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December 7, 2020

Zoning Board of Appeals  
Town of Wareham  
54 Marion Road  
Wareham, MA 02571

Re: Petition 27-20  
169 Onset Avenue  
Map 1, Lot B

**OBJECTION TO ALLOWANCE OF PETITION**

**NOW COMES** Stone Bridge Marina, LLC (Stone Bridge) and through Counsel hereby objects to the allowance of Petition 27-20 seeking to build a two-family dwelling, containing at least 2,744 square feet of floor area ratio (F.A.R.) on a lot containing 5,220 square feet, in violation of Article 6, Table 628 of the Town of Wareham Zoning By-Law that would permit a maximum F.A.R. of 1,500 square feet.

A Variance, pursuant to Massachusetts General Laws, Chapter 40, Section 10, can be allowed only if the “permit granting authority specifically finds that owing to circumstances relating to the soil conditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the ordinance or by-law would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or by-law.

Although Stonebridge concedes that the Petitioner may experience hardship by being requested to conform to the by-law, there is nothing relating to the soil conditions, shape or topography of Lot B that caused or involved any hardship the Petitioner may incur. The lot in question is shaped such that a dwelling in conformance with Article 6, Table 628 with an F.A.R.

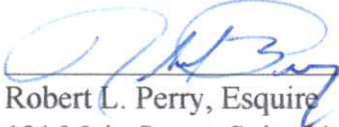
of 1,500 square feet could be built. The Petitioner simply wants to build a larger dwelling on this small lot than is allowed under our zoning by-law.

The relief requested cannot be granted without substantial detriment to the public good and certainly not without substantial derogation from the intent or purpose of the zoning by-law. Parking is already a serious problem in the area and can be made nothing but worse if this two-family dwelling were to be permitted to go forward to the ultimate detriment to the public good. Just the additional traffic caused by this project and the additional increase in population would nullify the intent and purpose of the zoning by-laws. It should be noted that the zoning by-laws were enacted to lessen congestion in the streets, secure safety from fire, flood, panic and other dangers, to prevent overcrowding of land and to avoid undue concentration of population, all of which would be affected by constructing a 2-family dwelling almost twice the size permitted by Article 6, Table 628.

Other land owners in the area in particular, Stone Bridge, have been required to meet the requirements of the by-laws. This applicant should be treated no differently.

For all of the reasons set forth above this Petition for a Variance should be denied.

Respectfully Submitted  
On behalf of Stone Bridge Marina, LLC  
By its attorney



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