

Law Offices of  
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**Robert L. Perry, J.D.**

1-800-293-6124  
508-295-6124  
Fax 508-295-2154

November 13, 2023

Nazih Elkallassi, Chairman  
Wareham Zoning Board of Appeals  
54 Marion Road  
Wareham, MA 02571

Re: Application of Ezequiel Lacerda  
3090 Cranberry Highway, East Wareham, MA

Dear Mr. Elkallassi and Members of the Board:

My client, Ezequiel Lacerda, is submitting this application for site plan review and a special permit to operate a used motor vehicle sales lot at the above referenced location. The property is owned by Nancy S. Angus, Trustee of Wasqoe Realty Trust. She also owns the abutting lot to the South.


The lot in question has an existing commercial building 143.7 feet from Cranberry Highway and a completely paved parking lot between the front of the building and Cranberry Highway. The Commonwealth, through Mass DOT, took an easement on the front of the lot and has constructed improvements in accordance with the plans for the reconstruction of Cranberry Highway.

Mr. Lacerda requests 31 parking spaces, 10 of which are requested for the office and employee parking and 21 of which are intended for parking of inventory.

In light of the existing asphalt, no landscaping buffer or drainage is proposed hence variances are being requested. The sides of the lot from the existing building toward the rear of the lot are fenced. There is also a fence behind the building. The existing tree line between the building and the Onset Fire District will not be disturbed.

Yours Truly,

Modifications

  
Robert L. Perry

# APPLICATION FOR SITE PLAN REVIEW

Page 1

Applicant: Name: Ezequiel B. Lacerda

Mailing address: 46 White Clover Trail, Plymouth, MA 02360

Telephone: (843)-408-2305

Project: Street & Number: 3090 Cranberry Highway

Assessor's Map: 131 Lot(s) LC28

Dwelling Units # 0

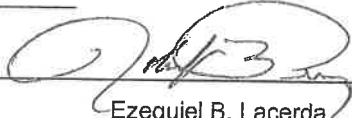
Parking Spaces # 31

Acres: .735 (31,963 sq. ft.) Square Feet Commercial Space: 30,000

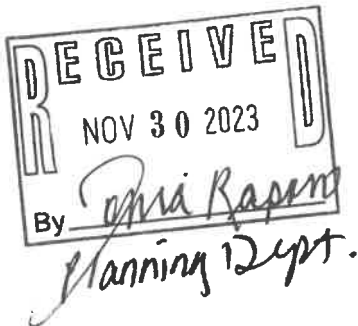
Briefly describe project: Motor vehicle sales with 21 vehicles displayed on a site completely asphalted.

Date: November 10, 2023

Signature of Applicant: \_\_\_\_\_

  
Ezequiel B. Lacerda  
By his attorney  
Robert L. Perry

WAREHAM TOWN CLERK  
2023 NOV 30 PM 12:05



RECEIVED

NOV 2023

TOWN OF WAREHAM  
BOARD OF HEALTH

# APPLICATION FOR SITE PLAN REVIEW

Page 2

List of abutters:

Please list the names of all abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within three hundred feet of the property line of the petitioner as they appear on the most recent applicable tax list.

3077 CRANBERRY HIGHWAY MA LLC MAP 10-0-1001

SULLIVAN ROBERT D TR OF WAREHAM, 3099 CRAN HWY REAL ESTATE TR MAP 10-0-1002

FINE BROTHERS, LLC MAP 10-0-1003

AGREE STORE LLC C/O RYAN LLC MAP 10-0-1004

SPILLANE DAVID A, BRIEN-SPILLANE SUSAN R MAP 10-0-1018

COMM OF MASS, EXEC OFFICE OF TRANS & CONSTRUCT MAP 10-0-1021

ONSET FIRE DISTRICT MAP 131-0-1017

3086 CRANBERRY LLC MAP 131-0-1045.A

C C & C OF WAREHAM LLC, C/O COLLINS, CRONIN & CORCORAN MAP 131-0-LC27

NUOVO FRANK J & ANGUS DONALD H. TRUST, C/O/ NANCY ANGUS MAP 131-0-LC28

**TOWN OF WAREHAM  
ANR/SUBDIVISION/SITE PLAN REVIEW FORM**

Check one: ANR \_\_\_\_\_ Form B \_\_\_\_\_ Form C \_\_\_\_\_ Site Plan Review X \_\_\_\_\_

Date stamped in 11/30/2023 Date decision in due \_\_\_\_\_

Applicant's name(s) Ezequiel B. Lacerda

Applicant's address 46 White Clover Trail, Plymouth, MA 02360

Telephone number (843)-408-2305

Address of property 3090 Cranberry Highway, East Wareham, MA

Landowner's name Nancy S. Angus, Trustee

Owner's address P.O. Box 270, Buzzards Bay, MA 02532

Telephone number (508)-759-4707

Contact person Robert L. Perry Telephone (508)-295-6124

Map # 131 Lot # LC28 Zone CS

Date Approved \_\_\_\_\_ Date Denied \_\_\_\_\_

Comments (state reasons for denial or stipulations of approval)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Conditions for: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



COMMENTS OR STIPULATIONS ON DECISION: \_\_\_\_\_  
\_\_\_\_\_

STREET NAME PROPOSED AND ACCEPTED: \_\_\_\_\_  
\_\_\_\_\_

Conditions for: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# SITE PLAN REVIEW CHECKLIST

Plans shall be prepared by a registered architect, landscape architect, or Professional Engineer. 14 complete sets are required with the following information included:

## 1. GENERAL INFORMATION

- Developer name, address, telephone number
- Property owner name, address, telephone number, legal relationship between developer and property owner
- Date of application
- Statement briefly describing project
- Locus map (1" = 2,000')
- Location of property to surrounding area (this plan shall show at a scale of not less than 1" = 100' the general characteristics of all lands within 200' of the proposed site and shall include structures, parking areas, driveways, pedestrian ways and natural characteristics)
- Zoning district (square feet within each district if more than one district)
- Total area of project in square feet to include wetland and 100 year flood plain (both in square feet)
- All contiguous land owned by the applicant or by the owner of the property. At the discretion of the Planning Board photographs of the site at size 8" x 10"

## 2. EXISTING FEATURES

Plans shall be accurately drawn to a scale of 1" = 20', 1" = 40', or 1" = 100' where practical and appropriate to the size of the proposal and shall show all existing natural, manmade, and legal features of the site. Such plans are to include but not be limited to the following:

- Tree line of wooded area
- Individual trees 18" dbh or over
- Bogs or agricultural areas

- All wetlands protected under CMR 10.02 (1) (a-d)
- Flood plain (100 years) with base flood elevation data
- Contour lines (2' intervals)
- General soil types

## 2b. EXISTING MANMADE FEATURES

- Vehicle accommodation areas
- Street, roads, private ways, walkways
- Curbs, gutters, curb cuts, drainage grates
- Storm drainage facilities, including manholes
- Utility lines, including water, sewer, electric, telephone, gas, cable TV
- Fire hydrants and location of dumpsters
- Building, structures, and signs (free standing), including dimensions of each
- Existing light fixtures

## 2C. EXISTING LEGAL FEATURES

- Zoning of property (district lines)
- Property lines (with dimensions identified)
- Street right of way lines
- Utility or other easement lines
- Monuments

## 3. THE DEVELOPMENT PLAN

The development plan shall show proposed changes in the (a) existing natural features; (b) existing man made features and (c) existing legal features.



The Development Plan shall include:

- Square feet in every new lot
- Lot dimensions
- Location and dimensions of all buildings and free standing signs as well as the distances from all buildings to lot lines, streets, or street right of way
- Building elevations (side, front, and back for a typical unit) showing building height and any proposed wall signs
- Location, dimensions, and designated use for all recreation areas
- Location and dimension of all open space; indicate whether open space is to be dedicated to public use or to remain private
- Streets (including street names) which conform to the design standards of the Planning Board's Rules and Regulations Governing the Subdivision of Land
- Curbs and gutters, curb cuts, drainage grates
- Drainage facilities including manholes, pipes, drainage ditches, and retention ponds
- Sidewalks and walkways showing widths and materials
- Outdoor illumination with lighting fixture size and type identified
- Utilities; water, sewer, electric, telephone, gas, cable TV
- Fire hydrant location
- Dumpster (trash collection facilities)
- New contour lines resulting from earth movement (at 2' intervals) and indications of types of ground cover and other precautions to stabilize slopes
- Vehicle parking, loading, and circulation areas showing dimensions
- Proposed new plantings by size and location or construction of other devices to comply with screening and shading requirements

## 4. IMPACT STATEMENT

In order to evaluate the impact of the proposed development to Town services and the welfare of the community, there shall be submitted an impact statement in two parts.

- \_\_\_\_\_ All applicable Town services including but not limited to schools, sewer services, water systems, parks, fire, and police.
- \_\_\_\_\_ The roads in the immediate vicinity of the proposed development (including an estimate of both peak and average daily counts)
- \_\_\_\_\_ The ecology of the area within the site and any significant off-site impacts

Part Two shall describe what actions have been taken to mitigate the impacts described in Part One

This application constitutes the applicant's willingness to work under the Town of Wareham's Zoning Bylaws. Any errors or omissions from this checklist or the Zoning Bylaw may result in the application not being placed on a Planning Board Agenda or denial of the Site Plan.

The neighborhood is all commercial in nature.

Cranberry Highway is a state road with substantial traffic. The applicant expects a negligible increase in traffic, most of which is in non-peak hours.

Similarly the impact on town services will be negligible.

There are no ecological issues to be considered.

## Site Plan Review Application Checklist

**Note to Applicant(s):** The following checklist serves as an instrument to help ensure that all necessary information and materials are submitted with the application for Site Plan Review. Please verify that all related items listed below have been accounted for in your submission. (Refer to Article 15 of the Zoning By-Law of the Town of Wareham, Massachusetts, adopted October 2004).

Name of site: 3090 Cranberry Highway Date: 11/10/2023  
 Owner(s): Nancy S. Angus Trustee of Wasque Realty Trust  
 Address: P.O. Box 270, Buzzards Bay, MA 0253205  
 Telephone Number: 508-759-4707 Cell Phone: \_\_\_\_\_

Developer(s): Applicant  
 Address: \_\_\_\_\_  
 Telephone Number: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Relationship between Developer & Property Owner: \_\_\_\_\_  
 \_\_\_\_\_

Surveyor: J.C. Engineering  
 Engineer: J.C. Engineering  
 Architect: None  
 Landscape Architect: None

ITEM	Complete
Application for Site Plan Review – Special Permit filed with Planning Board (14 copies of application and supplementary materials)	X
Application for Special Permit – Residential Cluster Development filed with Planning Board (11copies of application and supplementary materials)	X
Copies filed with Town Clerk	X
Filing Fees	X
<b>GENERAL INFORMATION</b>	
Developer Name, address, telephone number	N/A
Property Owner Name, address, telephone number	X
Date of Application	11/10/23
Statement briefly describing project	X
Locus Map (1" = 2,000')	X
Location of property to surrounding area (scale should be no less than 1" = 100') and general characteristics of all lands within 200' of the proposed site including structures, parking areas, driveways, pedestrian ways, and natural characteristics	X

Zoning district (sq. feet within each district if more than one)	X
Total area of project to include wetland and 100 year floodplain (both in sq. feet)	X
All contiguous land owned by the applicant or by owner of property	X
Photographs of site (8" by 10") – at discretion of Permitting Authority	X
List of abutters, certified by Board of Assessors	X
Number of dwellings which could be constructed by means of a conventional development plan, considering the whole tract, exclusive of water bodies and land prohibited from development by legally enforceable restrictions, easements, or covenants. This includes: <ul style="list-style-type: none"> <li>Any bank, freshwater wetland, coastal wetland, beach, dune, flat, marsh, or swamp bordering the ocean, any estuary, creek, river, stream, pond, or lake</li> <li>Lake under any of the water bodies listed above;</li> <li>Land subject to tidal action</li> <li>Land subject to coastal storm flowage or slopes in excess of fifteen (15) percent are not to be counted in figuring the number of permissible units of conventional development.</li> </ul>	N/A
<b>EXISTING FEATURES</b>	
(Scale 1" = 20', 1" = 40', or 1" = 100' where practical and appropriate to the size of the proposal) Must include a minimum of the following:	
<b>1. Existing Natural Features</b> <ul style="list-style-type: none"> <li>a. Tree line of natural area; <sup>Motor vehicle sales with 21 vehicles displayed on a site</sup></li> <li>b. Individual trees 18" dbh or over;</li> <li>c. Bogs or agricultural areas;</li> <li>d. All wetlands protected under 310 CMR 10.01 (1) (a-d); floodplain (100 year) with base flood elevation data;</li> <li>e. Contour lines (2' intervals);</li> <li>f. General soil types.</li> </ul>	X
<b>2. Existing Man-Made Features</b> <ul style="list-style-type: none"> <li>a. Vehicle accommodation areas; streets, roads, private ways, walkways;</li> <li>b. Curbs, gutters, curb cuts, drainage grates;</li> <li>c. Storm drainage facilities including manholes;</li> <li>d. Utility lines including water, sewer, electric, telephone, gas, cable TV;</li> <li>e. Fire hydrants and location of dumpsters;</li> <li>f. Buildings, structures, and signs (free standing) including dimensions of each;</li> <li>g. Exterior lighting features.</li> </ul>	X
<b>3. Existing Legal Features</b> <ul style="list-style-type: none"> <li>a. Zoning of property (district lines);</li> <li>b. Property lines (with dimensions identified);</li> <li>c. Street right-of-way lines;</li> <li>d. Utility or other easement lines;</li> <li>e. Monuments.</li> </ul>	X

<b>DEVELOPMENT PLAN</b>	
Proposed changes to existing natural features, existing man-made features, and existing legal features including the following;	
• Area of each new lot in square feet;	N/A
• Lot dimensions;	X
• Location and dimensions of all buildings and freestanding signs as well as the distances from all buildings to lot lines, streets, or street;	X
• Location, dimension, and designated use for all recreation areas;	N/A
• Location and dimension of all open space (indicate whether such open space is to be dedicated to public use or remain private);	
• Streets (including street names) which conform to the design standards of the Planning Board's Rules and Regulations Governing the Subdivision of Land;	N/A
• Curbs and gutters, curb cuts, drainage grates;	N/A
• Drainage facilities including manholes, pipes, drainage ditches, and retention ponds;	N/A
• Sidewalks and walkways showing widths and materials;	X
• Outdoor illumination with lighting fixture size and type identified;	
• Utilities – Water, sewer, electric, telephone, gas, cable TV;	
• Fire hydrant locations;	
• Dumpster (trash collection facilities);	
• New contour lines resulting from earth movement (2' intervals) and indications of types of ground cover and other precautions to stabilize slopes;	N/A
• Vehicle parking, loading, and circulation areas showing dimensions and layout of parking spaces, travel lanes, aisles, and driveways;	X
• Proposed new plantings by size and location or construction of other devices to comply with screening and shading requirements.	N/A
<b>IMPACT STATEMENT</b>	
<b>Part One:</b> Description of neighborhood and impact of proposed development on all applicable town services including but not limited to schools, sewer service, water system, parks, fire, and police protection;	X
Traffic report of existing and future traffic within and adjacent to proposed development. (Include estimate of both peak and average daily traffic count);	N/A
Analysis of site in regards to wetlands, coastal wetlands, slopes, soil conditions, 100 year flood plain, and other natural features as Planning Board may request;	N/A
Environmental Impact Assessment Report relating to proposed plan and copy of environmental impact report if otherwise required in order to illustrate the ecology of the area within the site and any significant off-site impacts;	N/A
Evaluation of open land proposed within cluster, with respect to size, shape, location, natural resource value, and accessibility by residents of the Town or of the cluster;	N/A

<b>Part Two:</b> Description of actions that have been taken to mitigate the impacts described in Part One.	
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Cranberry Highway modifications are currently being completed. Traffic is one way in front of the existing location with two new curb cuts. The Southerly curb cut shall be marked entrance and the Northerly curb cut will be marked exit

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:

- o Complete this form.
- o Complete information packets. (Directions attached)
- o Submit application form and packet to Town Clerk for signature.
- o Submit application form and packet to Town Collector for signature.
- o 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~~ 150.00

\*\*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: 3090 Cranberry Highway LOT: 131 MAP: LC28

ZONING DISTRICT: CS

USE REQUESTED: Used motor vehicle sales

OWNER OF LAND & BUILDING: Nancy S. Angus, Trustee TEL.# 508-759-4707

ADDRESS OF OWNER: P.O. Box 270, Buzzards Bay, MA 02532

PERSON(S) WHO WILL UTILIZE PERMIT: Ezequiel B. Lacerda

ADDRESS: 46 White Clover Trail, Plymouth, MA 02360

DATE: 11/10/2023 SIGNATURE: 

This application was received on the date stamped here:

Nancy S. Angus, by her  
by her attorney  
Robert L. Perry

WAREHAM TOWN CLERK  
2023 NOV 30 AM 11:48

Town Clerk: \_\_\_\_\_ Date: \_\_\_\_\_

Tax Collector:  Date: 11/13/23

Planning/Zoning Dept.: Jonia Raposo Date: 11.30.23

Application fee paid: 750.00 Check #: 797 Receipt: \_\_\_\_\_

Advertising fee paid: 150.00 Check #: 798 Receipt: \_\_\_\_\_

Abutters fee paid: 119.70 Check #: 799 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: Ezequiel B. Lacerda

Applicant's Address: 46 White Clover Trail, Plymouth, MA 02360

Telephone Number: \_\_\_\_\_

Cell Phone Number: (843)-408-2305

Email Address: \_\_\_\_\_

Address of Property/Project: 3090 Cranberry Highway, East Wareham, MA

Landowner's Name: Nancy S. Angus, Trustee

Owner's Address: P.O. Box 270, Buzzards Bay, MA 02532

Telephone Number: 508-759-4707

Contact Person: Rober L. Perry Telephone Number: 508-295-6124

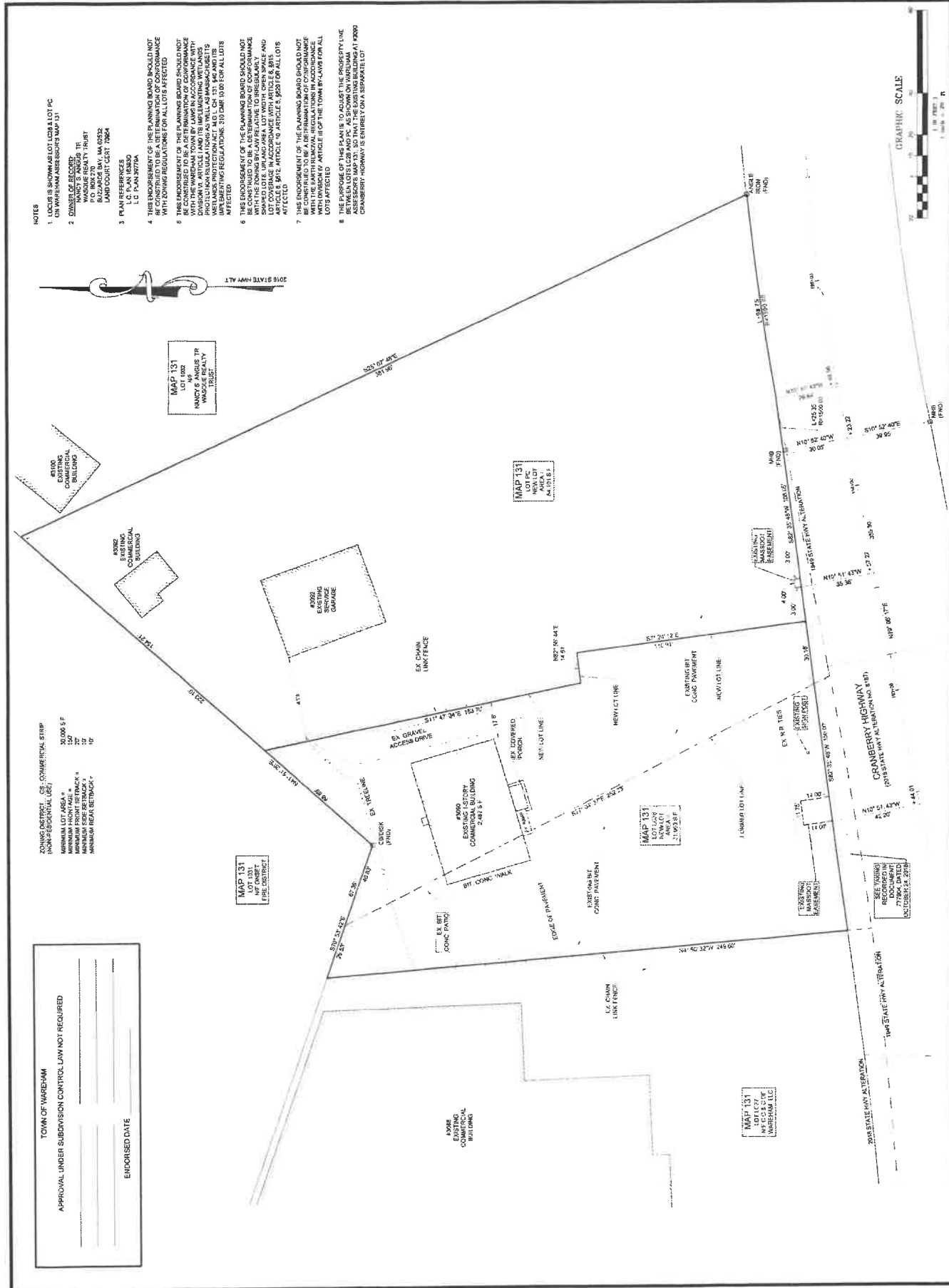
Map 131 Lot LC28 Zone CS

Date Approved \_\_\_\_\_ Date Denied \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





- NOTES**
- LOCUS IS SHOWN AS LOT 131 LOT PC ON WAREHAM ASSESSOR'S MAP 131
  - OWNER OF RECORD: NANCY S. ANGLUS, TR. WASQUE REALTY TRUST P.O. BOX 270 BUZZARDS BAY, MA 02532 LAND COURT CASE: 1084
  - PLAN REFERENCES: M/WHI DISTRICT 1, L.C. PLAN 8778A
  - THIS ENDORSEMENT OF THE PLANNING BOARD SHOULD NOT BE CONSTRUED TO BE A DETERMINATION OF CONFORMANCE WITH ZONING REGULATIONS FOR ALL LOTS AFFECTED.
  - THE ENDORSEMENT OF THE PLANNING BOARD SHOULD NOT BE CONSTRUED TO BE A DETERMINATION OF CONFORMANCE WITH THE WAREHAM TOWN BY LAWS IN ACCORDANCE WITH ARTICLE 13, SECTION 3, CHAPTER 42A OF THE MASSACHUSETTS GENERAL LAWS, AS WELL AS MASSACHUSETTS VESTMENT PROTECTION ACT, M.G.L. CH. 127, § 6B AND ITS REGULATIONS.
  - THE ENDORSEMENT OF THE PLANNING BOARD SHOULD NOT BE CONSTRUED TO BE A DETERMINATION OF CONFORMANCE WITH THE WAREHAM TOWN BY LAWS IN ACCORDANCE WITH ARTICLE 13, SECTION 3, CHAPTER 42A OF THE MASSACHUSETTS GENERAL LAWS, AS WELL AS MASSACHUSETTS VESTMENT PROTECTION ACT, M.G.L. CH. 127, § 6B AND ITS REGULATIONS.
  - THIS ENDORSEMENT OF THE PLANNING BOARD SHOULD NOT BE CONSTRUED TO BE A DETERMINATION OF CONFORMANCE WITH ANY OTHER LAWS OF THE TOWN OF WAREHAM FOR ALL LOTS AFFECTED.
  - THE PURPOSE OF THIS PLAN IS TO ADJUST THE PROPERTY LINE OF LOT 131 AND LOT 133 TO ACCOMMODATE THE EXISTING BUILDINGS AT 4900 CRANBERRY HIGHWAY IS ENTIRELY ON A SEPARATE LOT.

MAP 131 LOT 131 FIRE DISTRICT

MAP 131 LOT 133 NANCY S. ANGLUS, TR. WASQUE REALTY TRUST

ZONING DISTRICT: C-2 COMMERCIAL STRIP (NON-RESIDENTIAL USE)	30.0M SF
MINIMUM FRONT SETBACK:	20'
MINIMUM REAR SETBACK:	10'

TOWN OF WAREHAM APPROVAL UNDER SUBDIVISION CONTROL LAWS NOT REQUIRED

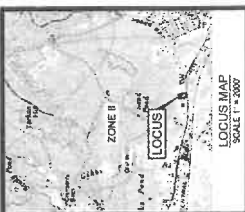
ENDORSED DATE: \_\_\_\_\_



MAP 131 NEW LOT WAREHAM, LLC

EXISTING MASSACHUSETTS DOCUMENT 77964 DATED 02/05/04 (L. 2798)

SEE ZONING REGULATIONS DISTRICT M/WHI



DATE: 1/15/13  
 JOHN L. CHURCHILL, JR., P.E.  
 SEAL OF THE PROFESSIONAL ENGINEER  
 COMMONWEALTH OF MASSACHUSETTS  
 NO. 10013

DATE: 1/15/13  
 JOHN L. CHURCHILL, JR., P.E.  
 SEAL OF THE PROFESSIONAL ENGINEER  
 COMMONWEALTH OF MASSACHUSETTS  
 NO. 10013

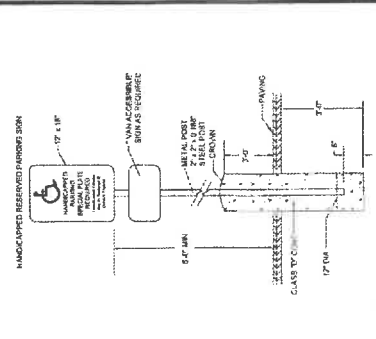
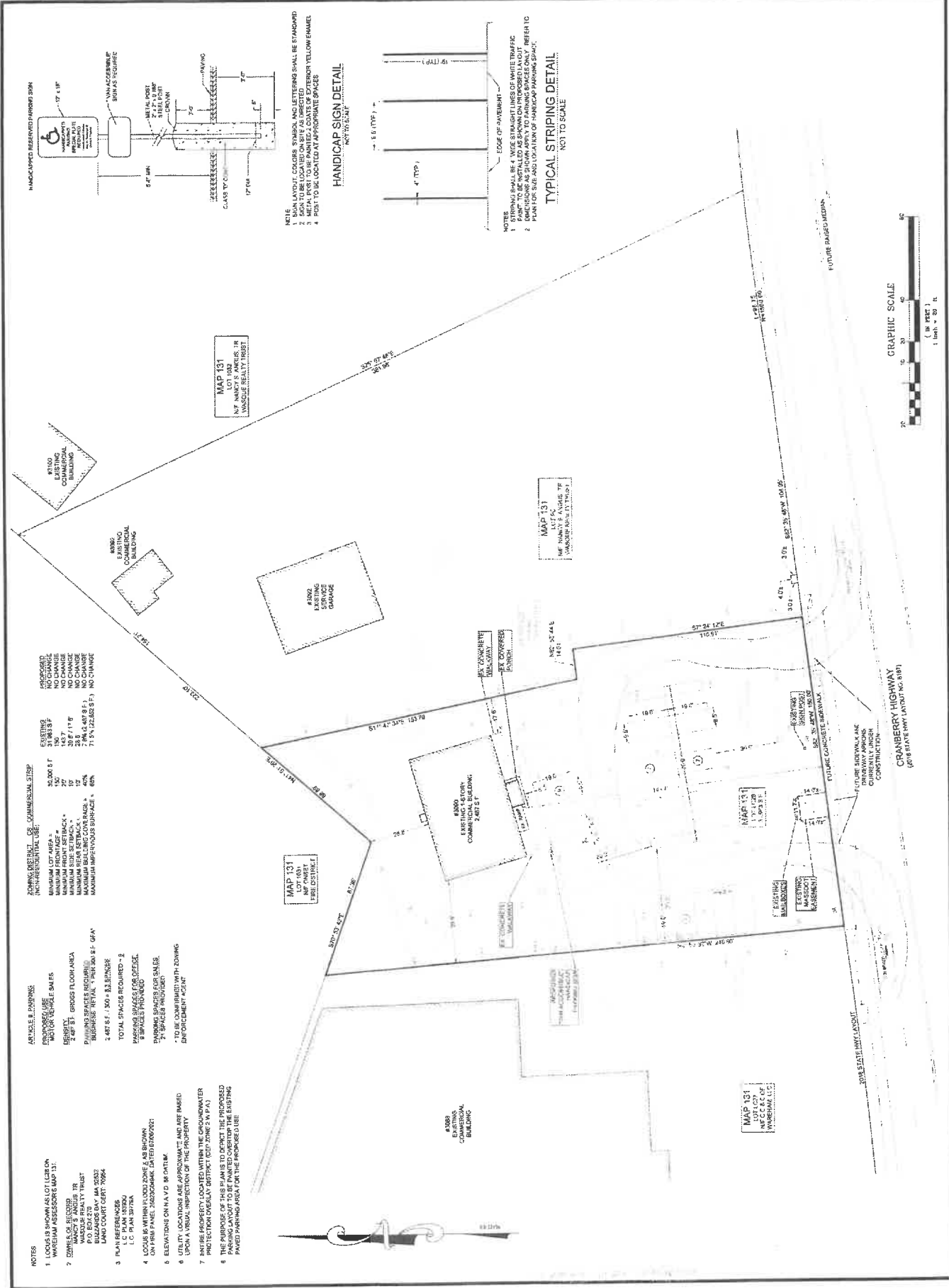
**PROPOSED SITE PLAN AT 3090 CRANBERRY HIGHWAY WAREHAM MASSACHUSETTS**

**PROPOSED LAYOUT**

PREPARED FOR:  
 EZEQUIEL LACERDA  
 46 WHITE CLOVER TRAIL  
 PL. YAMOUTH, MA 02380

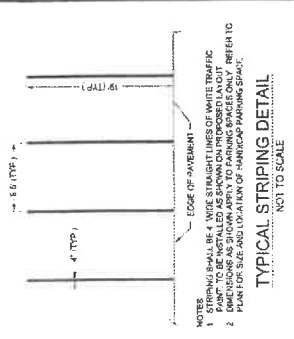
ENGINEERS BY:  
 J.C. ENGINEERING, INC.  
 2855 CHURCH STREET  
 EAST WAREHAM, MA 02538  
 508-273-0377

DATE	1/15/13
FIELD	MOFR
CALCULATION	MBB
DRAWN	MBB
CHECKED	J.C.
DATE	1/15/13



**HANDICAP SIGN DETAIL**  
 NOT TO SCALE

NOTE:  
 1. SIGN LAYOUT, COLORS, SYMBOL, AND LETTERING SHALL BE STANDARD  
 2. SIGN TO BE MOUNTED ON A MINIMUM 9.4" DIAMETER POST  
 3. SIGN TO BE LOCATED AT APPROPRIATE SPACES  
 4. POST TO BE LOCATED AT APPROPRIATE SPACES



**TYPICAL STRIPING DETAIL**  
 NOT TO SCALE

NOTE:  
 1. STRIPING SHALL BE 4" WIDE STRAIGHT LINES OF WHITE TRAFFIC PAINT TO BE INSTALLED AS SHOWN ON PROPOSED LAYOUT  
 2. STRIPING TO BE INSTALLED AS SHOWN ON PROPOSED LAYOUT  
 3. MARKINGS SHALL BE LOCATED AT APPROPRIATE SPACES  
 4. MARKINGS SHALL BE LOCATED AT APPROPRIATE SPACES



ZONING DISTRICT - COMMERCIAL STRIP	
PROPOSED MAXIMUM FRONT SETBACK	NO CHANGE
PROPOSED MAXIMUM REAR SETBACK	NO CHANGE
PROPOSED MAXIMUM SIDE SETBACK	NO CHANGE
PROPOSED MAXIMUM BUILDING HEIGHT	NO CHANGE
PROPOSED MAXIMUM LOT COVERAGE	NO CHANGE
PROPOSED MAXIMUM LOT AREA	NO CHANGE
PROPOSED MAXIMUM LOT WIDTH	NO CHANGE
PROPOSED MAXIMUM LOT DEPTH	NO CHANGE
PROPOSED MAXIMUM LOT AREA PER SQUARE FOOT	NO CHANGE
PROPOSED MAXIMUM LOT DEPTH PER FOOT	NO CHANGE
PROPOSED MAXIMUM LOT WIDTH PER FOOT	NO CHANGE
PROPOSED MAXIMUM LOT AREA PER SQUARE FOOT	NO CHANGE
PROPOSED MAXIMUM LOT DEPTH PER FOOT	NO CHANGE
PROPOSED MAXIMUM LOT WIDTH PER FOOT	NO CHANGE
PROPOSED MAXIMUM LOT AREA PER SQUARE FOOT	NO CHANGE
PROPOSED MAXIMUM LOT DEPTH PER FOOT	NO CHANGE
PROPOSED MAXIMUM LOT WIDTH PER FOOT	NO CHANGE

**ARTICLE 8 - ZONING**  
 PROPOSED USE: COMMERCIAL STRIP  
 PROPOSED MAXIMUM FRONT SETBACK: NO CHANGE  
 PROPOSED MAXIMUM REAR SETBACK: NO CHANGE  
 PROPOSED MAXIMUM SIDE SETBACK: NO CHANGE  
 PROPOSED MAXIMUM BUILDING HEIGHT: NO CHANGE  
 PROPOSED MAXIMUM LOT COVERAGE: NO CHANGE  
 PROPOSED MAXIMUM LOT AREA: NO CHANGE  
 PROPOSED MAXIMUM LOT WIDTH: NO CHANGE  
 PROPOSED MAXIMUM LOT DEPTH: NO CHANGE  
 PROPOSED MAXIMUM LOT AREA PER SQUARE FOOT: NO CHANGE  
 PROPOSED MAXIMUM LOT DEPTH PER FOOT: NO CHANGE  
 PROPOSED MAXIMUM LOT WIDTH PER FOOT: NO CHANGE  
 PROPOSED MAXIMUM LOT AREA PER SQUARE FOOT: NO CHANGE  
 PROPOSED MAXIMUM LOT DEPTH PER FOOT: NO CHANGE  
 PROPOSED MAXIMUM LOT WIDTH PER FOOT: NO CHANGE

- NOTES**
- LOCUS IS SHOWN AS LOT LERLON WAREHAM ASSESSOR'S MAP 13.
  - COMBINED RECORD: WAREHAM, MASSACHUSETTS, P.O. BOX 270, WAREHAM, MASSACHUSETTS, LAND COURT CERT 7024.
  - PLAN REFERENCES: L.C. PLAN 18707A.
  - LOCUS IS WITHIN FLOOD ZONE AS SHOWN ON FIRM PANEL, ZONING, LATED 10/2002.
  - ELEVATIONS ON H.A.V.D. BENCHMARK.
  - UTILITY LOCATIONS ARE APPROXIMATE AND ARE BASED UPON A VISUAL INSPECTION OF THE PROPERTY.
  - ENTIRE PROPERTY LOCATED WITHIN THE GROUNDWATER PROTECTION CRITICAL DISTRICT (GCD ZONE 5-A-P).
  - THE PURPOSE OF THIS PLAN IS TO OBTAIN THE NECESSARY PERMITS FOR THE PROPOSED DEVELOPMENT OF THE BUILDING AND PAVED PARKING AREA FOR THE PROPOSED USE.

MAP 131  
 LOT 103  
 MAP 131  
 LOT 103

MAP 131  
 LOT 103  
 MAP 131  
 LOT 103

MAP 131  
 LOT 103  
 MAP 131  
 LOT 103

CRANBERRY HIGHWAY  
 (ON STATE HWY LAYOUT NO. 6191)

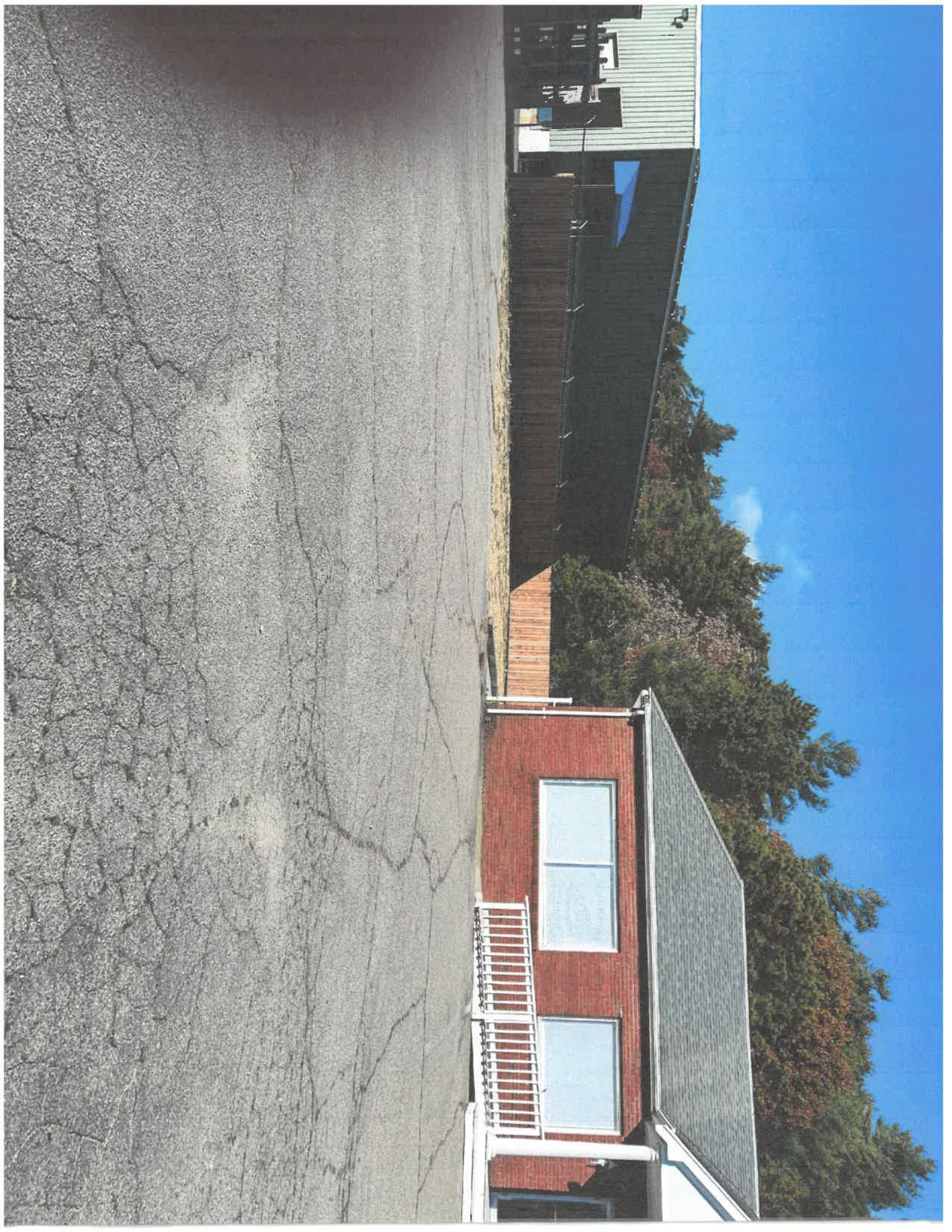




**CAFE GOD**  
**COLLECTIBLES**  
HOBBIES • GAMES  
**COMICS**

Key Bank







# TOWN of WAREHAM

*Massachusetts*

## BUILDING DEPARTMENT

Paul E. Turner  
Director of Inspectional Services

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October 11, 2023

Mr. Bradley Bertolo  
2854 Cranberry Highway  
Wareham, Massachusetts 02538

**RE: 3090 Cranberry Highway / Map , Lot**

Mr. Bertolo,

I have reviewed your Building Permit application B-23-623, submitted October 6, 2023 for zoning review for a motor vehicle sales use located at 3090 Cranberry Highway, Wareham, Massachusetts. At this time I must deny your request.

Your application is being denied under the following sections of the Wareham Zoning By-Laws:

**Article 3: Use Regulations, 320 Table of Principle Use Regulations**

**Principle Use, Motor Vehicle Sales, CS, SPZ**

The proposed use, motor vehicle sales is allowed in the commercial strip zoning district by **Special Permit** only from the Zoning Board of Appeals.

**Article 15: Site Plan Review;**

**1520 Applicability.**

Any new development expansion, or change of use other than a single family or two family residence which would, under the parking schedule "Number of Parking Spaces Required" of section 920, require ten (10) or more parking spaces, regardless of the number of parking spaces existing on the premises, shall be permitted only upon the issuance of a **Special Permit** from the Planning Board for Site Plan Review. In addition any development of any type on 30 acres or greater shall be subject to Section 1510. A Special Permit shall be granted only if the Special Permit Granting Authority finds that it is consistent with the purposes outlined in Section 1510 of this By-Law.

The Special Granting Authority (SPGA) under Section 1510 of this By-Law shall be the Planning Board provided, however, that where the applicable development requires a Special Permit, Comprehensive Permit or Variance from the Board of Appeals, the Special Permit Granting Authority (SPGA) under 1510 of this By-Law **shall be the Board of Appeals**. Special Permits under this Section 1510 shall be granted only in conformance with this Section 1510 and Section 1450 of the Wareham's Zoning By-Law

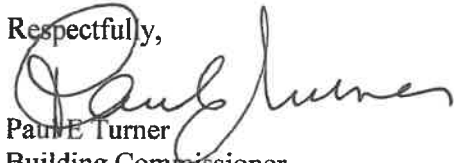
and the requirements of MGL Chapter 40A, section 9. Applications shall be accompanied by at least fourteen (14) prints of the plans of the proposal.

The proposed use, motor vehicle sales is required to provide ten (10) parking spots for the 2487 square foot sales office based on Article 9: 920 Number of Parking Spaces Required, 921 Table of Parking Regulations, Offices (business, professional and administrative) 1 space per 250 SF GFA. The project is proposing a total of thirty (30) parking spots including sales inventory parking spots.

Therefore, a **Special Permit** must be secured from the Zoning Board of Appeals in order to proceed with your application for the use and site plan review. .

The subject dwelling is located in CS zoning district.

Respectfully,



Paul E Turner  
Building Commissioner  
Zoning Enforcement Officer

**It is the owners' responsibility to check with other departments 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.**



**Customer Name:** DONALD H ANGUS, PC

**Date:** 11/13/2023 3:11:37 PM

**Number of Documents:** 1

**Number of Pages:** 5

**Document #:**

**Page #:**

**Total Charge:** 5\$

MAR 20 1985

238859

674 334

Pedini Realty Corporation, a Massachusetts corporation with a usual place of business at 11 Robin Hill Road, Mansfield,

vs.

Bristol County, Massachusetts.

in consideration of \$215,000.00

grant to FRANK J. NUOVO AND DONALD H. ANGUS,  
TRUSTEES OF WASQUE REALTY TRUST, UNDER A DECLARATION OF  
TRUST DATED MARCH 6, 1985, AND RELATED TO HERewith

of P.O. Box 270, BUZZARDS BAY,  
MASS.

with quitclaim covenants

~~XXXXXXXXXX~~

PARCEL 1:

The land in Wareham, Plymouth County, Massachusetts, shown on plan entitled "Plan of Land, Wareham, Mass., Surveyed for Mary T. K. Tabor, Scale 1" = 80' August 16, 1948, Walter E. Rowley, Sur., West Wareham, Mass., recorded with Plymouth County Registry of Deeds in Plan Book 7, Page 619, bounded and described as follows:

Beginning at a concrete bound in the Northerly side line of Sawyer Road at the Southwesterly corner of land now or formerly of Susan D. Crabbe; thence

Running North 76° 52' 30" West, one hundred two and 48/100 (102.48) feet by Sawyer Road to a Massachusetts Highway Bound; thence

Westerly, eighty seven and 85/100 (87.85) feet, more or less by Sawyer Road to a concrete bound; thence

North 9° 19' 00" West, seven hundred sixteen and 81/100 (716.81) feet by land now or formerly of the heirs of Elisha Swift to a concrete bound at land of Onset Fire District; thence

North 41° 50' 10" East, two hundred fifty and 57/100 (250.57) feet by said land of Onset Fire District to a stone bound; thence

South 8° 12' 50" East, nine hundred forty-two and 13/100 (942.13) feet by land now or formerly of Charles L. Bates and by said land now or formerly of Susan D. Crabbe to the point of beginning. Containing 3.54 acres, more or less.

EXCEPTING, therefrom a parcel containing 1.66 acres more or less taken by eminent domain by the Onset Fire District by instrument dated April 12, 1962, recorded with Plymouth County Registry of Deeds, Book 2927, Page 233.

Together with all rights, privileges and easements connected therewith and subject to restrictions and easements of record and are hereby conveyed subject to any building and zoning requirements which may be in force and applicable.

Being the remaining premises conveyed to Pedini Realty Corporation from Lillian F. Pinneral and recorded in the Plymouth County Registry of Deeds in Book 3539 at Page 768.

Property Address: Route 6, Wareham, Mass.

PARCEL 2:

That certain parcel of land situate in Wareham, in the County of Plymouth and Commonwealth of Massachusetts, bounded and described as follows:

SOUTHERLY by the northerly line of Cranberry Highway (Route 6 and 28), two hundred thirty-four and 35/100 (234.35) feet;  
 WESTERLY by land now or formerly of Anna D. Bangs et al, two hundred sixty and 73/100 (260.73) feet;  
 NORTHEASTERLY forty and 83/100 (40.83) feet; and  
 NORTHWESTERLY two hundred twenty-three and 10/100 (223.10) feet by land now or formerly of Onset Fire District; and  
 EASTERLY by land now or formerly of Pedini Realty Corporation, three hundred eighty-one and 96/100 (381.96) feet.

All of said boundaries are determined by the Court to be located as shown on a plan drawn by Robert A. Braman, Surveyor, dated October 18, 1977, as modified and approved by the Court, filed in the Land Registration Office, a copy of a portion of which is filed with the original certificate of title issued on this decree.

The land hereby registered is subject to the easement as set forth in a grant made by Pedini Realty Corporation to Plymouth County Electric Company (now Commonwealth Electric Company) and New England Telephone and Telegraph Company, dated April 28, 1965, duly recorded in Book 3204, Page 380.

For title see Certificate No. 67204 in Plymouth Registry District of the Land Court.

PARCEL 3:

The land in Wareham, Plymouth County, Massachusetts, shown as Lot 28 on Land Court Plan 16203 entitled "Subdivision plan of land in Wareham, MA, Walter E. Rowley and Associates, Surveyors, May 9, 1968" filed with Certificate 6444 in the Plymouth District of the Land Court to which plan reference is made for a more particular description of the granted premises.

*FOR TITLE SEE CTF. OF TITLE 20885.*

PLYMOUTH  
COUNTY

1 6 8 0 0 5

COMMONWEALTH OF MASSACHUSETTS  
**DEEDS & EXCISE**

MAR 20 '85  
R.B. 11005

RECORDED  
CANCELLED

4 9 0 . 2 0

Executed as a sealed instrument this 19 day of March 1985

Pedini Realty Corporation

By Mary Louie Shaw president

**The Commonwealth of Massachusetts**

Plymouth

ss.

March 17 1985

Then personally appeared the above named: Mary Louie Shaw  
president and treasurer and agent

and acknowledged the foregoing instrument to be the free act and deed, of Pedini Realty Corporation

Before me, J. L. Hoff

Notary Public — Justice of the Peace

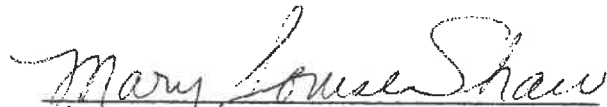
My commission expires December 14 1986

## CERTIFICATE OF VOTE

I hereby certify that the following is a true copy of a vote of the stockholders of Pedini Realty Corporation at its meeting held March 18, 1985 at 11 Robin Hill Road, Mansfield, Massachusetts, at which meeting a quorum was present and voting:

VOTED: That Mary Louise Shaw, as President and Treasurer of the Corporation, is authorized to execute and deliver deeds for real property located at Route 6, Wareham, Massachusetts, said property being substantially all of the assets of the Corporation.

A true copy attest.

  
Clerk Pro-tem

REC'D MAR 20 1985 AT 10-51 AM AND RECORDED

# Submission #237

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Welcome to the website. For Help Documentation & Videos, please visit our [Municipal User Center](#) or, for schools, visit our [Schools User Center](#). **It is recommended you write down the following credentials to login to the User Center - Username: "CivicOpen" and Password: "ClientUser10!"**

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[Next submission](#)

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## Submission information

Form: [Abutter Request Form - Online](#)  
Submitted by Anonymous (not verified)  
November 7, 2023 - 10:42am  
2603:3005:2601:e000:ad11:e3d2:ae33:77db

## Contact Information

Robert L Perry Esq

## Phone Number:

508-295-6124

## Email Address:

rlperry0803@gmail.com

## Date of Request:

November 7, 2023

## Owners Name:

Nancy s

## Property Location:

3090 Cranberry Highway Wareham Ma

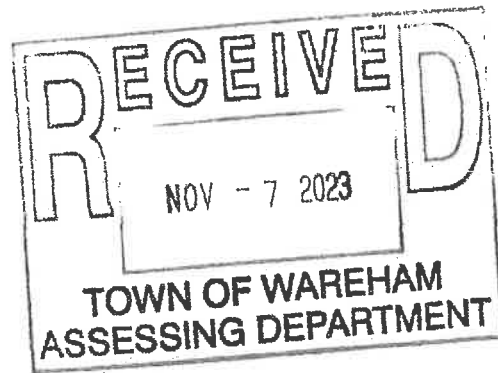
## Map/Lot

Map 131 Lot LC28

## Distance Required

300'

**Which Board are you appearing before?**



[Previous submission](#)

[Next submission](#)

TOWN OF WAREHAM ABUTTERS		MAP & LOT	OWNERS	STREET ADDRESS	TOWN & STATE	ZIP CODE
MAP 131 LOT LC28		10-0-1001	3077 CRANBERRY HWY MA LLC	PO BOX 1020	WESTBOROUGH, MA	01581
OWNERS NUOVO FRANK J + ANGUS DONALD H TRS		10-0-1002	SULLIVAN ROBERT D TR OF WAREHAM, 3099 CRAN HWY REAL ESTATE TR	41 ACCORD PARK DR,	NORWELL, MA	02018
		10-0-1003	FINE BROTHERS LLC,	720 MAIN ST	HYANNIS, MA	02601
		10-0-1004	AGREE STORES LLC C/O RYAN LLC	PO BOX 460389 DEPT 125	HOUSTON, TX	77056
		10-0-1018	SPILLANE DAVID A, BRIEN-SPILLANE SUSAN R	31 AGAWAM LAKE SHORE DR	WAREHAM, MA	02571
		10-0-1021	COMM OF MASS, EXEC OFFICE OF TRANS & CONSTRUCT	MULTI-MODEL RAIL UNIT, 10 PARK PLAZA RM 3170	BOSTON, MA	02116
		131-0-1017	ONSET FIRE DISTRICT,	PO BOX 44,	ONSET, MA	02558
		131-0-1045.A	3086 CRANBERRY LLC	P O BOX 2144,	SANDWICH, MA	02563
		131-0-1C27	C C & C OF WAREHAM LLC, C/O COLLINS, CRONIN & CORCORAN	PO BOX 51687,	NEW BEDFORD, MA	02745
		131-0-1C28	NUOVO FRANK J+ANGUS DONALD H TRS, C/O NANCY ANGUS	PO BOX 270, PO BOX 270	BUZZARDS BAY, MA	02532
CERTIFIED ABUTTERS AS THEY APPEAR						
ON OUR TAX ROLLS AS OF 11/7/2023						
<i>My Renee Atkins</i>						
ASSESSORS OFFICE						
REQUESTED BY						
ROBERT L PERRY EXQ						
508 295-6124						
RLPERRY0803@GMAIL.COM						



# 3090 CRAN HWY

Location 3090 CRAN HWY

Mblu 131//LC28//

Acct#

Owner NUOVO FRANK J+ANGUS  
DONALD H TRS

Assessment \$278,700

Appraisal \$278,700

PID 13946

Building Count 1

## Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2023	\$156,700	\$122,000	\$278,700

Assessment			
Valuation Year	Improvements	Land	Total
2023	\$156,700	\$122,000	\$278,700

## Owner of Record

Owner NUOVO FRANK J+ANGUS DONALD H TRS  
 Co-Owner C/O NANCY ANGUS  
 Address PO BOX 270  
 BUZZARDS BAY, MA 02532

Sale Price \$1  
 Certificate  
 Book & Page 0354/0154  
 Sale Date 03/20/1985

## Ownership History

Ownership History				
Owner	Sale Price	Certificate	Book & Page	Sale Date
NUOVO FRANK J+ANGUS DONALD H TRS	\$1		0354/0154	03/20/1985

## Building Information

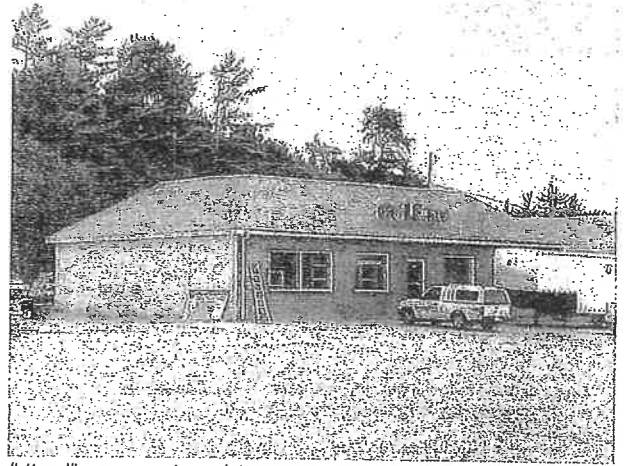
### Building 1 : Section 1

Year Built: 1940  
 Living Area: 2,301  
 Replacement Cost: \$222,722  
 Building Percent Good: 63  
 Replacement Cost  
 Less Depreciation: \$140,300

**Building Attributes**

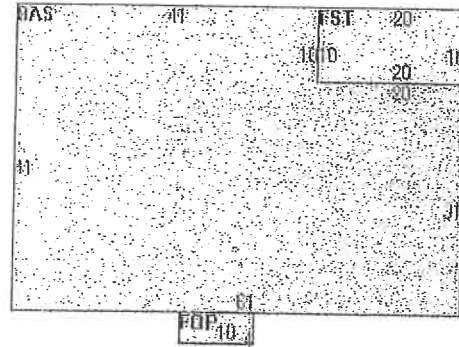
Field	Description
Style:	Store
Model	Commercial
Grade	Below Ave
Stories:	1
Occupancy	1.00
Exterior Wall 1	Stucco on Wood
Exterior Wall 2	Masonry Veneer
Roof Structure	Gable/Hip
Roof Cover	Asphalt Shing
Interior Wall 1	Drywall
Interior Wall 2	
Interior Floor 1	Carpet
Interior Floor 2	
Heating Fuel	Oil
Heating Type	Forced Hot Air
AC Type	Central
Struct Class	
Bldg Use	RETAIL MDL-94
Total Rooms	
Total Bedrms	00
Total Baths	2
1st Floor Use:	3250
Heat/AC	HEAT/AC PKGS
Frame Type	WOOD FRAME
Baths/Plumbing	AVERAGE
Ceiling/Wall	CEIL & WALLS
Rooms/Prtns	AVERAGE
Wall Helght	10.00
% Comn Wall	0.00

**Building Photo**



(<https://images.vgsi.com/photos2/WarehamMAPhotos/A00100109162.jpg>)

**Building Layout**



([https://images.vgsi.com/photos2/WarehamMAPhotos/Sketches/13946\\_13](https://images.vgsi.com/photos2/WarehamMAPhotos/Sketches/13946_13))

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	2,301	2,301
FOP	Open Porch	40	0
FST	Finished Utility	200	0
		2,541	2,301

**Extra Features**

Extra Features	Legend
No Data for Extra Features	

**Land**

Use Code 3220  
 Description RETAIL MDL-94  
 Zone SC  
 Neighborhood 6000  
 Alt Land Appr No  
 Category

**Land Line Valuation**  
 Size (Acres) 0.43  
 Frontage 0  
 Depth 0  
 Assessed Value \$122,000  
 Appraised Value \$122,000

**Outbuildings**

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
PAV1	PAVING-ASPHALT			10000.00 S.F.	\$12,500	1
SGN3	W/INT LIGHTS			40.00 S.F.&HGT	\$1,500	1
SGN3	W/INT LIGHTS			64.00 S.F.&HGT	\$2,400	1

**Valuation History**

Appraisal			
Valuation Year	Improvements	Land	Total
2023	\$156,700	\$122,000	\$278,700
2022	\$156,700	\$122,000	\$278,700
2021	\$156,700	\$122,000	\$278,700

Assessment			
Valuation Year	Improvements	Land	Total
2023	\$156,700	\$122,000	\$278,700
2022	\$156,700	\$122,000	\$278,700
2021	\$156,700	\$122,000	\$278,700