

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.
- 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:

STREET & NUMBER: 12 Whittier Ave LOT: 189^B MAP: # 1
ZONING DISTRICT: OV2
USE REQUESTED: _____
OWNER OF LAND & BUILDING: DAVID FIELD TEL.# 508-400-1717
ADDRESS OF OWNER: 249 TEMPLE ST Whitman, MA
PERSON(S) WHO WILL UTILIZE PERMIT: DAVID FIELD .0238
ADDRESS: 12 Whittier Ave Wareham.
DATE: 8/24/2021 SIGNATURE: [Signature]
This application was received on the date stamped here:

WAREHAM TOWN CLERK
2021 SEP 15 PM 3:26

Town Clerk: _____ Date: _____
Tax Collector: Brigitte Benoit Date: 8/24/2021
Planning/Zoning Dept.: SORNA RAPOSO Date: 9.15.21
Application fee paid: 300.00 Check #: 304 Receipt: _____
Advertising fee paid: 100.00 Check #: 305 Receipt: _____
Abutters fee paid: 65.88 Check #: 306 Receipt: _____

TOWN OF WAREHAM

APPLICANT/CONTRACTOR/REPRESENTATIVE INFORMATION SHEET

Check One: _____ Variance _____ Special Permit _____ Site Plan _____ Appeal

Date stamped in: _____ Date decision is due _____

Applicant's Name: DAVID FIELD

Applicant's Address: 249 TEMPLE STREET WHITMAN, MA. 02382

Telephone Number: 508-400-1717

Cell Phone Number: FAX 781-447-1711

Email Address: DFIELD12@MSN.COM

Address of Property/Project: 12 WHITTEMORE AVE, ONSET MA.

Landowner's Name: 12 WHITTEMORE AVE TRUST, DAVID FIELD TRUSTEE

Owner's Address: 12 WHITTEMORE AVE, WAREHAM, MA

Telephone Number: 508 400 1717 cell

Contact Person: DAVID FIELD Telephone Number: 508-400-1717

Map #1 Lot # 189B Zone OV2

Date Approved _____ Date Denied _____

Comments: _____



TOWN of WAREHAM

Massachusetts

BUILDING DEPARTMENT

David Riquinha
Director of Inspectional Services

Matthew McKeown
484 Liberty St.
Rockland, MA 02370

August 9, 2021

RE: 12 Whittemore Ave,

Map #1, Lot # 189B

I have reviewed your proposal to add a garage with second floor living space to the structure at 12 Whittemore Ave, in Wareham, MA. The proposal is not in compliance with current zoning regulations and must be denied at this time.

After review, the "Attached Proposed Garage" does not meet setback requirements from property line located on Pearl Avenue. The existing structure is not in compliance with required setback and floor area ratio. The existing floor area ration is 24%, and you are increasing to 37%, were 20% is permitted as a right. This is an increase to the nonconforming nature and will require a special permit from the zoning board of appeals.

The submitted permit application documents which include a site plan labeled (My Site Plan.com) comprised of one page is being denied under the following sections of the Wareham Zoning By-law:

- **Article 6, Table 628, Dimensional Standards for Existing Small Lots:** Lawfully Existing lots in Village District Category 2 (Lots 5,001-10,000 S.f.) are required to have a front setback of Average Alignment, Side setback 10', Rear setback 10', and a F.A.R. of 20%
- **Article 13, Section 1352, Non-Conforming Structures:** Alteration or expansion of a lawfully-existing non-conforming residential structure requires a Special Permit. If

Zoning Board of Appeals determines that the expansion will be substantially more detrimental to the neighborhood, a Variance will be required

You must bring this letter to the Zoning Board office, and apply for a hearing, where you will request the necessary relief as mentioned above. If you are successful, you will be required to wait 20 days for the statutory appeal period to lapse; you will then need to record the ZBA decision with the Plymouth County Registry of Deeds; then apply for a new building permit to perform the work in accordance with the building code, Zoning Board approval. The existing permit application has been denied and will not be reopened to perform the requested work.

The subject dwelling is located in Zoning district OV2

Respectfully,



David Riquinha
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.

Quitclaim Deed

I, David Field of 249 Temple Street, Whitman, MA 02382

For consideration paid of ONE DOLLAR (\$1.00).

GRANT TO David Field Trustee of 12 Whittemore Ave Realty Trust dated June 17, 2016 the

certificate of which is recorded herewith in the Plymouth County Registry of Deeds in Book: 47096

Page: 304

Of 249 Temple St. Whitman, MA. 02382

With *QUITCLAIM COVENANTS*



2016 00053012

Bk: 47096 Pg: 305 Page: 1 of 2

Recorded: 06/24/2016 02:10 PM

ATTEST: John R. Buckley, Jr. Register
Plymouth County Registry of Deeds

The land in Wareham, Plymouth County, Massachusetts, more particularly bounded and described as follows:

Beginning at a point in the westerly line of Grove Avenue located 32'8" Northerly as measured in the line of said Grove Ave. from the Northeasterly corner of Lot 1,9,2 thence

West Sixty-six (66) feet to an iron, rod; thence

North 55° West 32'8" to Pearl Avenue, said point being 23'6" Easterly from the northeasterly corner of Lot 188 as measured in the line of Pearl Avenue; thence

Easterly in line of Pearl Avenue to Grove Avenue; thence..

Southerly in line of Grove Avenue to bound first mentioned.

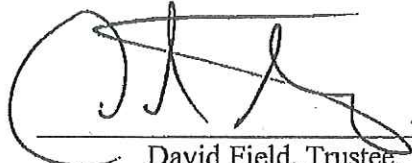
Containing 5,490 square feet, more or less and being shown as LOTS 190, and portions of 189 and 191 as shown on a plan of Onset Bay Grove Association recorded with the Plymouth County, Registry of Deeds, Plan Book 1, Page 58.

Together with all the 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.

The undersigned state under the pains and penalties of perjury that he releases any and all right of homestead in the above described premises, and represents further that there is no other person entitled to claim rights of homestead therein.

For title reference see Mary E. Ellis Trustee of D&M Realty Trust granted to David Field recorded with the Plymouth County Registry of Deeds, dated January 27, 2016 in Book 46532, Page 6.

Executed as a sealed instrument this 17th day of June, 2016.



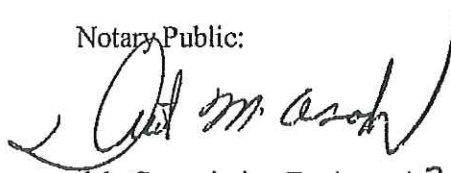
David Field, Trustee,

Commonwealth of Massachusetts

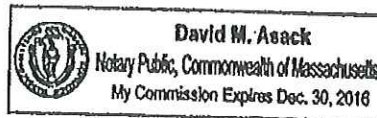
Plymouth, ss.

On this 17th day of June, 2016, before me, the undersigned notary Public, personally appeared, the above-named David Field, Trustee of the 12 Whittemore Ave Realty Trust and proved to me through satisfactory evidence of identification being _____, to be the person whose name is signed on this document, and acknowledged to me that he signed it voluntarily for its stated purpose and that the foregoing instrument is his free act and deed.

Notary Public:



My Commission Expires: 12-30-16





FIELD'S CORNER

10155 LANE

FIELD'S CORNER

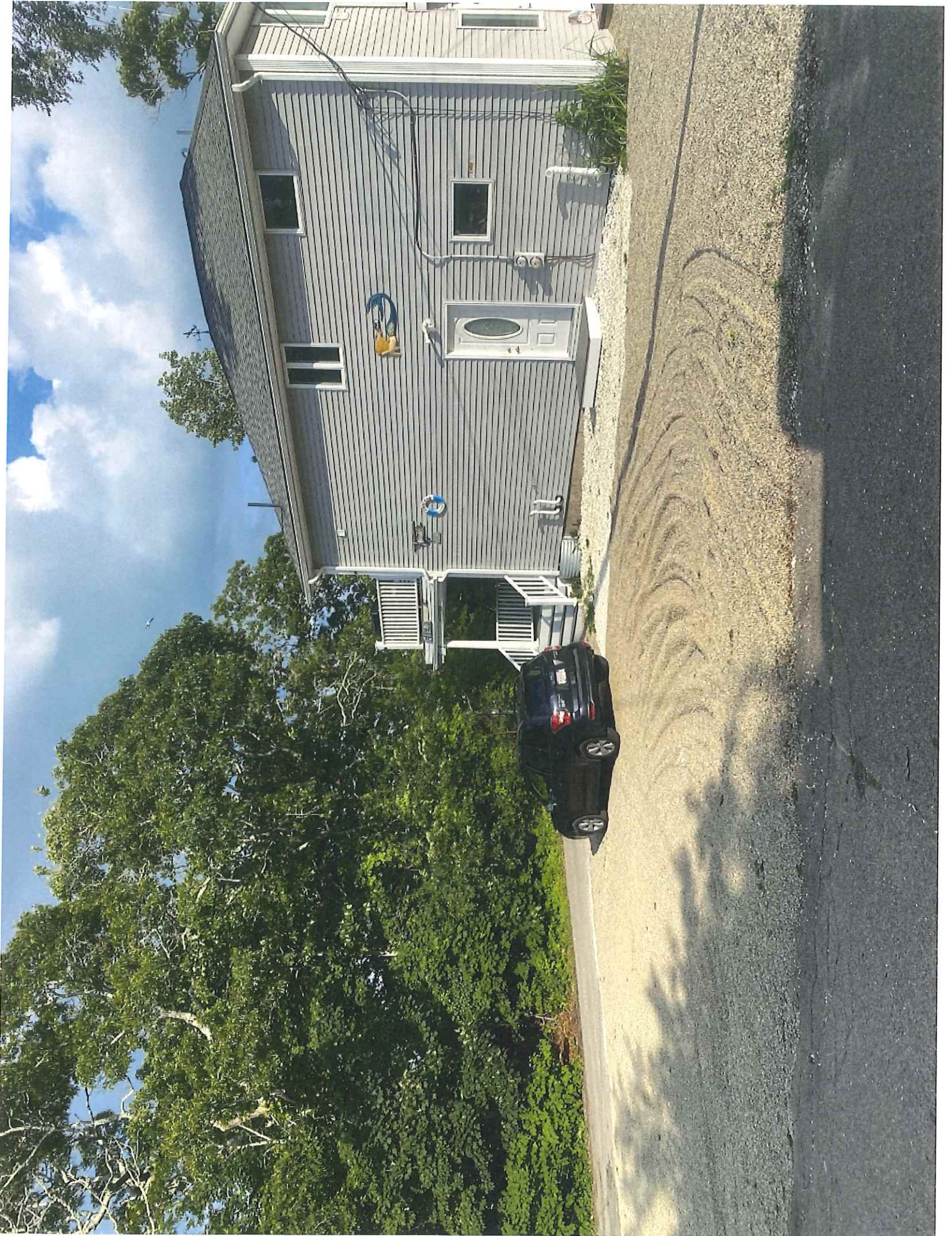
FIELD'S CORNER

FIELD'S CORNER

FIELD'S CORNER

FIELD'S CORNER

FIELD'S CORNER



12 WHITTEMORE AVE. ONSET - MA RESIDENTIAL ADDITION

GENERAL NOTES

- 1) DRAWINGS ARE REPRESENTATIVE DOCUMENTS TO FACILITATE CONSTRUCTION. CONTRACTOR SHOULD VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO CONSTRUCTION. THE HEIGHTS OF GRADE INDICATED ON THE DRAWINGS ARE APPROXIMATE AND PROVIDED FOR INFORMATION ONLY. NOTIFY DESIGNER OF ANY ALTERATIONS OR DISCREPANCIES BEFORE PROCEEDING WITH WORK AND IMMEDIATELY UPON DISCOVERY.
- 2) THE CONTRACTOR SHALL BE RESPONSIBLE FOR DISTRIBUTION OF DRAWINGS TO THE SUB-CONTRACTORS UNDER HIS JURISDICTION.
- 3) THE CONTRACTOR IS TO COORDINATE THE WORK OF ALL SUB-CONTRACTORS, INCLUDING THE TIMING AND SCHEDULING OF THEIR WORK AND THE LAYOUT OF THEIR SYSTEMS. THE CONTRACTOR SHALL PROVIDE ALL SUB-CONTRACTORS WITH NECESSARY POWER AND ACCESS AND CONNECTIONS THROUGH FOUNDATION WALLS AS REQUIRED.
- 4) THE CONTRACTORS SHALL ACKNOWLEDGE THAT CONSTRUCTION SITES ARE DANGEROUS AND TAKE ALL NECESSARY PRECAUTIONS TO ENSURE SAFETY AND GENERAL WELL BEING OF HIS EMPLOYEES. CONTRACTOR SHALL PROVIDE GUARDS, RAILS, BARRICADE, FENCES, CATCH PLATFORMS, BRIDGING, ETC., AS REQUIRED.
- 5) DRAWINGS SHALL NOT BE SCALED BY HAND. USE ONLY PRINTED DIMENSIONS TO IDENTIFY SIZE AND DIMENSION OF MATERIALS AS SHOWN. CONTACT THE DESIGNER TO VERIFY ANY DIMENSION THAT HAS BEEN OMITTED FROM THESE PLANS.
- 6) CONTRACTORS AND SUB-CONTRACTORS SHALL FURNISH SAMPLES OF ALL MATERIALS, AND/OR FINISHES TO BE USED FOR CONSTRUCTION AT THE REQUEST OF THE DESIGNER, OWNER OF GENERAL CONTRACTOR.
- 7) ALL MATERIAL SHALL CONSIST OF NEW, UNUSED AND OF THE STANDARD QUALITY UNLESS SPECIFIED OTHERWISE IN P-PLANS.
- 8) ALL WORK SHALL BE ERRECTED AND INSTALLED PLUMB, LEVEL, SQUARE AND TRUE.
- 9) CONTRACTOR AND SUB-CONTRACTORS SHALL PERFORM ALL CUTTING AND PATCHING REQUIRED TO COMPLETE WORK, OR MAKE PARTS FIT TOGETHER PROPERLY WITHOUT COMPROMISING QUALITY OF WORK.
- 10) DURING THE CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR BRACING AND PROTECTING ALL WORK FROM DAMAGE. BREAKAWAYS SHALL BE INSTALLED TO MAINTAIN ALIGNMENT ACCORDING TO APPLICABLE BUILDING CODES AND STANDARDS OF GOOD PRACTICE.
- 11) ALL WORK SHALL BE INSTALLED SO THAT REQUIRED PARTS ARE READILY ACCESSIBLE AND AVAILABLE FOR INSPECTION, OPERATION, MAINTENANCE AND REPAIR.
- 12) CONTRACTOR SHALL MAINTAIN CLEAR AND UNOBSTRUCTED ACCESS FROM ALL FLOORS TO STAIRWELLS AND EXTERIOR EXITS AT ALL TIMES.
- 13) THE CONTRACTOR AND EACH SUB-CONTRACTOR SHALL BE REQUIRED TO COORDINATE WITH OTHER TRADES PERSONS INCLUDING THOSE HIRED UNDER SEPARATE CONTRACT BY OWNER. EACH SUB-CONTRACTOR SHALL COMPLETE HIS PORTION OF WORK IN ACCORDANCE WITH THE SCHEDULE IN A MANNER THAT DOES NOT DELAY OTHER TRADES AND SUB-CONTRACTORS FROM COMPLETION OF WORK, UNLESS OTHERWISE NOTED.
- 14) ALL NAILS AND FASTENERS IN AREAS PRONE TO MOISTURE SHALL BE "HOT DIPPED GALVANIZED" UNLESS OTHERWISE NOTED.
- 15) THE CONTRACTOR AND SUBCONTRACTORS SHALL KEEP SUFFICIENT WORKMAN ON THE JOB SITE AT ALL TIMES TO PERFORM WORK IN THE MOST EXPEDITIOUS MANNER CONSISTENT WITH GOOD WORKMANSHIP, SOUND BUSINESS PRACTICE AND IN THE BEST INTEREST OF THE OWNER. INCOMPETENT WORKERS WILL NOT BE RETAINED ON THE JOBSITE.

PLUMBING, MECHANICAL AND ELECTRICAL (PME) NOTES:

TYPICAL TO ALL CONDITIONS UNLESS OTHERWISE INDICATED OR SPECIFIED:

- 1) STRUCTURAL MEMBERS SHALL NOT BE IMPAIRED OR UNDERMINED BY IMPROPER CUTTING OR DRILLING.
- 2) ALL PME WORK SHALL COMPLY WITH ALL APPLICABLE CODES. BE PERFORMED BY A LICENSED TRADESPERSON AND BE COMPLETED IN ACCORDANCE WITH THE APPLICABLE BUILDING CODE REQUIREMENTS. SUB-CONTRACTORS AND TRADESPERSONS ARE RESPONSIBLE FOR OBTAINING REQUIRED PERMITS FOR THEIR TRADE, SCHEDULING AND COMPLETING REQUIRED INSPECTIONS AND OPERATING ON A REASONABLE AND EFFICIENT SCHEDULE THAT DOES NOT DELAY THE WORK OF OTHER TRADES.
- 3) ALL MATERIALS SHALL BE SIZED IN ACCORDANCE WITH THE PROPOSED PLANS, ALLOWING FOR FUTURE EXPANSION IF INDICATED. ALL WORK SHALL BE INSTALLED SO THAT PARTS ARE READILY AVAILABLE AND ACCESSIBLE FOR INSPECTION, OPERATION, MAINTENANCE AND REPAIR.
- 4) ALL PRODUCTS, MATERIALS AND FIXTURES SHALL BE INSTALLED IN A MANNER CONSISTENT WITH SOUND PRACTICE AND QUALITY WORKMANSHIP.

SHEET LIST

SHEET NO.	SHEET NAME
A100	PROJECT INFORMATION PAGE AND RENDERINGS
A101	EXISTING AND PROPOSED FOUNDATION PLAN & DETAILS
A102	EXIST. AND DEMO. 1ST FLOOR PLAN EXISTING AND PROPOSED 1ST FLOOR PLAN
A103	EXIST. AND DEMO. 2ND FLOOR PLAN EXISTING AND PROPOSED 2ND FLOOR PLAN
A104	PROPOSED 1ST FLOOR FRAMING PLAN & DETAILS
A105	PROPOSED 2ND FLOOR FRAMING PLAN & DETAILS
A106	EXISTING & PROPOSED ROOF PLAN PROPOSED ROOF FRAMING PLAN
A107	BUILDING SECTIONS
A108	BUILDING ELEVATIONS



Note:

No.	Description	Date

DAVID FIELD
12 Whittemore Ave. Onset - MA

RESIDENTIAL ADDITION
PROJECT INFORMATION
PAGE AND RENDERINGS

Project number: 03.2020
Date: 11/27/2020
Drawn by: Edson Arruda
Checked by: ***

A100

Scale:

WALL LEGEND

- NEW FOUNDATION WALL
- EXISTING FOUNDATION WALL
- NEW - 2X6 WALL
- EXISTING - 2X6 WALL
- NEW - 2X4 WALL
- EXISTING - 2X4 WALL
- EXISTING - 2X6 WALL

ELECTRICAL FIXTURE LEGEND

- (SD) HW SMOKE DETECTOR

Note:

No.	Description	Date

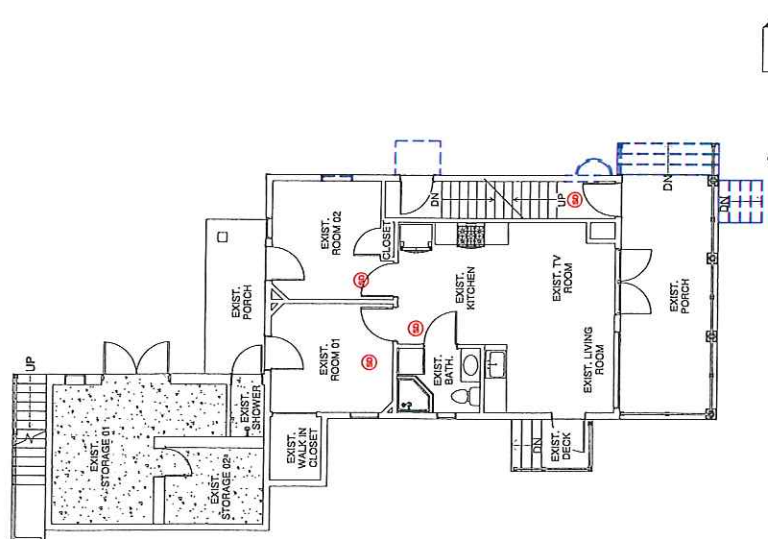
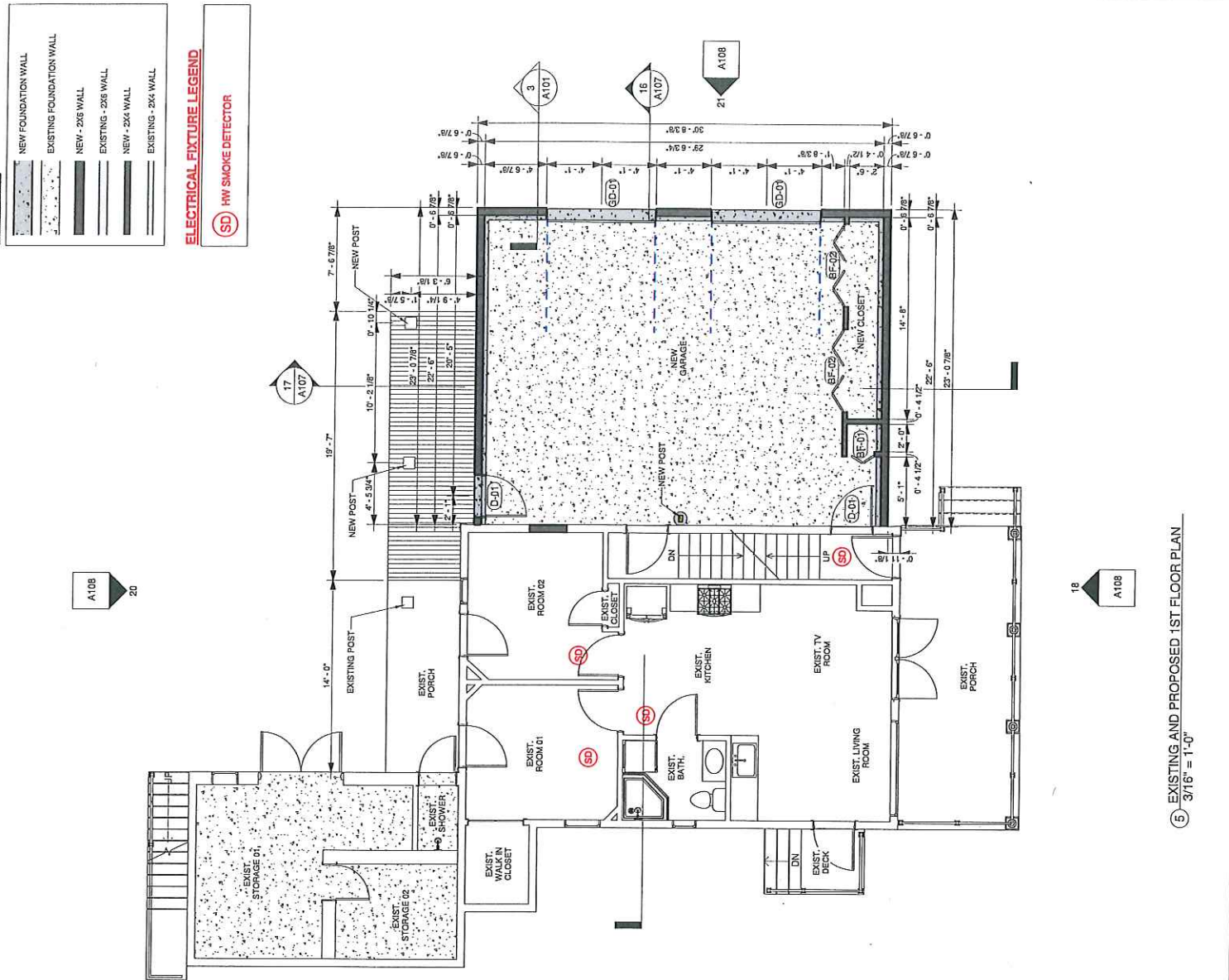
DAVID FIELD
12 Whittemore Ave. Onset - MA

RESIDENTIAL ADDITION
EXIST. AND DEMO. 1SF
FLOOR PLAN EXISTING AND
PROPOSED 1SF FLOOR PLAN

Project number: 03.2020
Date: 11/27/2020
Drawn by: Edison Arruda
Checked by: ***

A102

Scale: As indicated



4 EXISTING & DEMOLITION 1ST FLOOR PLAN
1/8" = 1'-0"

LEVEL	TYPE	MARK	QTY	WIDTH	HEIGHT	HEADER	DOOR DESCRIPTION
GARAGE FLOOR PLAN	BE-01	2	6'-0"	6'-8"	6'-8"	6'-8"	INTERIOR EPFOLD 2 PANEL
							INTERIOR EPFOLD 4 PANEL
	D-01	2	3'-0"	6'-8"	7'-0"	7'-0"	EXTERIOR DOOR
							GARAGE DOOR
	GD-01	2	3'-0"	7'-0"	7'-0"	7'-0"	EXTERIOR DOOR
							EXTERIOR DOOR
	D-01	1	3'-0"	6'-8"	6'-8"	6'-8"	INTERIOR EPFOLD 2 PANEL
							INTERIOR EPFOLD 4 PANEL
	BE-02	1	2'-0"	6'-8"	6'-8"	6'-8"	EXTERIOR DOOR
							EXTERIOR DOOR
D-03	2	2'-10"	6'-8"	6'-8"	6'-8"	INTERIOR DOOR SINGLE & WOOD PANEL	
						FRENCH DOOR	
D-04	2	5'-10"	6'-8"	6'-8"	6'-8"	INTERIOR CASED OPENING	
						INTERIOR CASED OPENING	
D-01	1	7'-0"	6'-8"	6'-8"	6'-8"	INTERIOR WALL OPENING	
						INTERIOR WALL OPENING	
2ND FLOOR PLAN	PC-1	1	2'-10"	6'-8"	6'-8"	INTERIOR WALL OPENING	
						INTERIOR WALL OPENING	

LEVEL	TYPE	MARK	QTY	WIDTH	HEIGHT	SILL	HEIGHT	WINDOW DESCRIPTION
2ND FLOOR PLAN	AT-1C	14	1	1'-11"	3'-11"	2'-3"	2'-3"	CASEMENT WINDOW
								FIXED DECK MOUNTED SKYLIGHT

5 EXISTING AND PROPOSED 1ST FLOOR PLAN
3/16" = 1'-0"

Note:

No.	Description	Date

DAVID FIELD
 12 Whittemore Ave. Onset - MA

RESIDENTIAL ADDITION
 PROPOSED 2ND FLOOR
 FRAMING PLAN & 3D VIEW

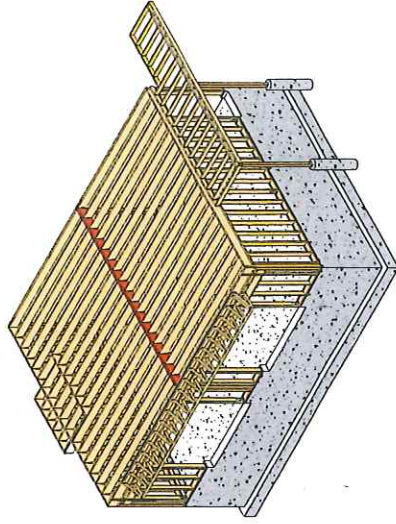
Project number: 03.2020
 Date: 11/27/2020
 Drawn by: Edson Artuda
 Checked by: ***

A105

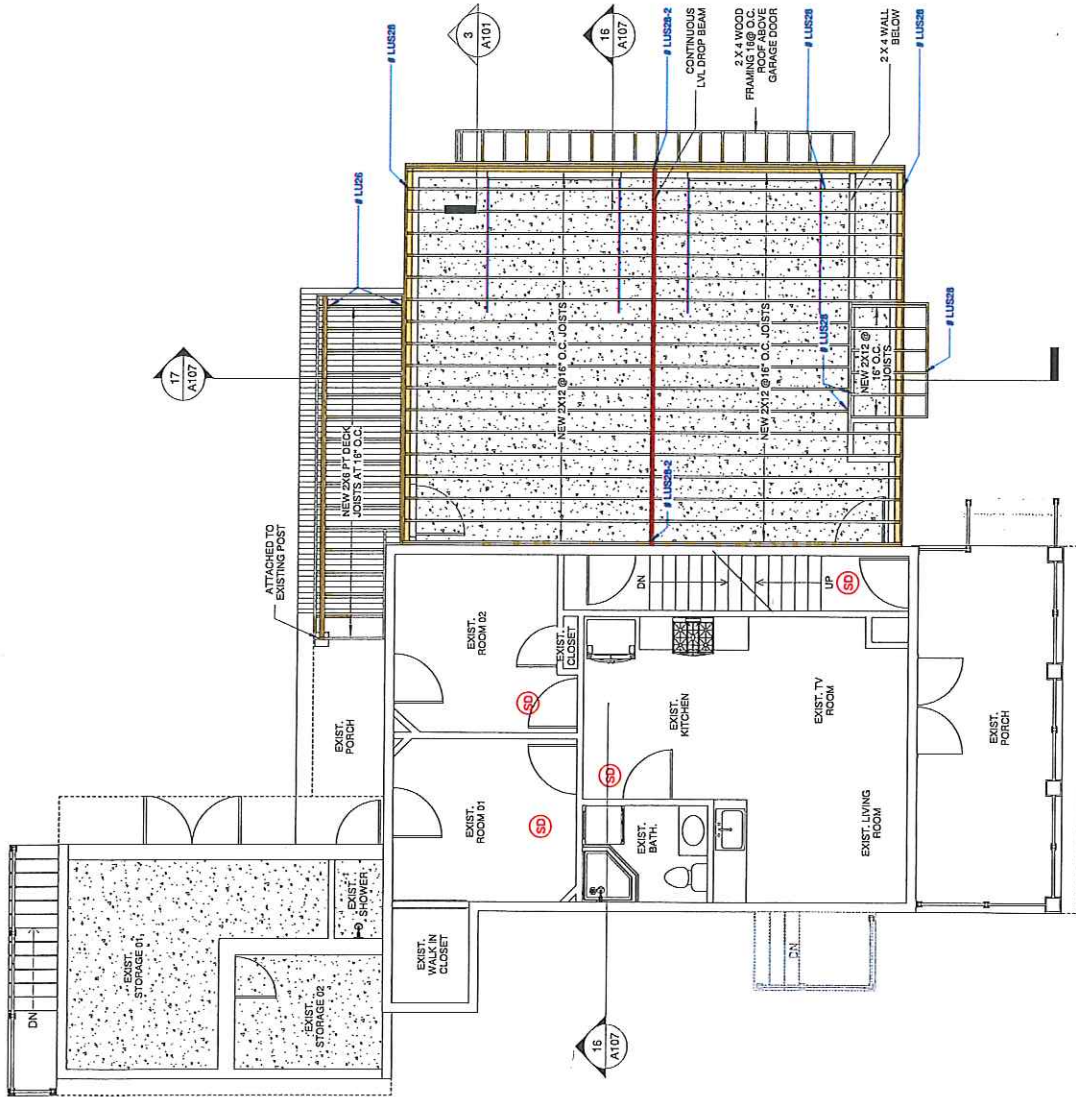
Scale: As indicated

WALL LEGEND

	NEW FOUNDATION WALL
	EXISTING FOUNDATION WALL
	STRUCTURE BLOCK 7 1/2" WITH BRICK WEBB
	WALL - 2x6 WOOD, INSUL., 1/2" GYP - GYPSUM WALL BOARD BOTH SIDES
	EXISTING - 2x6 WALL
	WALL - 2x4 WOOD, INSUL., 1/2" GYP - GYPSUM WALL BOARD BOTH SIDES
	EXISTING - 2x4 WALL



11 PROPOSED 2ND FLOOR FRAMING PLAN 3D VIEW



10 PROPOSED 2ND FLOOR FRAMING PLAN
 3/16" = 1'-0"

NOTE:
 • ALL SIMPSON CONNECTORS USE NAILS OR SCREWS PER MANUFACTURERS INSTALLATION INSTRUCTIONS.
 • ALL DECK CONNECTORS TO BE SIMPSON STRONG TIE ZMAX9 FINISH MATERIAL.

#	CONNECTORS LEGEND	DESCRIPTION
# APV866	SIMPSON® ADJUSTABLE POST BASE (APV866)	ZMAX9 - 5 1/2" X 5"
# H-01	SIMPSON® HURRICANE TIES H2.5-A	ZMAX9
# HD3B	SIMPSON® HOLDDOWN (HD3B)	
# LL26	SIMPSON® U HANGER FACE-MOUNT (LL26)	ZMAX9 - 1 9/16" X 4 3/4"
# LUS28	SIMPSON® DOUBLE SHEAR FACE-MOUNT (LUS28)	ZMAX9 - 1 9/16" X 6 5/8"
# LUS28-2	SIMPSON® DOUBLE SHEAR FACE-MOUNT (LUS28-2)	ZMAX9 - 1 9/16" X 6 5/8"
# MST60	SIMPSON® STRAP TIE (MST60) W/ (60)	16d X 2 1/2" NAILS

Zoning Board of Appeals

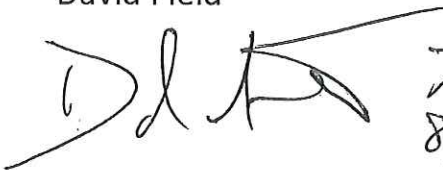
Reg: Written Statement for 12 Whittemore Ave, ONSET, MA 02350

I David Field, Trustee of 12 Whittemore Ave purchased the Property in January 2016. I am requesting the proposed attached 23feet by 30feet 2 Car Garage with my Master Bedroom & Master Bathroom above with Family Room be approved as per plans. **I need to preserve my Late Father's 1958 Corvette in the Garage.**

The property is in Great Condition.

Best Regards,

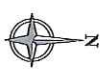
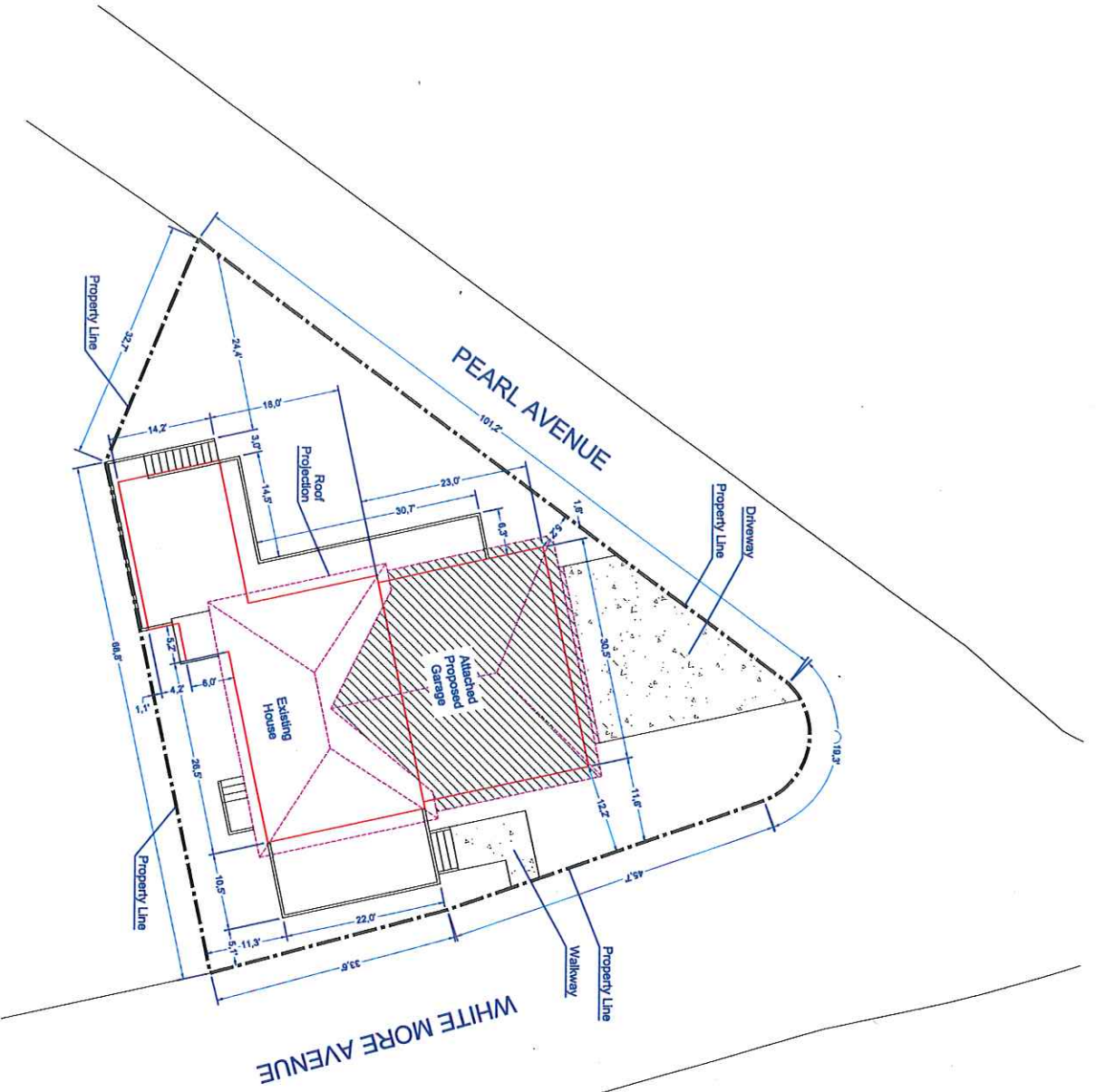
David Field



Trustee
8/25/2021

Cell Phone #508-400-1717

Email: dfield12@msn.com



Prepared by: [Name]
 Date: [Date]
 Scale: 1"=15'

12 WHITTEMORE AVE
 WAREHAM, MA 02558
 Scale: 1"=15'



