 4-0-0 to grant the Variances.

Conditions:

- 1. The additions are to be constructed per the plans submitted with the application, prepared for Stephen & Dianne McDonough, entitled "Plan to Accompany Notice of Intent" and prepared by G.A.F. Engineering, Inc. of 266 Main Street, Wareham, MA, dated on June 7, 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 Variance has not commenced within one year 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 and the amount of time required to pursue and await the determination of any such appeal, then this 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 Variance does so at the risk that a court may reverse the permit and 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: (4-0-0) By the Wareham Zoning Board of Appeals

ZONING BOARD OF APPEALS DECISION SHEET

Petition Number:	43-23	
Petitioner Name:	Stephen & Dianne Mo	:Donough
Map: 58		
Lot: W67-A, W-6	58 & 1001-A	
Address: 24 High	land Bay Dr., Warehai	m, MA
of the porch, and	separately removing a	0' x 30' deck along with a 4' x 6' expansion 10' x 10' existing deck and replacing it with 3' staircase down to grade
Special Permit	(Variance)	Both (Circle one)
Reason for granti	ing/denying the applica	ntion:
	- 4400 11	
Conditions:		
1		
3		
4	<u> </u>	
5		
6.		
7.		
		,
9.		
10.		

STATEMENTA NOSE + 100L/A STREET ADDRESS TOWN & STATE TOWN RESTRICT ADDRESS TOWN & STATE TOWN NOT WARRISTER, MA TOWN NOT WARRISTER, MAD TOWN NOT WARRISTER, ALM NOT WARRISTER, MAD TOWN NOT	TOWN OF W	JOWN OF WAKEHAM ABOLIEKS			
OWNERS OWNERS	MAP 58 LOT OWNERS STE	S W67/A W68 + 1001/A PHEN + DIANNE MCDONOUGH			
TOWN OF WAREHAM, TAX POSSESSION OWNERS					
TOWN OF WAREHAM, TAX POSSESSION ID PUTNAMS ST, OLINCY, MA BUTTERS SAAPH FUNKE CARLOS RICHARD ACARLSO CAROLYN L TRUSTEES CARLOS RICHARD A. CARLSO CAROLYN L TRUSTEES CARLOS RICHARD A. CARLSO CAROLYN L TRUSTEES CARLOS RICHARD A. CARLSO CAROLYN L TRUSTEES CARLOS RICHARD BAY DR LLC SHIRING DALL MINICHESTER, MA MINICHESTER, MA MARTITE BOLL, SC PACKETHIO PAUL TAFF HEID W. TAFF HEID W	MAP & LOT	OWNERS	STREET ADORESS	TOWN & STATE	ZIP CODE
MCDONOUGH STEPHEN, MCDONOUGH DIANNE TID PUTNAM ST, OLUNCO, NA BUELE SARAH FUNKE, CARLES ORTHAND, ST, CARLESO CAROLYN L'RUSTEES AGNALADA WAY, ANDOYER, NA HIGHLAND BAY DR LLC TOOK RD MINCTEN LOEE P, WISSTEN JAMIE L 15 HIGHLAND BAY DR, WAREHAM, MA PLACENTINO PAUL M, 10 HIGHLAND BAY DR, WAREHAM, MA HOSS CAROL A, C/O CAROL ST PIERRE HOSS CAROL A, C/O CAROL W HOLDONOUGH STEPHEN, MAREHAM, MA HOLD CARLOS A IN, HOLD C	58-0-1000.C	TOWN OF WAREHAM, TAX POSSESSION	°C	O, MA	02571
BUTLES SARAH FUNKE, BUTLES SARAH FUNKE, CAGUSO CAROLYN LTRUSTEES HGRANDA WAY, NINCHESTER, MA WINCHEN LOE, P. WINCHESTER, MA WINCHEN LOE, P. WINCHESTER, MA WINCHEN LOE, P. WINCHESTER, MA FLACENTINO PAUL M, PLACENTINO PAUL M, PLACENTA TRUSTEE CALMEDA NOMINEE REALTY TRUST ALMEDIAN REALT M, PLACENTINO PAUL M, PLACENTA TRUSTEE, PLACENTA	58-0-1001.A	MCDONOUGH STEPHEN, MCDONOUGH DIANNE	110 PUTNAM ST,	QUINCY, MA	02169
CARLSO RICHARD A, CARLSO CAROLYN I, TRUSTEES 4 GRANDA WAY, ANIOCHESTER, MA WINCHESTER, MA WINCHESTER, MA WINCHESTER, MA WINCHESTER, MA THEIGHAND BAY DR. WAREHAM, MA TAFT HEID! W. J. THEID AVE, WAREHAM, MA TAFT HEID! W. J. THEIRD AVE, WAREHAM, MA HOUST CAROL A, CIO CAROL ST PIERRE	58-0-W43	BUTLER SARAH FUNKE,	P O BOX 40614,	PROVIDENCE, RI	02940-0614
HIGHLAND BAY DR ULC	58-0-W44	CARUSO RICHARD A, CARUSO CAROLYN L TRUSTEES	4 GRANADA WAY,	ANDOVER, MA	01810
MUNICIEN JOEL P, WINSTEN JAMIE L 13 HIGHLAND BAY DR, WAREHAM, MA PACENTINO PAUL M, 414 DEERREID LINKS DR, WAREHAM, MA PACENTINO PAUL M, 414 DEERREID LINKS DR, WAREHAM, MA PACENTINO PAUL M, 414 DEERREID LINKS DR, WAREHAM, MA PACENTINO PAUL M, 12 THIRD AVE, WAREHAM, MA HASTIL RADDEWLY, MCDONOUGH DIANNE LIO PUTNAM ST, QUINCT, MA ALMEDIA KEWH TRUSTE, ALMEIDA NOMINEE REALLY TRUST 11 THIRD AVE, WAREHAM, MA ALMEDIA KEWH TRUSTE, ALMEIDA NOMINEE REALLY TRUST 11 THIRD AVE, WAREHAM, MA ALMEDIA KEWH TRUSTE, ALMEIDA NOMINEE REALLY TRUST 11 THIRD AVE, WAREHAM, MA ALMEDIA KEWH TRUSTE, ALMEIDA NOMINEE REALLY TRUST 11 THIRD AVE, WAREHAM, MA ALMEDIA KEWH TRUSTE, ALMEIDA MOMINEE REALLY TRUST 11 THIRD AVE, WAREHAM, MA ALMEDIA KEWH TRUSTE, ALMEIDA MARINE LISTEE L) HIGHLAND BAY DR, WAREHAM, MA ALMEDIA KEWH TRUSTE, ALMEIDA MARINE REALLY TRUST 11 THIRD AVE, WAREHAM, MA ALMEDIA KANER I, GOLDIE TRUSTEE 11 THIRD AVE, WAREHAM, MA BONTGOLD DRADUE LIESTATE, YEBBA ALMED A II TRUSTEE ST, HUDGON, MA SAUTERS AS THEY APPEAR BONTGOLD AS UP TO BE STATE YEBBA ALMED A II TRUSTEE ST, HUDGON, MA BECK ROBERT C, BECK CAALL W 145 END SHORES OR, WAREHAM, MA BONTGOLD AS OFFICE 15 SAVARY ANGELA MA BONTGOLD AND AND AND AND AND AND AND AND AND AN	58-0-W46	HIGHLAND BAY DR LLC	7 COX RD	WINCHESTER, MA	01830
TAFT HEIDIN, 14 PHEIDIN, 15 THEID AVE	58-0-W47	WIKSTEN JOEL P, WIKSTEN JAMIE L	13 HIGHLAND BAY DR,	WAREHAM, MA	02571
PLACENTINO PAUL M, 414 DEERHELD LINKS DR, MYRTLE BCH, SC PACENTINO PAUL M, AND	58-0-W48	TAFT HEIDI W,	16 THIRD AVE,	WAREHAM, MA	02571
PAVENTY STEFAME M	58-0-W50	PLACENTINO PAUL M,	414 DEERFIELD LINKS DR,	MYRTLE BCH, SC	29575
MASUTI AND REW MAREHAM, MA	58-0-W52	PAVENTY STEFANIE M	12 THIRD AVE	WAREHAM, MA	02571
HOSS CAROL A, C/O CAROL ST PIERRE	58-0-W54	NASUTI ANDREW W,	10 THIRD AVE,	WAREHAM, MA	02571
A MADONIOUS STEPHEN, MCDONIOUSH DIANNE A MICDONIOUS STEPHEN, MCDONIOUSH DIANNE ALMODONIOUSH STEPHEN, MCDONIOUSH DIANNE SCHAFFER SCOTT A II GOW TAYLOR FRANCES SCHAFFER SCOTT A II GOW TAYLOR FRANCES SCHAFFER SCOTT A II GOW TAYLOR FRANCES AND HIGHLAND BAY DR. WAREHAM, MA SCHAFFER SCOTT A II SCHAFFER SCOTT A II GOW TAYLOR FRANCES AND HIGHLAND BAY DR. WAREHAM, MA SCHAFFER SCOTT A II SCHAFFER SCOTT A WAREHAM, MA SCHAFFER SCOTT A WAREH	58-0-W65	HOSS CAROL A, C/O CAROL ST PIERRE	15 THIRD AVE,	WAREHAM, MA	02571
MICDONOUGH STEPHEN, MICDONOUGH DIANNE 110 PUTNAM ST,	58-0-W66	DUPRE ANN MARY, ROBOTHOM MICHAEL	22 HIGHLAND BAY DR,	WAREHAM, MA	02571
MICDONOUGH STEPHEN, MCDONOUGH DIANNE 110 PUTNAM ST,	58-0-W67.A	MCDONDUGH STEPHEN, MCDONOUGH DIANNE	110 PUTNAM ST,	QUINCY, MA	02169
ALMEDIA KEVIN TRUSTEE, ALMEIDA NOMINEE REALTY TRUST SCHAFFER SCOTT A II GOW TAYLOR FRANCIS 12 HIGHLAND BAY DR. WAREHAM, MA SILVA STEVEN D, WILLANDER JOSHUA BUNHGLIO DAVID J, BONFIGLIO REBECCA L COSTA MANDEL M, COSTA INES BONFIGLIO DAVID J, BONFIGLIO REBECCA L 12 FOURTH AVE, WAREHAM, MA SAVARY PETER J, SAVARY ANGELA M SAVARY PETER SAVARY ANGELA M ULLOA CARLOS A JR, BECK ROBERT C, BECK GAIL W SOFFICE SOFFICE SOFFICE DD BY AND DD BY DD BY DD BY AND DD BY DD B	58-0-W68	MCDONOUGH STEPHEN, MCDONOUGH DIANNE	110 PUTNAM ST,	QUINCY, MA	02169
SCHAFFER SCOTT A	58-0-W69	ALMEDIA KEVIN TRUSTEE, ALMEIDA NOMINEE REALTY TRUST	11 THIRD AVE,	WAREHAM, MA	02571
SOW TAYLOR FRANCES A	58-0-W70	SCHAFFER SCOTT A II	19 HIGHLAND BAY DR	WAREHAM, MA	02571
WATCH MICHAEL D, HATCH FRANCES A WATCH MICHAEL D, HATCH FRANCES A WATCH MICHAEL D, HATCH FRANCES A WATCH FRANCES A WATCH FRANCES BILLY BY STEVEN D, WATCH AND BILLY BY STEVEN D, SONFIGUO DAVID J, BONFIGUO DAVID	58-0-W71	GOW TAYLOR FRANCIS,	21 HIGHLAND BAY DR,	WAREHAM, MA	02571
SILVIA STEVEN D, WAREHAM, MA 12 FOURTH AVE, WAREHAM, MA 10 FOURTH AVE, WAREHAM, MA 10 FOURTH AVE, WAREHAM, MA 14 MAPLE ST, WAREHAM, MA 14 MAPLE ST, WAREHAM, MA 15 MARCHES UF ESTATE, YEBBA ALFRED A II TRUSTEE 340 GRAPILE ST, HUDSON, MA 16 CKLOS A JR, 16 HUGHTONS MILL RC, 16 HUGHTONS MILL RC, LUNENBURG, MA 16 HUGHT	58-0-W72	HATCH MICHAEL D, HATCH FRANCES A	89 W SPRING ST,	AVON, MA	02322
SILVIA STEVEN D, WILLANDER JOSHUA WILLANDER JOSHUA WILLANDER JOSHUA WORTHAM, MA BONFIGUO DAVID, J. BONFIGUO REBECCA L COSTA MANUEL M, COSTA INES C YEBBA DOLORES LIFE ESTATE, YEBBA ALFRED A II TRUSTEE SAVARY PETER J. SAVARY ANGELA M BECK ROBERT C, BECK GALL W ABUTTERS AS THEY APPEAR AX ROLLS AS OF 7/31/2023 AX ROLLS A	58-0-W73	KEITH GOLDIE, ALMEDIA KAREN L'GOLDIE TRUSTEE	11 THIRD AVE,	WAREHAM, MA	02571
WILLANDER JOSHUA BONFIGLIO DAVID J, BONFIGLIO REBECCA L COSTA MANUEL M, COSTA INES C YEBBA DOLORES LIFE ESTATE, YEBBA ALFRED A II TRUSTEE SAVARY PETER J, SAVARY ANGELA M BECK ROBERT C, BECK GAIL W ABUTTERS AS THEY APPEAR AX ROLLS AS OF 7/31/2023 AX ROLLS AS OF 7/31/2023	58-0-W74	SILVIA STEVEN D,	12 FOURTH AVE,	WAREHAM, MA	02571
TID POURTH AVE, WAREHAM, MA TA MANUEL M, COSTA INES C TA MANUEL M, MA TA DOLORES LIFE ESTATE, YEBBA ALFRED A II TRUSTEE TA DOLORES LIFE ESTATE, YEBBA ALFRED A II TRUSTEE TA CARLOS A JR, TA CARLO	58-0-W75	WILLANDER JOSHUA	9 THIRD AVE,	WAREHAM, MA	02571
TA MANUEL M, COSTA INES C 14 MAPLE ST, HUDSON, MA A DOLORES LIFE ESTATE, YEBBA ALFRED A II TRUSTEE 340 CENTRAL AVE, DEDHAM, MA 143 GREAT NECK RD, WAREHAM, MA 156 HIGHLAND SHORES DR, WAREHAM, MA 106 HOUGHTONS MILL RD, LUNENBURG, MA 156 FIGHLAND 156 FIGHLAND 157 T/31/2023 157 T/31/2023	58-0-W76	BONFIGLIO DAVID J, BONFIGLIO REBECCA L	10 FOURTH AVE,	WAREHAM, MA	, 02571
A DOLORES LIFE ESTATE, YEBBA ALFRED A II TRUSTEE 340 CENTRAL AVE, DEDHAM, MA KAY PETER J, SAVARY ANGELA M TAG GREAT NECK RD, WAREHAM, MA TAG GREAT NECK RD, WAREHAM, MA TAG GREAT SHORES DR, WAREHAM, MA TAG HIGHLAND SHORES DR, WAREHAM, MA TOG HOUGHTONS MILL RD, LUNENBURG, MA AS OF 7/31/2023 AL CRAY	58-0-W80	COSTA MANUEL M, COSTA INES C	14 MAPLE ST,	HUDSON, MA	01749
URY PETER J. SAVARY ANGELA M 143 GREAT NECK RD, WAREHAM, MA 26 HIGHLAND SHORES DR, WAREHAM, MA 106 HOUGHTONS MILL RD, LUNENBURG, MA 107 HIGH RD, LUNENBURG, MA 108 HIGH RD, LUNENBURG, MA	58-0-W88	YEBBA DOLORES LIFE ESTATE, YEBBA ALFRED A II TRUSTEE	340 CENTRAL AVE,	DEDHAM, MA	02026
IN CARLOS A JR, TROBERT C, BECK GAIL W LOG HOUGHTONS MILL RD, LUNENBURG, MA SAS THEY APPEAR AS OF 7/31/2023 L. CREW	58-0-W89	SAVARY PETER J, SAVARY ANGELA M	143 GREAT NECK RD,	WAREHAM, MA	02571
S AS THEY APPEAR L. Chens	58-0-1090	ULLOA CARLOS A JR,	26 HIGHLAND SHORES DR,	WAREHAM, MA	02571
CERTIFIED ABUTTERS AS THEY APPEAR ON OUR TAX ROLLS AS OF 7/31/2023 W. R. P. M. C. C. C. C. ASSESSORS OFFICE ASSESSORS OFFICE REQUESTED BY BRIAN GRADY S08 295-6600	58-0-W92	BECK ROBERT C, BECK GAIL W	106 HOUGHTONS MILL RD,	LUNENBURG, MA	01462
CERTIFIED ABUTTERS AS THEY APPEAR ON OUR TAX ROLLS AS OF 7/31/2023 W. R. ROLLS AS OFFICE ASSESSORS OFFICE REQUESTED BY BRIAN GRADY S08 295-6600				!	
ASSESSORS OFFICE REQUESTED BY BRIAN GRADY Sor 295-6600	Cepticien A	NITTED ACTUEN ADDEAD			
ASSESSORS OFFICE ASSESSORS OFFICE REQUESTED BY BRIAN GRADY SOR 295-6600	ON DUR TAX	ROLLS AS OF 7/31/2023			to the state of th
ASSESSORS OFFICE ASSESSORS OFFICE REQUESTED BY BRIAN GRADY SOR 295-6600	2 2			i :	
ASSESSORS OFFICE REQUESTED BY BRIAN GRADY S08 295-6600	TAK	and War			
REQUESTED BY BRIAN GRADY 508 295-6600	ASSESSORS ()FFICE			
REQUESTED BY BRIAN GRADY 508 295-6600	<u></u>				
REQUESTED BY BRIAN GRADY 508 295-6600			-		:
BRIAN GRADY 508 295-6600	REQUESTED	BY			
508 295-6600	BRIAN GRAD				
	508 295-660	[0			

