



This form was received on the date stamped here:

TOWN OF WAREHAM

ZONING BOARD OF APPEALS APPLICATION FOR A:

- VARIANCE
SPECIAL PERMIT
SITE PLAN REVIEW
APPEAL

Certain uses are allowed in 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. Permits may be issued only after a public hearing. To apply for a public hearing for a Permit from the Zoning Board of Appeals, please do the following:

- Complete this form.
Read information packets. (Directions attached)
Submit application form and packet of information to Town Clerk for signature.
Submit application form to Town Collector for signature.
Submit completed form, packets, and appropriate fees\*\* to the Planning and Community Development Office.

\*\* See Directions for fees, or ask at the Planning and Community Development Office.

I hereby apply for a [check applicable]: \_\_\_ Variance [X] Special Permit \_\_\_ Site Plan \_\_\_ Appeal for a use at the following place:

STREET & NUMBER: 41 Riverside Dr. MAP: 11 LOT: 265
ZONING DISTRICT: R-30
USE REQUESTED: Residential space
OWNER OF LAND & BUILDING: James + Cheryl Enos
ADDRESS OF OWNER: 41 Riverside Dr. Onset, MA 02558
PERSON(S) WHO WILL UTILIZE PERMIT: James Enos
ADDRESS: 41 Riverside Dr. Onset, MA 02558
DATE: 11/8/2023 SIGNATURE: James Enos

Town Clerk: Date:
Tax Collector: Date: 11/21/23
Planning/Zoning Dept.: Tonis Raposo Date: 11/29/23
Application fee paid: 300.00 Check #: 20249 Receipt:
Advertising fee paid: 150.00 Check #: 20250 Receipt:
Abutters fee paid: 206.70 Check #: 20251 Receipt:

WAREHAM TOWN CLERK
2023 NOV 29 PM5:46

**SHEET NOT TO BE POSTED**  
**FOR OFFICE USE ONLY**

**TOWN OF WAREHAM**

**APPLICANT/CONTRACTOR/REPRESENTATIVE INFORMATION SHEET**

Check Applicable: \_\_\_\_\_ Variance  Special Permit \_\_\_\_\_ Site Plan \_\_\_\_\_ Appeal \_\_\_\_\_

Date stamped in: \_\_\_\_\_ Date decision is due \_\_\_\_\_

Applicant's Name: James + Cheryl Enos

Applicant's Address: 41 Riverside Dr. Onset, MA 02558

Telephone Number: 508-295-0632

Cell Phone Number: 508-509-9650

Email Address: enosconstruction@hotmail.com

Address of Property/Project: 41 Riverside Dr. Onset, MA 02558

Landowner's Name: James + Cheryl Enos

Owner's Address: 41 Riverside Dr. Onset, MA 02558

Telephone Number: 508-509-9650

Contact Person: James Enos Telephone Number: 508-509-9650

Map # 11 Lot # 265 Zone R-30

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

Comments: Request approval to raise a dormer for a bedroom along with staircases up and down into basement. The height of house with raised dormer will not change. This is a home not a rental. We do not believe it is a detriment at all to the neighborhood

\*\*\* Electronic Recording \*\*\*  
Doc#: 00009730  
Bk: 50803 Pg: 4 Page: 1 of 3  
Recorded: 02/11/2019 03:47 PM  
ATTEST: John R. Buckley, Jr. Register  
Plymouth County Registry of Deeds

\*\*\*\*\*  
MASSACHUSETTS EXCISE TAX  
Plymouth District ROD #11 001  
Date: 02/11/2019 03:47 PM  
Ctrl# Doc# Plymouth County Registry of Deeds  
Fee: \$.00 Cons: \$1.00  
\*\*\*\*\*

**QUITCLAIM DEED**

I, James Enos, individually of West Bridgewater, MA

in consideration of One Dollar (\$1.00)

grant to James E. Enos and Cheryl R. Enos, husband and wife as tenants by the entirety of 31 Harvestwood Drive, West Bridgewater, Plymouth County, Massachusetts, 02379

with Quitclaim Covenants

**Property Address:** 41 Riverside Drive, Wareham, MA 02558

The land in Wareham, Plymouth County, Massachusetts, with the buildings thereon, in that part known as Riverside, and being Lot No. 265 as shown on a plan entitled "Plan of Riverside Wareham owned by Onset Bay Grove Association, Joseph Whitney C. E. Nov. 1883" recorded with Plymouth County Registry of Deeds in Plan Book 1, Page 101; said Lot 265 being more particularly bounded and described as follows:

WESTERLY	by Lot No. 267, one hundred twelve and no/100 (112.0) feet;
NORTHEASTERLY	by Lot No. 264, one hundred twenty-eight and no/100 (128.0) feet; and
SOUTHERLY	by East Boulevard as shown on said plan, by two lines measuring sixty-six and 48/100 (66.48) feet and twenty-four and 02/100 (24.02) feet, more or less, respectively.


Containing 5,260 square feet, according to said plan.

Meaning and intending to convey and hereby conveying the same premises conveyed to Anthony T. Enos and Barbara A. Enos with the remainder to James Enos by deed dated June 16, 2000 as recorded with the Plymouth County Registry of Deeds in Book 18622, Page 309.

Anthony T. Enos died on January 13, 2005. Barbara A. Enos died on December 23, 2018.

TITLE WAS NOT EXAMINED IN THE PREPARATION OF THIS DEED.

Signed as a sealed instrument this day, February 11, 2019.

  
James Enos

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss

On this day, February 11, 2019, before me, the undersigned notary public, personally appeared James Enos and proved to me through satisfactory evidence of identification, which was,

- Massachusetts Driver's License
- Notary public's personal knowledge of individual
- Other: \_\_\_\_\_

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 stated purpose.



*[Handwritten Signature]*  
 \_\_\_\_\_  
 John E. McCluskey, Notary Public  
 My commission expires on: 9-10-21

The foregoing is a true copy from the  
 Plymouth County Registry of Deeds,  
 Book 50803 Page 4  
 Attest: *[Handwritten Signature]*  
 Register

**GENERAL NOTES**

1. PLAN REFERENCE:  
1.1. FOR DEED REFERENCE SEE DEED FOR RECORD IN THE PUBLIC RECORDS OF THE PLAINFIELD COUNTY REGISTRY OF DEEDS.  
1.2. THE TOPOGRAPHIC INFORMATION SHOWN HEREON IS THE RESULT OF A FIELD SURVEY PERFORMED BY OUTBACK ENGINEERING, INC. ON 10-1-21. ELEVATIONS ARE BASED ON NAVD83 DATUM.
2. THE SITE FALLS WITHIN ZONE "AE", WITH A FLOOD ELEVATION OF 14'. AS SCALED FROM THE FLOOD INSURANCE RATE MAP (MAP NUMBER: 2502300882K, EFFECTIVE DATE: 2-5-14).
3. THE SITE IS NOT LOCATED WITHIN A SURFACE WATER SUPPLY PROTECTION AREA. THIS SITE IS NOT LOCATED WITHIN A GROUNDWATER PROTECTION AREA.
4. THE SITE IS NOT LOCATED WITHIN A PRIORITY HABITAT AND IS NOT LOCATED WITHIN AN ESTIMATED NATURAL RESOURCE ZONE. THE LATEST NATURAL RESOURCE AND ENDANGERED SPECIES PROGRAM ONLINE MAPS.
5. ALL EXISTING UTILITY INFORMATION IS FROM FIELD SURVEY PERFORMED BY OUTBACK ENGINEERING, INC. AND RECORDED PLANS AND IS TO BE CONSIDERED APPROXIMATE. CONTRACTOR SHALL NOTIFY DIGSAFE (811) AT LEAST 72 HOURS PRIOR TO THE ONSET OF ANY CONSTRUCTION TO HAVE ALL EXISTING UTILITIES LOCATED AND CLEARLY MARKED.

**OWNER & APPLICANT**  
 JAMES AND CHERYL ENDS  
 P.O. BOX 1570  
 WAREHAM, MA 02558  
 ASSESSORS PARCEL 11-265  
 DEED BOOK 18622 PAGE 309

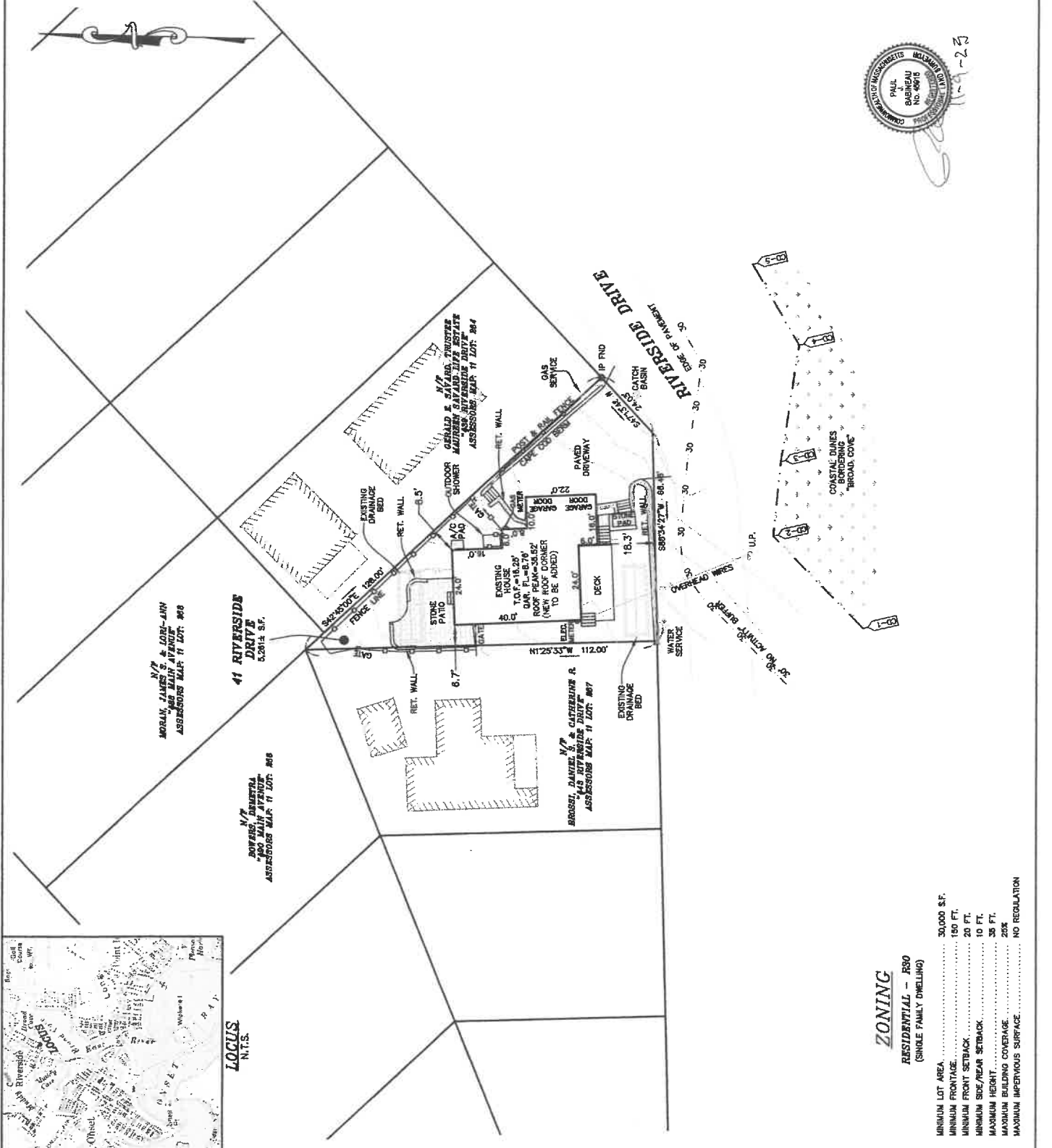
**SITE PLAN**  
 AT  
**41 RIVERSIDE DRIVE**  
 IN  
**WAREHAM**  
**MASSACHUSETTS**



165 EAST GROVE STREET  
 MIDDLEBOROUGH, MA 02346  
 TEL: (508)-946-9231  
 FAX: (508)-947-8873  
 www.outback-eng.com

DATE: NOVEMBER 9, 2023  
 DRAWN BY: J.E.Y. CHECKED BY: J.A.Y.  
 SCALE: 1"=20'  
 SHEET 1 OF 1  
 0' 20' 40' 80'

**OE-3300**



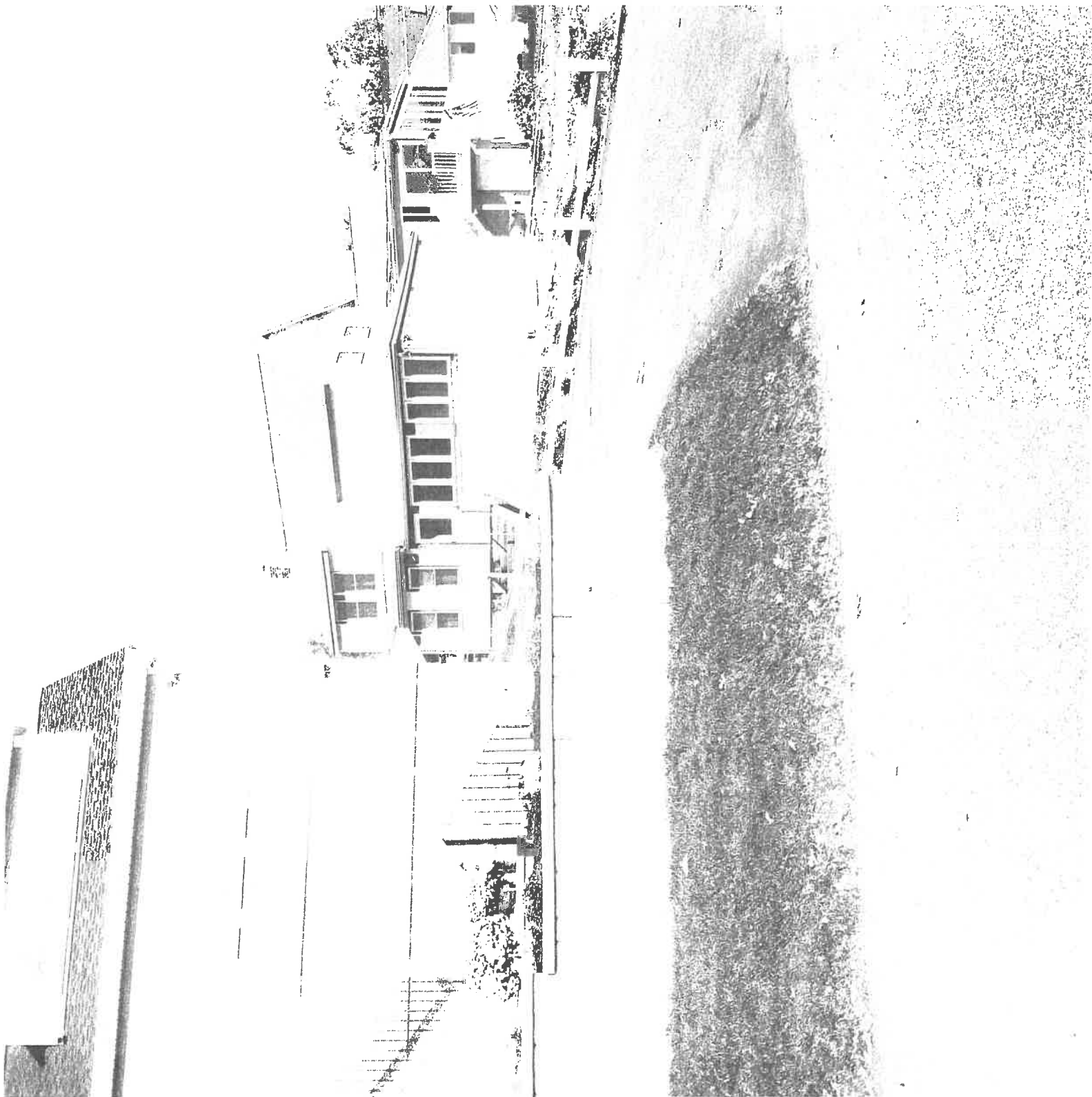
**ZONING**  
 RESIDENTIAL - R30  
 (SINGLE FAMILY DWELLING)

MINIMUM LOT AREA	30,000 S.F.
MINIMUM FRONTAGE	150 FT.
MINIMUM FRONT SETBACK	25 FT.
MINIMUM SIDE/REAR SETBACK	10 FT.
MINIMUM BUILDING HEIGHT	35 FT.
MAXIMUM BUILDING COVERAGE	25%
MAXIMUM IMPERVIOUS SURFACE	NO REGULATION









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214

November 2, 2023

To Wareham Board of Appeals,

We are proposing to add a dormer on the left side of our home at 41 Riverside Dr. Onset, MA. This is our primary home, not a rental. We currently have a small bedroom on the first floor and a pulldown stairway in the hall for access to the attic. There are currently no stairs to enter the basement without going outside. It is becoming increasingly difficult to access the attic for storage purposes. We would like to remove the closet and put in a stairway in the small bedroom which would eliminate the use of that room as a bedroom converting it to a hall and finish a bedroom in the attic, along with a storage room in the back of the house. We will be changing the front window in what will be the bedroom to two regular size windows for egress. Our plans show that we will not be increasing the height of the home, only adding a 2 ½" pitch dormer. Our current neighborhood is complimented with one and two story homes with the ones on either side of ours two story. We do not believe this change is a detriment to the neighborhood. Our goal is for our home to fit in aesthetically, as well as serve our needs in the future. We hope you will understand our need for easier access along with an adequate bedroom for our family when they come to visit.

Thank you,

Jim and Cheryl Enos



# TOWN of WAREHAM

*Massachusetts*

## BUILDING DEPARTMENT

Paul Turner  
Director of Inspectional Services

November 1, 2023

Mr. James Enos  
41 Riverside Drive  
Wareham, Massachusetts 02532

**RE: 41 Riverside Drive / Map 11, Lot 265**

Mr. Enos,

I have reviewed your Building Permit application B-23-655, submitted October 20, 2023 with a description of work stating "add shed dormer to the left side of house and stairway to access" located at 41 Riverside Drive, Wareham, Massachusetts. The existing Floor Area Ratio is approximately 25.85% and the proposed Floor Area Ratio will be approximately 40%. The second story addition will be encroaching in the side setback.

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

**Article 6: Density and Dimensional Regulations,**

**Section 628**

**Existing Small Lots, Category 2, Lawfully existing lots in the Residential Districts;**

**Side Setback; 10 feet  
Floor Area Ratio; 25%**

**Article 13: Zoning Protection,**

**Section 1352**

If the Building Official determines that a proposed addition, alteration, or extension to a lawfully non-conforming single or two family residential structure increases the non-conformity nature of the structure, a denial letter will be issued and the applicant must make application to the Board of Appeals for a new determination in order to proceed. If the Board of Appeals affirms the Building Official's decision, no such alteration or extension may occur unless the Board of Appeals issues a **Special Permit** for alteration or extension after finding that the alteration or extension will not be substantially more detrimental to the neighborhood than the existing non-conformity. An addition, alteration, or extension that increases the non-conformity nature would include but not be limited to:

- 1. A non-conforming structure built in the same footprint to an increased building height.**

**Section 1353**

An addition, alteration, extension, or structural change that is found to increase the non-conforming nature of the structure and is found by the Zoning Board of Appeals to be substantially more detrimental to the neighborhood will require a **Variance**.

Therefore, a **Special Permit** or a **Variance** must be secured from the Zoning Board of Appeals in order to proceed with your application.

The subject dwelling is located in **R-30** zoning district.

Respectfully,

A handwritten signature in cursive script that reads "Paul E. Turner". The signature is written in dark ink and is positioned to the right of the word "Respectfully,".

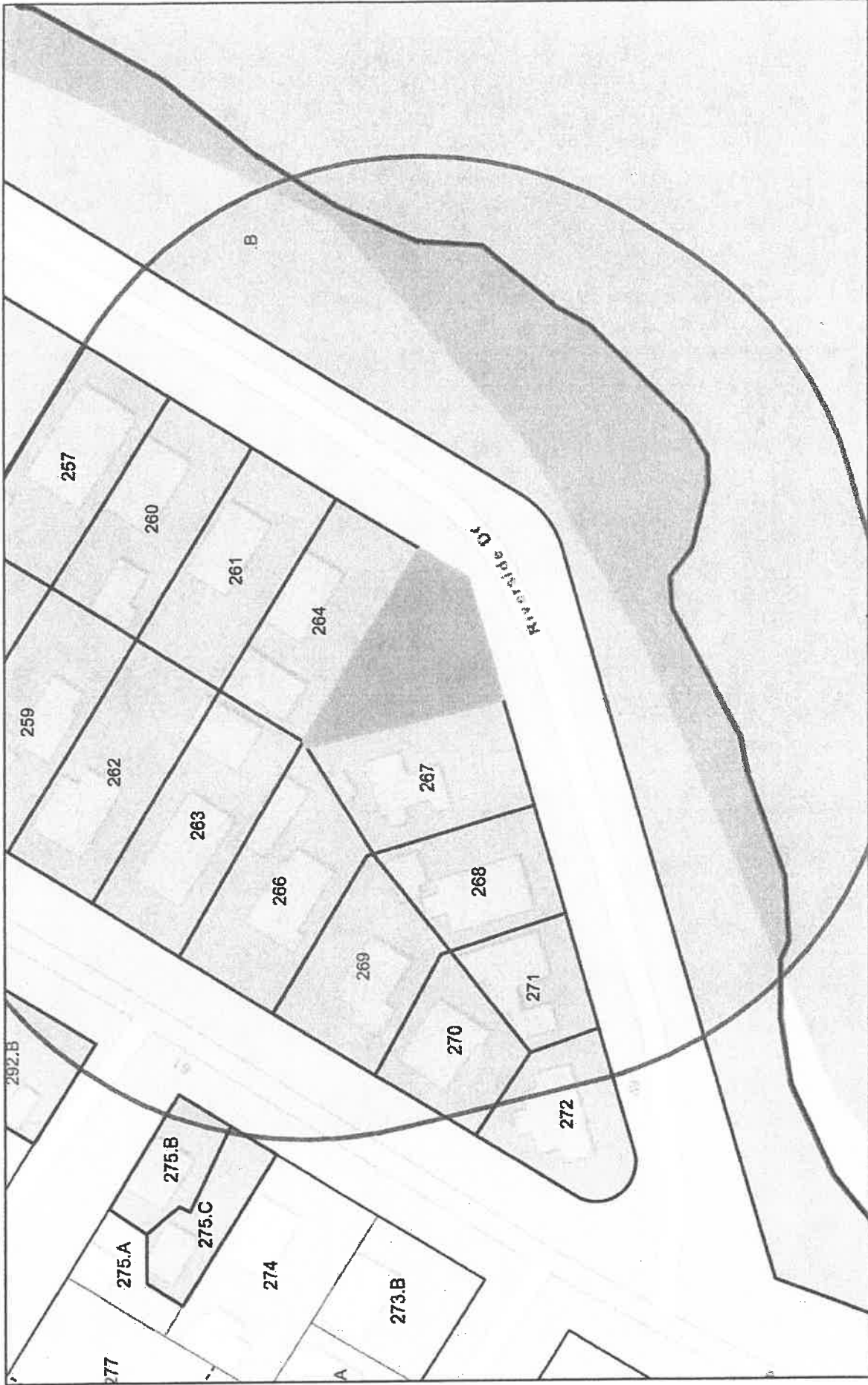
Paul E Turner  
Building Commissioner  
Zoning Enforcement Officer

**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.**

TOWN OF WAREHAM ABUTTERS		TOWN & STATE		ZIP CODE	
MAP 11 LOT 265					
OWNER JAMES E + CHERYL R ENOS					
MAP & LOT	OWNERS	STREET ADDRESS	TOWN & STATE	ZIP CODE	
11-0-256	EVERY JEAN M TRUSTEE, OF RIVERSIDE REALTY TRUST	19 SUMNER ST,	DORCHESTER, MA	02125	
11-0-257	BERNARDO ROBERT E, BERNARDO JANET M	PO BOX 537	ONSET, MA	02558	
11-0-258	LEAL ALCIDIA,	PO BOX 100,	SOMERVILLE, MA	02143	
11-0-259	ODONNELL KATHLEEN M,	PO BOX 314,	W WAREHAM, MA	02576	
11-0-260	35 RIVERSIDE COMPANY LLC	PO BOX 418	ONSET, MA	02558	
11-0-261	SAVARD MARY CATHERINE TRUSTEE, SAVARD FAMILYTRUST	P.O. BOX 986,	E WAREHAM, MA	02538	
11-0-262	LOMBARDO KIMBERLY	121 PORTLAND ST 602	BOSTON, MA	02114	
11-0-263	MORAN JAMES S, MORAN LORI-ANN	PO BOX 1344,	ONSET, MA	02558	
11-0-264	SAVARD GERALD E, SAVARD-MAUREEN LIFE ESTATE	P.O. BOX 986,	E WAREHAM, MA	02538	
11-0-265	ENOS JAMES E, ENOS CHERYL R	PO BOX 1570,	ONSET, MA	02558	
11-0-266	BOWERS DEMETRA,	PO BOX 705,	ONSET, MA	02558	
11-0-267	BROSSI DANIEL S, BROSSI CATHERINE R	PO BOX 829,	ONSET, MA	02558	
11-0-268	MURRAY MARIE C LIFE ESTATE,	PO BOX 46,	ONSET, MA	02558	
11-0-269	PAULDING JUDITH,	PO BOX 1322,	ONSET, MA	02558	
11-0-270	GENDRON KYLE TRUSTEE, CO ERNEST GENDRON	PO BOX 792,	ONSET, MA	02558	
11-0-271	STEARNS RICHARD A, STEARNS ELAINE J	18 SANFORD ST,	READVILLE, MA	02136	
11-0-272	CAPLAN JAMES H & HEATHER C, CROWLEY THOMAS A & JUDITH C	C/O JAMES CAPLAN, 2 FOX RUN LN	MARBLEHEAD, MA	01945	
11-0-275.B	VENUTI MARK A,	PO BOX 385	ONSET, MA	02558	
11-0-275.C	MCNEIL DANIEL F,	258 FRANKLIN ST,	WHITMAN, MA	02382	
11-0-291	ZMUD JOHN,	PO BOX 435	ONSET, MA	02558	
11-0-292.B	PEREZ JAYME L, PEREZ MARK A	PO BOX 966,	ONSET, MA	02558	
CERTIFIED ABUTTERS AS THEY APPEAR					
ON OUR TAX ROLLS AS OF 11/2/2023					
<i>By: Robert Atkins</i>					
ASSESSORS OFFICE					
REQUESTED BY					
JAMES + CHERYL ENOS					
508 295-0632					
ENOSCONSTRUCTION@HOTMAIL.COM					

# ArcGIS Web Map



11/2/2023, 3:24:43 PM

- Parcel Lines
- Property Line
- Parcels with CAMA Data
- Common Line
- Town Line
- Public Road

0 0.01 0.01 0.01 0.02 0.02 0.04 km  
0 0.01 0.01 0.01 0.02 0.02 0.04 mi  
1:1,128  
Est. HERE, Garmin, INCREMENT P, NGA, USGS