## Request for

## VARIANCE OR SPECIAL PERMIT

to the

# WAREHAM ZONING BOARD OF APPEALS

**SANDRA STOWE** 

9 Beach Plum Lane Wareham, MA

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   Braman Surveying #F-604 (6.12.22)
- PROPOSED PLAN
   Lockwood Architects A1z (6.15.22)

#### 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:

- Complete this form.
- o Complete information packets. (Directions attached)
- Submit application form and packet to Town Clerk for signature.
- Submit application form and packet to Town Collector for signature.
- 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 \$100.00.

\*\*The applicant will also be responsible for the costs of sending out abutter notifications by Certified Mail. The cost is \$6.90 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:

	M 5
STREET & NUMBER: 9 BEACH PLUM HAME LO	T:M4B_MAP: <u>28</u>
ZONING DISTRICT: R60	
USE REQUESTED: RESIDENTIAL	
OWNER OF LAND & BUILDING: SANDRA-STOWN	E TEL# 508:214.7081
ADDRESS OF OWNER: 9 BEACH PLUM LAND	WAREHITM, MH 0691
PERSON(S) WHO WILL UTILIZE PERMIT: 🔼 W 서본운	
ADDRESS:	31
DATE:SIGNATURE:	Johnel .
This application was received on the date stamped here:	
Town Clark: Date:	
TOWII CICIA.	1/20/20
Tax Collector: Digitle Benaut Date:	_6/29/22
Planning/Zoning Dept.: Date:	
Application fee paid: 300.00 Check #: 3279	Receipt:
Advertising fee paid: /00.00 Check #	Receipt:
Abutters fee paid: 68.61 Check # 32%	Requipts & Chile
1	JUN 2 9 2022 (J)
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	Cana Barra
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#### **TOWN OF WAREHAM**

## APPLICANT/CONTRACTOR/REPRESENTATIVE INFORMATION SHEET

Check Applicable: _	Variance	Special Permit	Site PlanAppeal
Date stamped in:	•		cision is due
Applicant's Name:	William H. Lockwood	R.A., of Lockwood Ar	chitects
Applicant's Address:	PO Box 95 Onset, M	A 02558	
Telephone Number:	508.273.0111		
Cell Phone Number:	508.221.1843		
Email Address:	lockwoodarch@gma	ail.com	
Address of Property/I	Project: 9 Beach Plun	n Lane	
Landowner Name: S	andra M. Stowe		
Owner's Address: 9	Beach Plum Lane, Wa	areham, MA 02571	
Telephone Number:	508.274.9081		
Contact Person: Will	iam H. Lockwood	Tele	phone Number: <b>508.273.0111</b>
Map <b>28</b>	Lots M4B 8	<b>&amp; M5</b> Zon	ne <b>R-60</b>
Date Approved		D	ate Denied
Comments:			

# TO THE STATE OF TH

## TOWN of WAREHAM

#### Massachusetts

#### **BUILDING DEPARTMENT**

Paul E. Turner Director of Inspectional Service

William Lockwood P.O. Box 95 Onset Massachusetts, 02558 June 16, 2022

**RE:** 9 Beach Plum Lane

Map 28, Lots M5, M4B

I have reviewed your proposal to construct 120sf. one story addition off the right side of 9 Beach Plum Lane. At this time, I must deny your request.

Your proposed side setback for the proposed structure is encroaching the required 20'setback. Therefore a <u>Variance</u> must be secured in order to proceed with your request.

Your proposal is being denied under the following section of the Wareham Zoning Bylaw:

• Article 6, 620 Table of Dimensional Regulations, Minimum Side Setback.

The subject dwelling is located in the R-60 zoning district.

Paul F. Turner

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

#### NARRATIVE REGARDING PROJECT

RE: **SANDRA STOWE**9 Beach Plum Lane
Map 28, Lots 4B & 5

#### SITE DESCRIPTION

The subject property is located in the Little Harbor section of Wareham in an R60 residential zone. Parts of the property are located in an AE15 flood zone, but the area of the proposed addition is not. The lot is about 10887 square feet (0.25 acres), which is about 18% of the 60,000 sf prescribed by the zone. The lot has no actual frontage, although 110 feet along a right of way has been treated as such.

In addition to the house, two sheds are located on the property. Two on-site parking spaces are currently provided. The property is served by Town water and on-site septic, as well as natural gas.

#### PROJECT DESCRIPTION

A section of the existing deck is proposed to be demolished, and a new one story addition with crawl space is proposed to be constructed essentially on the same footprint.

#### REASONS FOR GRANTING THE VARIANCE/SPECIAL PERMIT

Relief is being sought from the side setback to allow the new addition structure to occupy essentially the same place as part of the existing deck. The current setback to the deck is about 7.5 feet and the proposed setback reduces that to about 6 feet. Neither would be in compliance with the required 10 foot setback.

Although there is no requirement for compliance, the proposed addition will not increase the building coverage From its current 12%+/-. The Floor Area Ratio (FAR) will increase slightly from about 16%to about 17%, both of which are below the allowed 23% (25% of 10000 = 2500/10887 = 23%)

It is felt that these proposed improvements will provide an overall benefit to the petitioner, property, and to the neighborhood, and can be accomplished (b) without substantial detriment to the public good during or after construction. It is further felt that this can be accomplished (c) without nullifying or substantially derogating from the intent or purpose of the Wareham Zoning Bylaws.

Due to conditions of topography (including the flood zone) and an lot shape, placement of any addition is hindered.

Relief will allow beneficial enjoyment of the property by the petitioners. We, therefore believe that this Special Permit/Variance can be reasonably granted, and encourage the Board to favorably review this request.

MAP 28 LO						
	MAP 28 LOT M5 300'		The state of the s			
OWNER SA	OWNER SANDRA M STOWE					
		CO-OWNER	STREET ADDRESS	TOWN	STATE	STATE ZIP CODE
MAP & LOI			TOWN HALL	WAREHAM	MA	02571
28-1004	IOWN OF WAREHAM	I VNEODO IEFEREV H TRS ET AI S	37 RIP RD	HANOVER	Ŧ	03755
28-1008	DUBOIS RODNEY F & KAKEN IN	CINCOND SELLING IN SELLING	9 REACH PILIM IN	WAREHAM	MA	02571
28-M5		SAMOUT GOALDIG OLD BOTATAGE	PO BOX 328	WARFHAM	MA	02571
28-M6	BEACH PLUM LANE TRUST + THOMAS RICHARD N +	SELLY INS C/O NICHAND INOMIAS	61 LOPENA RD	WINCHESTER	MA	01890
28-M4/A	FICOCIELLO MICHAEL P	FICUCIELLO NAREIN A	O PERCHANIST OF THE PARTY	VA/ATELIANA	454	02571
28-M7	GASTFRIEND JODY O		8 BEACH PLUM LIN	WAIEITAW	1	02274
28-M3	THOMAS PAULINE F LIFE ESTATE		5 BEACH PLUM LN	WAKEHAM	MA	1/571
28-1/18	EDWARDS PETER M		PO BOX 331	WAREHAM	MA	025/1
CERTIFIED	CERTIFIED ABUTTERS AS THEY					
APPEAR OF	APPEAR ON OUR TAX ROLLS					
AS OF 2/9/2022	2022					
JAKO						
N L	one Cleve					
ASSESSORS OFFICE	OFFICE					
Va Carrage	\\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \		The second secon			
BILL LOCKWOOD	MOOD					
508 273-0111						
OCKWOO	I OCKWOODARCH@GMAIL.COM					

MapsOnline by PeopleGIS

360

#### **AERIAL PHOTO**



WAREHAM ZONING BOARD OF APPEALS

SANDRA STOWE

9 Beach Plum Lane, Wareham

#### 9 BEACH PLUM LN

Location 9-BEACH-PLUM LN

Mblu 28//M5//

Acct#

Owner STOWE SANDRA M

**Assessment** \$589,600

**Appraisal** \$589,600

**PID** 4215

**Building Count** 1

#### **Current Value**

	Appraisal		en disebaggi dikangan kada a maga ngaha s man malajan lamba ang man disebagi kadi produce disebagai kang a kang
Valuation Year	Improvements	Land	Total
2022	\$197,000	\$392,600	\$589,600
KO, NOCE THE COMMENT OF THE PROPERTY OF THE PROPERTY COMMENT CONTROL THE COMMENT OF THE PROPERTY COMMENT COMMENT THE COMMENT C	Assessment		
Valuation Year	Improvements	Land	Total
2022	\$197,000	\$392,600	\$589,600

#### **Owner of Record**

Owner

STOWE SANDRA M

Co-Owner

Address

9 BEACH PLUM LN

WAREHAM, MA 02571

Sale Price

Certificate

OCI LINGUIC

Book & Page

Sale Date

49934/0318 06/19/2018

Instrument

1A

\$100

#### Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
STOWE SANDRA M	\$100		49934/0318	1A	06/19/2018
STOWE SANDRA M TRUSTEE	\$1		39684/0304	1A	02/23/2011
STOWE SANDRA M	\$1		36103/0226	1A	06/23/2008
PUMPHREY JANET H TRUSTEE OF	\$200,000		16372/0193	1J	07/03/1998
STOWE G THOMAS	\$1		4855/0364	UNKQ	07/28/1980

#### **Puilding Information**

Building 1 : Section 1

Year Built:

1954

**Building Photo** 

Living Area: Replacement Cost: 1,608

Building Percent Good:

\$230,111 84

Replacement Cost

Less Depreciation:

\$193,300

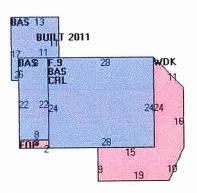
Building	Attributes

Field	Description
yle:	Colonial
odel	Residential
rade:	Ave
ories:	1.9
ccupancy	1
xterior Wall 1	Wood Shingle
xterior Wall 2	
oof Structure:	Gambrel
oof Cover	Wood Shingle
nterior Wall 1	Drywall
nterior Wall 2	K Pine/Bead Bd
nterior Flr 1	Carpet
nterior Flr 2	Pine/Soft Wood
leat Fuel	Oil
leat Type:	Hot Water
C Type:	None
otal Bedrooms:	2 Bedrooms
otal Bthrms:	2
otal Half Baths:	· <b>0</b>
otal Xtra Fixtrs:	
otal Rooms:	7 Rooms
Bath Style:	Average
Kitchen Style:	Average
of Fireplaces	
Fireplace Type	
Finish Bsmt SF	
Fin Bsmt Qual	
Num Park	
Fireplaces	
Fndtn Cndtn	
Basement	



(https://images.vgsi.com/photos2/WarehamMAPhotos/\00\05\69\21.jpg)

#### **Building Layout**



(https://images.vgsi.com/photos2/WarehamMAPhotos//Sketches/4215\_421

	Building Sub-Areas	(sq ft)	<u>Legend</u>
Code	Description	Gross Area	Living Area
BAS	First Floor	1,003	1,003
F.9	.90 Story Fin	672	605
CRL	Crawl Space	672	0
FOP	Open Porch	16	0
WDK	Deck, Wood	349	0
Cart Sart Airle (All States and States Airle (States Airle)		2,712	1,608

Code	Description	Size	Value	Bldg#
FLU2	FLUE/BRICK	1.00 UNITS	\$800	1

#### Land

Land Use

**Land Line Valuation** 

**Use Code** 

1010

Description

SINGLE FAMILY

Zone

R60

Neighborhood 0081

Alt Land Appr

No Category

Size (Acres)

0.24

0 Frontage 0 Depth

\$392,600 Assessed Value

Appraised Value \$392,600

#### Outbuildings

AND THE PERSON OF THE PERSON O	Outbuildings					<u>Legend</u>
Code	Description	Sub Code	Sub Description	Size	Value	Bldg#
SHD1	SHED/FRAME			96.00 S.F.	\$1,300	1
PAT2	PATIO			242.00 S.F.	\$1,600	1

#### **Valuation History**

Appraisal					
Valuation Year	Improvements	Land	Total		
2022	\$197,000	\$392,600	\$589,600		
2021	\$187,200	\$392,600	\$579,800		
2020	\$174,100	\$392,620	\$566,720		

Assessment				
Valuation Year	Improvements	Land	Total	
2022	\$197,000	\$392,600	\$589,600	
2021	\$187,200	\$392,600	\$579,800	
	\$174,100	\$392,600	\$566,700	

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#### **0 BEACH PLUM LN**

Location 0-BEACH-PLUM-LN

Mblu 28/-/-M4/B-/-

Acct#

Owner STOWE SANDRA M

Assessment \$100

Appraisal \$100

**PID** 4214

**Building Count** 1

#### **Current Value**

	Appraisal		
Valuation Year	Improvements	Land	iotai
2022	\$0	\$100	\$100
	Assessment		
Valuation Year	Improvements	Land	iotai
2022	\$0	\$100	φιου

#### **Owner of Record**

Owner STOWE SANDRA M

Co-Owner

Address 9 E

9 BEACH PLUM LN

WAREHAM, MA 02571

Sale Price

\$100

Certificate

Book & Page

49934/0321

Sale Date

06/19/2018

Instrument

1A

#### Ownership History

		Ownership History	/	and a company of the contract	
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
STOWE SANDRA M	\$100		49934/0321	1A	06/19/2018
STOWE SANDRA M	\$10,000		44014/0197	1T	01/17/2014
ROWES BARBARA BOER	\$675,000		24683/0237	1G	04/02/2003
PHILBIN THOMAS C	\$0		20491/0145		09/05/2001
PACELLA MICHAEL	\$1		5798/0076	UNKQ	08/29/1984

#### **Building Information**

Building 1 : Section 1

Year Built:

**Building Photo** 

Living Area:

0

Replacement Cost:

\$0

**Building Percent Good:** 

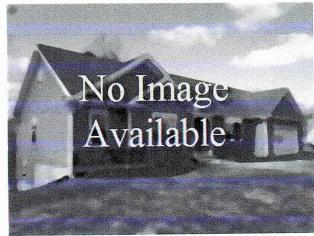
Replacement Cost

Less Depreciation:

\$0

<b>Building A</b>	Attributes
-------------------	------------

Building Attributes		
Field	Description	
Style:	Vacant Land	
Model		
Grade:		
Stories:		
Occupancy		
Exterior Wall 1		
Exterior Wall 2		
Roof Structure:		
Roof Cover		
Interior Wall 1		
Interior Wall 2		
Interior Fir 1		
Interior Flr 2		
Heat Fuel		
Heat Type:		
AC Type:		
Total Bedrooms:		
Total Bthrms:		
Total Half Baths:		
Total Xtra Fixtrs:		
Total Rooms:		
Bath Style:		
Kitchen Style:		
# of Fireplaces		
Fireplace Type		
Finish Bsmt SF		
Fin Bsmt Qual		
Num Park		
Fireplaces		
Fndtn Cndtn		
Basement		



(https://images.vgsi.com/photos2/WarehamMAPhotos//default.jpg)

#### **Building Layout**

(https://images.vgsi.com/photos2/WarehamMAPhotos//Sketches/4214\_421

**Building Sub-Areas (sq ft)** 

**Legend** 

No Data for Building Sub-Areas

#### **Extra Features**

#### No Data for Extra Features

#### Land

Land Use

**Land Line Valuation** 

**Use Code** 

1320

Description

**RES ACLNUD MDL-00** 

Zone

-R60

Neighborhood A

Alt Land Appr No

Size (Acres)

0.01

\$100

Frontage

0

Depth

0

Assessed Value

Appraised Value \$100

Category

#### Outbuildings

Outbuildings

<u>Legend</u>

No Data for Outbuildings

#### **Valuation History**

	Appraisal		
Valuation Year	Improvements	Land	Total
~22	\$0	\$100	\$10
2021	\$0	\$100	\$10
2020	\$0	\$100	\$10

Assessment		
Improvements	Land	iotai
\$0	\$100	\$100
\$0	\$100	\$100
\$0	\$100	\$100
	Improvements \$0 \$0	Improvements         Land           \$0         \$100           \$0         \$100

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Return to: Ohrenberger, De Lisi & Harris, LLP 28 New Briftway Scituate, MA 02066



Bk: 49934 Pg: 318 Page: 1 of 3 Recorded: 06/19/2018 09:43 AM ATTEST: John R. Buckley, Jr. Register Plymouth County Registry of Deeds

#### MASSACHUSETTS QUITCLAIM DEED

I, Sandra M. Stowe, Trustee of the George T. and Sandra M. Stowe Family Trust, u/d/t dated February 21, 2011, recorded with Plymouth County Registry of Deeds in Book 39684, Page 304, of Wareham, Massachusetts 02571

for consideration paid, and in full consideration of LESS THAN ONE HUNDRED DOLLARS (\$100.00)

grant to Sandra M. Stowe, of 9 Beach Plum Lane, Wareham, Massachusetts

#### WITH QUITCLAIM COVENANTS

All of my right, title and interest in and to the land with the buldings thereon located at 9 Beach Plum Lane, Wareham, Plymouth County, Massachusetts, and being Lot #5 as shown on "Subdivision Lot #3 shown on 1944 Subdivision of Lot, Little Harbor, Wareham, Mass. Scale 1" equals 50', July 1, 1948" Walter E. Rowley, Sur. Bounded and described as follows:

Lot #5: Beginning at the Northerly corner of Lot #5 and the Westerly corner of Lot 4 at a point situated South 48 degrees 20 minutes 20 seconds West, two hundred ninety (290) feet from a stone bound at the Northeasterly corner of the land of the Town of Wareham, known as Little Harbor Beach:

thence South 30 degrees 01 minutes 10 seconds East, in the line of Lot #4, one hundred fifteen 31/100 (115.13) feet to a point in the Northerly side line of a ten (10) foot private way;

thence in the Northerly line of said private way, South 71 degrees 19 minutes 20 seconds West, to a stake and land now or formerly of the Town of Wareham;

thence in line of land of Town of Wareham North 63 degrees 24 minutes 40 seconds East, sixty five (65) feet to a drill hole in stone;

thence North forty-eight degrees 20 minutes 20 seconds East, thirty eight 37/100 (38.37) feet to the corner first mentioned and point of beginning.

Containing 10,450 square feet, more or less.

This conveyance is made subject to encumbrances of record, and together with the benefit of and subject to all rights, privileges, rights of way, easements, layouts and takings, and restrictions and reservations of record which are now in force and which are applicable to the premises.

Together with an undivided ownership interest in and to the so-called "Private Way" and "Beach", in common with all others lawfully entitled thereto.

Grantor hereby releases any and all rights of homestead in said premises and certifies under the pains and penalties of perjury that there were no other persons entitled to protection of the Homestead Act.

Being the same premises conveyed to Grantor by deed dated February 21, 2011, recorded with Plymouth County Registry of Deeds, Book 39684, Page 304.

Title was not examined by preparer of Deed.

th
Witness our hands and seals this 29 day of May, 2018.
Sandra M. Stowe
George T. Stowe
COMMONWEALTH OF MASSACHUSETTS Plymouth, ss.
On this 29 day of
COMMONWEALTH OF MASSACHUSETTS
Plymouth, ss.
On this day of, 2018, before me, the undersigned notary public, personally appeared George T. Stowe proved to me through satisfactory evidence of identification, which was valid driver's license and/or personally known to me, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its state
purpose.
ROSE M. BERRY NOTARY PUBLIC COMMONWEALTH OF MASSACHUSETTS My Comm. Expires June 22, 2018  June 23, 2016

Return to: Ohrenberger, De Lisi & Harris, LLP 28 New Driftway Scituate, MA 02066



Bk: 49934 Pg: 321 Page: 1 of 3 Recorded: 06/19/2018 09:43 AM ATTEST: John R. Buckley, Jr. Register Plymouth County Registry of Deeds

## MASSACHUSETTS QUITCLAIM DEED

Sandra M. Stowe and George T. Stowe, married, of 9 Beach Plum Lane, Wareham, Massachusetts 02571

for consideration paid, and in full consideration of LESS THAN ONE HUNDRED DOLLARS (\$100.00)

grant to Sandra M. Stowe, of 9 Beach Plum Lane, Wareham, Massachusetts

### WITH QUITCLAIM COVENANTS

Being a portion of Lot 4 on plan entitled "Subdivision of Lot 3 shown on 1944 Subdivision of Lots at Little Harbor Wareham, Mass" dated July 1, 1948, Walter E. Rowley. Sur. Duly recorded with the Plymouth Registry of Deeds in Book 7, Page 675 and further bounded and described as follows:

Beginning at a point on the division line between Lot 4 and Lot 5 on said plan, said point being thirty-eight (38) feet northwesterly from the side line of the Private Way shown on said plan; thence running in a northwesterly direction by said Lot 5 a distance of fifty (50) feet to a point; thence turning and running in a northeasterly direction by the other portion of said Lot 4 a distance of (8) feet; thence turning and running in a southeasterly direction in a line parallel with and eight (8) feet distant from the first described bound, a distance of fifty (50) feet; thence turning and running in a southwesterly direction a distance of eight (8) feet to the point of beginning. The last described parcel is hereby conveyed together with a right of way and easement as set forth in that certain deed of Nancy Trotta, et al., Trustee of Plum Realty Trust to Michael Pacella, dated August 29, 1984 and recorded with the Plymouth County Registry of Deeds in Book 5798, Page 76.

This conveyance is subject to and with the benefit of all rights, restrictions and easements of record, if any there be, insofar as now in force and effect.

I, the undersigned, Sandra M. Stowe, declare under the penalties of perjury that I am married to George T. Stowe and have no former spouse, partner or former partner in a civil union who is entitled to claim the benefit of any estate of homestead in and to the property conveyed herein.

I, George T. Stowe, husband of said grantor, releases to said grantee all rights of homestead and all other interests in the property conveyed herein.

Being the same premises conveyed to Grantor by deed dated January 2, 2014, recorded with Plymouth County Registry of Deeds, Book 44014, Page 197.

Title was not examined by preparer of Deed.

Witness our hands and scals this

Sandra M. Stowe, Trustee

#### COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss.

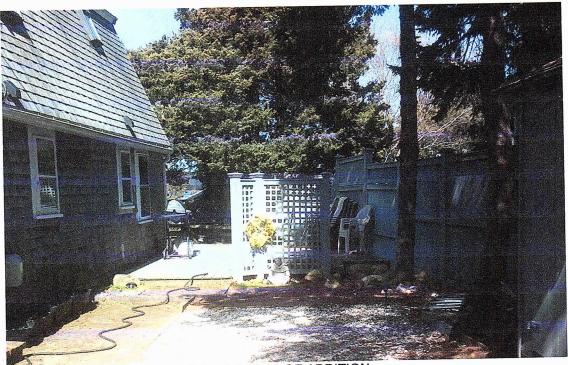
On this 15 day of June, 2018, before me, the undersigned notary public, personally appeared Sandra M. Stowe, Trustee as aforesaid, proved to me through satisfactory evidence of identification, which was a valid driver's license and/or personally known to me, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

KIMBERLY A. KELSCH Notary Public Commonwealth of Massachusetts My Commission Expires July 9, 2021 Notary Public

My Commission Expires: 7/9/8

#### EXISTING HOUSE PHOTO





DETAIL AT AREA OF ADDITION

WAREHAM ZONING BOARD OF APPEALS SANDRA STOWE 9 Beach Plum Lane, Wareham