

THE COMMONWEALTH OF MASSACHUSETTS

Town of Wareham

BOARD OF APPEALS

Petition No. : 52-23
Book: 50803 Page: 0004
Date: December 28, 2023

Certificate of Granting of Special Permit and/or Variance
(General Laws Chapter 40A, Section 11)

The Board of Appeals of the Town of Wareham hereby certifies that a Special Permit has been granted:

To: James E Enos & Cheryl R Enos

Address: 41 Riverside Dr

City or Town: Onset, MA 02558

Affecting the rights of the owner with respect to land or buildings at 41 Riverside Dr., Assessor's Map 11 Lot 265

The Board of Appeals certifies that the decision attached hereto is a true and correct copy of its decision to grant a Special Permit and/or Variance and that copies of said decision, and of all plans referred to in the decision, have been filed with the ZBA, Conservation Commission, and the Town Clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 provides that no special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the Town Clerk that twenty days have elapsed after the decision has been filed in the office of the Town Clerk and no appeal has been filed or that, if such appeal has been filed, that it has been dismissed or denied, is recorded in the Registry of Deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The owner or applicant shall pay the fee for such recording or registering. A copy of the registered decision shall be returned to the Board of Appeals as proof of filing.

Any person aggrieved by this decision may appeal to the Superior Court of Land Court as in Section 17 of Chapter 40A, M.G.L. by filing a NOTICE OF ACTION AND COMPLAINT within twenty (20) days of the date of filing of this decision.


Chairman
Clerk

TOWN OF WAREHAM
Board of Appeals
CLERK'S RECORD OF NOTIFICATION

WAREHAM TOWN CLERK
2024 JAN 10 PM5:36

No. 52-23

Petition of: James E Enos & Cheryl R Enos

Location of Property: 41 Riverside Drive, Wareham, MA

Date of Notification of Hearing: December 7, 2023 & December 14, 2023

Date of Hearing: December 27, 2023

Date of Notification of Decision: December 28, 2023

DECISION: See attached

REASON:

Name and Address of Abutting Owners: Certified Abutters List Attached

James W. Tracy
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Board of Appeals

NOTICE OF DECISION OF THE WAREHAM ZONING BOARD OF APPEALS

Petition: 52-23

Applicant: James Enos

Owner: James and Cheryl Enos

Owner Address: 41 Riverside Dr., Onset

Subject Property Address: 41 Riverside Dr., Onset

Subject Property Parcel ID: Map 11 Lot 265

Date of Public Hearing: December 27, 2023

Date of Notice: December 28, 2023

Decision/Reason:

The Board held a public hearing December 27, 2023, and heard testimony regarding the applicant's proposal to construct a second floor dormer and a stairwell to add a bedroom on the subject property with a pre-existing non-conforming building and lot located in an R-30 zoning district.

The Board found that granting relief for this project will not be a detriment to the neighborhood. Consequently, the Board finds this proposal acceptable as a Special Permit, and hereby grants the Special Permit by unanimous vote [5-0-0].

Conditions:

1. The addition is to be constructed per the plans submitted with the application, entitled "Enos Residence, 41 Riverside Drive, Onset, MA," prepared by ASAP Engineering & Design Co., Inc. and dated October 25, 2023.
2. Upon completion, an "As Built" plan is to be submitted to the Building Department with a copy provided to the Board of Appeals.
3. Any relief not expressly granted hereunder is hereby denied.
4. For this decision to become effective, a copy of said decision and notice thereof must be filed at the Plymouth County Registry of Deeds and must bear the certification of the Town Clerk that twenty (20) days have elapsed and no appeals have been filed, or that if such appeal has been filed, that it has been dismissed or denied. A certified copy of said recording must be thereafter filed with the Board of Appeals.
5. If substantial use or construction permitted by this Special Permit has not commenced within two years from the date of which a copy of this decision is filed with the Town Clerk, excluding the amount of time required for an appeal period to expire & the amount of time required to pursue and await the determination of any such appeal, then this Special Permit/Variance shall expire in so far as the foregoing statement is modified by Chapter 195 of the Acts of 1984. Any person exercising rights under a duly appealed Special Permit/Variance does so at the risk that a court may reverse the permit & any construction performed under the permit may be ordered undone.
6. Any person aggrieved by this decision of the Zoning Board of Appeals may file an appeal pursuant to the provisions of M.G.L. Chapter 40A, section 17 within twenty (20) days of the filing of this decision in the office of the Town Clerk. If no appeal is taken within the allotted time, the Clerk will so certify.
7. If the applicant wishes to modify the approved Record Plans, it shall submit proposed modifications in accordance with the provisions of this paragraph. Where such modification is deemed substantial, the same standards and procedures applicable to an original application for approval shall apply to such modification and a public hearing shall be required by the ZBA; provided, however, that the ZBA may determine that a proposed modification is insubstantial and approve the same without the need for any further ZBA approval.

VOTE: (5-0-0) By the Wareham Zoning Board of Appeals

ZONING BOARD OF APPEALS DECISION SHEET

Petition Number: 52-23

Petitioner Name: James & Cheryl Enos

Map: 11

Lot: 265

Address: 41 Riverside Drive, Wareham, MA

Project: Proposing an addition to the house with a stairway

Special Permit and/or **Variance** **Both (Circle one)**

Reason for granting/denying the application:

Conditions:

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.

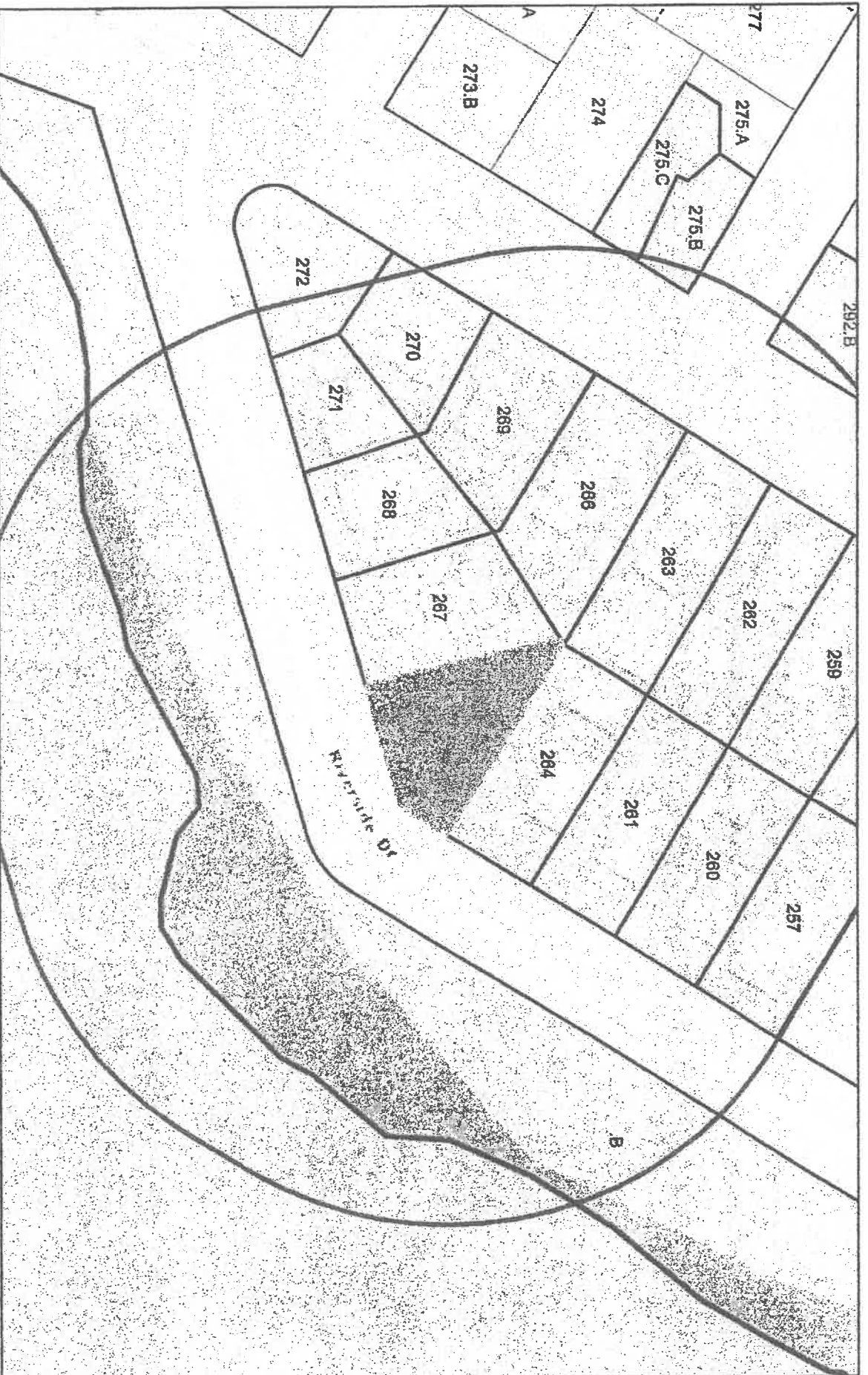
TOWN OF WAREHAM ABUTTERS
 MAP 11 LOT 255
 OWNER JAMES E + CHERYL R ENOS

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
99. Robin Atkins
 ASSESSORS OFFICE

REQUESTED BY
 JAMES + CHERYL ENOS
 508 295-0632
 ENOSCONSTRUCTION@HOTMAIL.COM

ArcGIS Web Map



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

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



0 0.01 0.01 0.02 0.04 mi

0 0.01 0.01 0.02 0.04 km