

THE COMMONWEALTH OF MASSACHUSETTS

Town of Wareham

WAREHAM TOWN CLERK
2023 DEC 21 PM5:37

BOARD OF APPEALS

Petition No. : 50-23
Book:46246 Page: 0159
Date: 12/14/2023

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

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

To: Alevizo's Ames Trust Inc.

Address: 2 Lake Road

City or Town: Wellesley, MA

Affecting the rights of the owner with respect to land or buildings at Asse

The Board of Appeals certifies that the decision attached hereto is a true and grant a variance and that copies of said decision, and of all plans referred to i with the ZBA, Conservation Commission, and the Town Clerk.

The Board of Appeals also calls to the attention of the owner or applicant tha Section 11 provides that no special permit, or any extension, modification or effect until a copy of the decision bearing the certification of the Town Clerk after the decision has been filed in the office of the Town Clerk and no appea appeal has been filed, that it has been dismissed or denied, is recorded in the county and district in which the land is located and indexed in the grantor inc owner of record or is recorded and noted on the owner's certificate of title. T pay the fee for such recording or registering. A copy of the registered decisio Board of Appeals as proof of filing.

Any person aggrieved by this decision may appeal to the Superior Court of I Chapter 40A, M.G.L. by filing a NOTICE OF ACTION AND COMPLAINT 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.

Debra A. Thomas
Town Clerk

JAN 11 2024

James

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Official Receipt for Recording in:

Plymouth County Registry of Deeds
50 Obery St.

Plymouth, Massachusetts 02360

Issued To:

ECHO ATHLETICS

7 TROUT FARM WAY
W WAREHAM MA 02576

Recording Fees

Document Description	Number	Book/Page	Recording Amount
NOTC	00002101	58594 237	\$105.00
OR WAREHAM TOWN APPEALS			
OR ALEVIZOS AMES TRUST INC			
OR ECHO ATHLETICS LLC			

POST\$1 \$1.00
\$106.00

Collected Amounts

Payment Type	Amount
Swipe Credit Card	\$106.00
	\$106.00

Total Received : \$106.00
Less Total Recordings: \$106.00
Change Due : \$.00

Thank You
JOHN R. BUCKLEY, JR. - Register of Deeds

By: Kathy Oakley

THE COMMONWEALTH OF MASSACHUSETTS

Town of Wareham

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

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

To: Alevizo's Ames Trust Inc.

Address: 2 Lake Road

City or Town: Wellesley, MA

Affecting the rights of the owner with respect to land or buildings at Assessor's Map 60, Lot A1

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

Debra A. Thoms
Town Clerk

James D. Eurobacci
Chairman
Clerk

JAN 11 2024

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

WAREHAM TOWN CLERK
2023 DEC 21 PM 5:57

No. 50-23

Petition of: Echo Athletics, LLC.

Location of Property: 127 Marion Road

Date of Notification of Hearing: November 23, 2023 and November 30, 2023

Date of Hearing: December 13, 2023

Date of Notification of Decision: December 14, 2023

DECISION: See attached

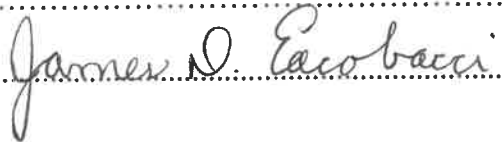
REASON:

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

JAN 11, 2024


Board of Appeals

NOTICE OF DECISION OF THE WAREHAM ZONING BOARD OF APPEALS

Petition: 50-23

Applicant: Echo Athletics

Owner: Alevizos Ames trust Inc.

Owner Address: 2 Lake Road, Wellesly, MA 02842

Subject Property Address: 127 Marion Road

Subject Property Parcel ID: Map 60, Lot A1

Date of Public Hearing: December 13, 2023

Date of Notice: December 14, 2023

Findings:

The Petitioner was before the Zoning Board of Appeals on December 13, 2023, pursuant to a Denial Letter dated October 17, 2023, issued by the Building Commissioner who determined that the Petitioner's plan to build and operate an athletic facility located at 127 Marion Road requires relief as the Use is not allowed in a Strip Commercial district. Accordingly, the Petitioner brought the appeal to the Board of Appeals which granted the Use Variance on December 13, 2023.

Variance:

The Board found that the Petitioners had met the statutory requirements of the Wareham Zoning By-Laws and M.G.L. Chapter 40A Section 10 for the relief of the Use Variance. The commercial districts in the town are very appropriate for this type of use and is compatible with the character of the CS district and the strip commercial center existing at this site. No changes are necessary on the site because of the existing improvements. Another gym is located in the CS district elsewhere in town.

Further, the granting of this Variance is subject to the following conditions:

Conditions:

- 1. Any relief not expressly granted hereunder is hereby denied.**
- 2. 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.**
- 3. If substantial use or construction permitted by these Variances 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 these variances 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.

- 4. 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.**
- 5. 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.

TOWN OF WAREHAM ABUTTERS					
MAP 60 LOT A1					
OWNER ALEVIZOS AMES TRUST INC,					
MAP & LOT	OWNERS	STREET ADDRESS	TOWN & STATE	ZIP CODE	
48-0-1007	DIAS CHERYL M,	130 MARION RD,	WAREHAM, MA	02571	
48-0-1009.B	WHALEN CONSTANCE E	152 MARION RD	WAREHAM, MA	02571	
48-0-1011	MANSFIELD JANE M,	582 BLUE HILL AVE,	MILTON, MA	02186	
48-0-L1	GALE TIMOTHY J	1 LONGMEADOW DR,	WAREHAM, MA	02571	
48-0-L10	HASKELL RUTH F, HASKELL PAULINE M	6 LONGMEADOW DR,	WAREHAM, MA	02571	
48-0-L11	HILL JANET,	4 LONGMEADOW DR,	WAREHAM, MA	02571	
48-0-L12	SCIBILIA ALEXANDER + RAECHEL, PECKHAM MARY R + GREGORY	2 LONGMEADOW DR,	WAREHAM, MA	02571	
48-0-L13	MUSCHETTE JOHN A, MUSCHETTE MARIE L	390 LYNNFIELD ST,	LYNN, MA	01904	
48-0-L14	KNIGHT DANIEL T, KNIGHT MARJORIE A	122 MARION RD,	WAREHAM, MA	02571	
48-0-L15	BRONK TIMOTHY A,	5 GLENDA AVE,	WAREHAM, MA	02571	
48-0-L16	BRONK THOMAS S, TRUSTEE, BCT REVOCABLE TRUST	5 GLENDA AVE,	WAREHAM, MA	02571	
48-0-L2	DAY NATHAN A,	3 LONGMEADOW DR,	WAREHAM, MA	02571	
48-0-L24	YOUNG CHARLES H JR, YOUNG SUZANNE E	8 GLENDA AVE,	WAREHAM, MA	02571	
48-0-L25	ZINE JAMES M SR, ZINE ANNMARIE	6 GLENDA AVE,	WAREHAM, MA	02571	
48-0-L26	BLACK LAURIE S,	4 GLENDA AVE,	WAREHAM, MA	02571	
48-0-L27	WHITNEY CASSIE E, ROSE RORY A JR	2 GLENDA AVE,	WAREHAM, MA	02571	
48-0-L3	JONES MALCOMN, HOLBROOK SYDNEY E	5 LONGMEADOW DR	WAREHAM, MA	02571	
48-0-T1.A	DENEALT TRACY L,	1 BOURNE TER,	WAREHAM, MA	02571	
48-0-T1.B	HOLLIS RICHARD M, HOLLIS CHERYL L	140 MARION RD,	WAREHAM, MA	02571	
48-0-T1.C	TABER HAZEL E,	136 MARION RD,	WAREHAM, MA	02571	
48-0-T10	GABRIEL-CARD JUDY B,	4 BOURNE TER,	WAREHAM, MA	02571	
48-0-T2.B	PECHEY MELISSA A,	3 BOURNE TER,	WAREHAM, MA	02571	
48-0-T8	PHILLIPS ERNEST,	134 MARION RD,	WAREHAM, MA	02571	
48-0-T9	SERGI DAVID R, SERGI TIFFANY M	47 MEADOW ST,	CARVER, MA	02330	
60-0-1017	MULLENS KATHLEEN A LIFE ESTATE	173 MARION RD,	WAREHAM, MA	02571	
60-0-1020	POWERS ANNE-MARIE TRUSTEE, OF ALTON L REALTY TRUST	164 TIFFANY RD,	NORWELL, MA	02061	
60-0-1023	ELLIS TERRY A, C/O TERRY ROBERGE	13 MORSE AVE,	WAREHAM, MA	02571	
60-0-1024	STJULIEN HENRY R, STJULIEN WENDY R	113 GIBBS AVE,	WAREHAM, MA	02571	
60-0-1025	ROUSTOM SIRRY A & CONSTANCE A, TR THE GOVERNOR'S REALTY TR	PO BOX 413,	MONUMENT BEACH, MA	02553	
60-0-4	NEXTSUN ENERGY LLC,	5821 FAIRVIEW RD STE 201	CHARLOTTE, CO	28209	

60-0-A1	ALEVIZOS AMES TRUST INC,	2 LAKE RD,	WELLESLEY, MA	02482
60-0-G1	DECRISTOFARO VINCENT R, MARY R C/O PAUL + JOANNE BECKMAN	127 GIBBS AVE,	WAREHAM, MA	02571
60-0-G3	SCIARAFFA-JOLICOEUR PATRICIA + GOUVEIA LORI	119 GIBBS AVE,	WAREHAM, MA	02571
61-0-1197	HOLDEN TODD M,	73 GIBBS AVE,	WAREHAM, MA	02571
61-0-1199.A	LEMBO LAURA J,	79 GIBBS AVE,	WAREHAM, MA	02571
61-0-1199.B	MUMPER TERRY R, MUMPER DANIELLE M	81 GIBBS AVE,	WAREHAM, MA	02571
61-0-1203	DARZENTA NICHOLAS C + CONSTANTIN TRUSTEES TESNO FAMILY TRUST	6 WOODSPRING FARM LN	SANDWICH, MA	02563
61-0-1204	CAMERON ALLEN B, BONESTEEL KARIN L	101 GIBBS AVE,	WAREHAM, MA	02571
61-0-G12	MOREAU RONALD H, MOREAU YVETTE L	114 GIBBS AVE,	WAREHAM, MA	02571
61-0-G14	ROUSSEAU MATHEW, ROUSSEAU TORI L	108 GIBBS AVE,	WAREHAM, MA	02571
61-0-G15	KUZNAROWIS SUZANNE, OUELLETTE-LORENZ LISA C	PO BOX 651,	WAREHAM, MA	02571
61-0-G18	AKINS SUSAN M,	96 GIBBS AVE,	WAREHAM, MA	02571
61-0-G6	IRISH JEREMY, IRISH LISA	97 MARION RD,	WAREHAM, MA	02571
61-0-G9	PETTERSEN JOHN A,	14 ALGELLO AVE,	WAREHAM, MA	02571
CERTIFIED ABUTTERS AS THEY APPEAR				
ON OUR TAX ROLLS AS OF 10/24/2023				
<i>W. Ronni Ames</i>				
ASSESSORS OFFICE				
REQUESTED BY				
BEN TOMKINS				
716 864-0047				
BPTOMKINS@GMAIL.COM				

ZONING BOARD OF APPEALS DECISION SHEET

Petition Number: 50-23

Petitioner Name: Echo Athletics, LLC

Map: 60

Lot: A1

Address: 127 Marion Road

Project: Proposing to operate a fitness facility.

Special Permit Variance Both (Circle one)

Reason for granting/denying the application:

Conditions:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____