

THE COMMONWEALTH OF MASSACHUSETTS

Town of Wareham

WAREHAM TOWN CLERK
2024 JAN 24 PM 4:16

BOARD OF APPEALS

Petition No. : 55-23
Book: 55301 Page: 185
Date: January 10, 2024

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 and/or Variance has been granted:

To: Jeffrey Johnson and Amanda Kut

Address: 881 East Second Street, Unit 16

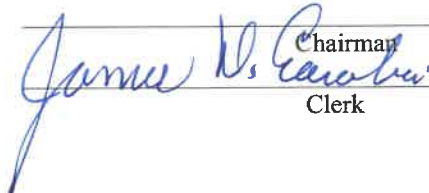
City or Town: Boston, MA 02127

Affecting the rights of the owner with respect to land or buildings at 16 Widow's Cove Lane, Assessor's Map 22 Lot D8

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 24 PM4:16

No. 55-23

Petition of: Jeffrey Johnson and Amanda Kut

Location of Property: 16 Widow's Cove Lane, Wareham, MA

Date of Notification of Hearing: December 21, 2023 & December 28, 2023

Date of Hearing: January 10, 2024

Date of Notification of Decision: January 11, 2023

DECISION: See attached

REASON:

Name and Address of Abutting Owners: Certified Abutters List Attached

.....
James W. Escobari
.....

.....
Board of Appeals

NOTICE OF DECISION OF THE WAREHAM ZONING BOARD OF APPEALS

Petition: 55-23

Applicant: Jeffrey Johnson and Amanda Kut

Owner: same

Owner Address: 881 East Second Street, Unit 16, Boston, MA 02127

Subject Property Address: 16 Widow's Cove Lane, Wareham, MA

Subject Property Parcel ID: Map 22 Lot D8

Date of Public Hearing: January 10, 2024

Date of Notice: January 11, 2024

Decision/Reason:

The Board held a public hearing on January 10, 2024 and heard testimony regarding the applicant's proposal proposing a complete renovation of the structure including a proposed 5' x 26' front porch, proposed 1.5' x 13' first-floor addition and proposed roof lines for second floor expansion that are being constructed on a pre-existing nonconforming structure in the side and front setbacks.

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

Also proposed is a 12' x 16' shed located in front of the principle structure, Consequently, the Board finds this proposal acceptable and hereby grants the Variance in an R-60 zoning district by unanimous vote [5-0-0].

Conditions:

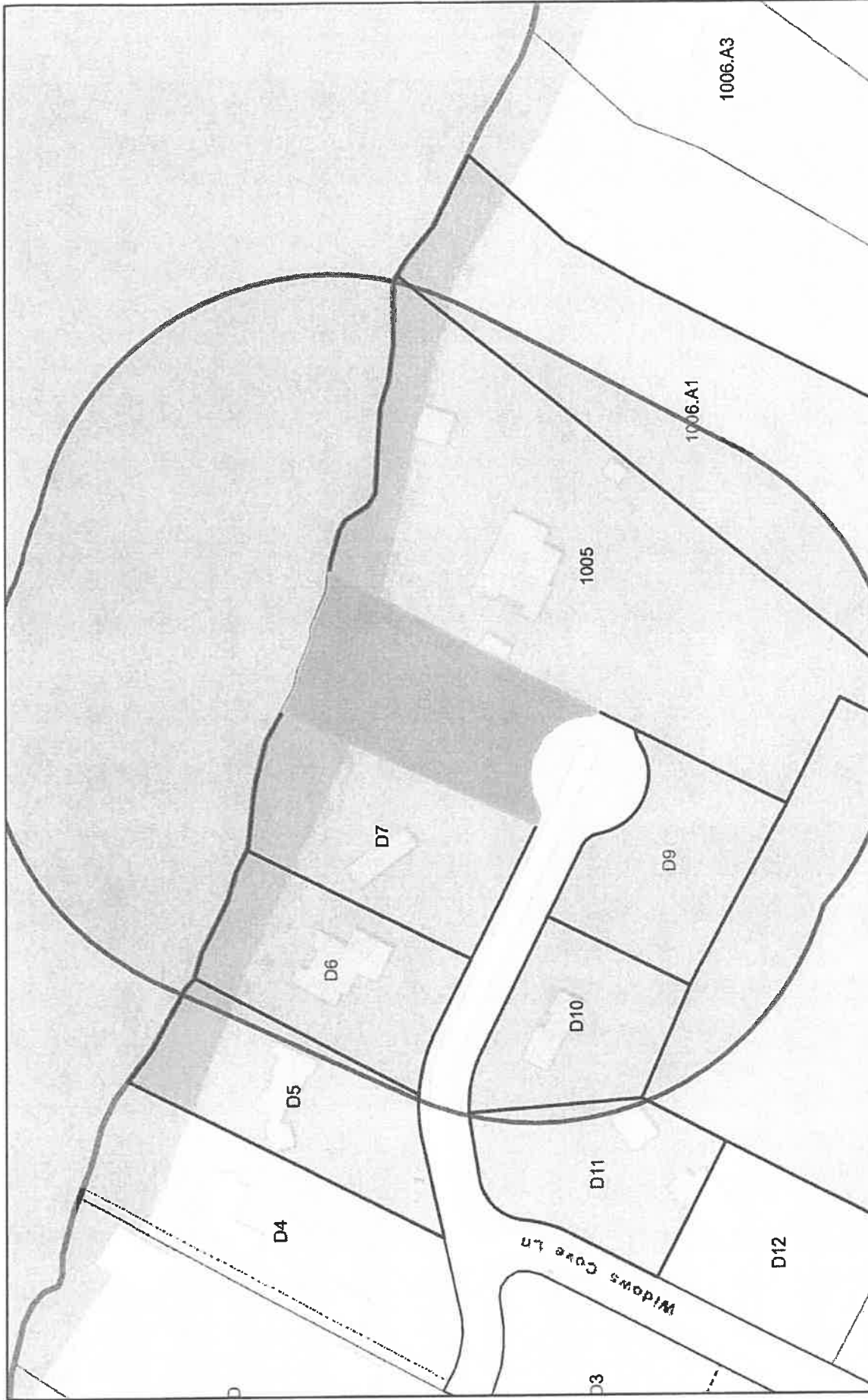
1. The dwelling is to be constructed per the plans submitted with the application, entitled "Proposed Site Plan at 16 Widow's Cove Lane, Wareham, MA," prepared for GS Design Group, by JC Engineering, Inc. and dated October 18, 2023.
2. Upon completion, an "As Built" plan is to be submitted to the Building 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 and 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 and 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

TOWN OF WAREHAM ABUTTERS			
MAP 22 LOT D8			
OWNERS JEFFREY JOHNSON + AMANDA KUT			
MAP & LOT	OWNERS	STREET ADDRESS	TOWN & STATE
22-0-1005	DEJESUS HENRY V JR, DEJESUS JUDITH	PO BOX 1135	MARION, MA
22-0-1006.A1	RHODES MATTHEW N, RHODES CINDY C	PO BOX 578	E WAREHAM, MA
22-0-1009	KWON SONIA J TRUSTEE, TRILOBITE TRUST	PO BOX 78,	NORWELL, MA
22-0-D10	BRIGGI STEPHEN J, BRIGGI LORI L	5 BOATHOUSE DR,	WAREHAM, MA
22-0-D11	CAMPBELL MICHAEL C	PO BOX 230	ONSET, MA
22-0-D5	ADAMS CAROL A TRUSTEE, ADAMS REALTY TRUST	9 ABIGAIL WAY UNIT 4007,	READING, MA
22-0-D6	HOUSER JOHN J, HOUSER LISA M	12 WIDOW'S COVE LN	WAREHAM, MA
22-0-D7	BRODERICK DAVID, BRODERICK SUSAN	569 RODANTE WAY,	SACRAMENTO, CA
22-0-D8	JOHNSON JEFFREY, KUT AMANDA	881 EAST SECOND ST UNIT 16	BOSTON, MA
CERTIFIED ABUTTERS AS THEY APPEAR ON			
OUR TAX ROLLS AS OF 11/7/2023			
<i>[Signature]</i>			
ASSESSORS OFFICE			
REQUESTED BY			
BRADLEY BERTOLO			
508 273-0377			
BBERTOLO@JCENG.ORG			
			ZIP CODE
			02738
			02538
			02061
			02571
			02558
			01867
			02571
			95864
			02127

ArcGIS Web Map



11/7/2023, 10:15:13 AM

- Parcel Lines
- Public Road
- Parcels with CAMA Data
- Common Line
- MiscPolys
- Town Line
- Property Line
- Right of Way

1:2,257
0 0.01 0.03 0.05 mi
0 0.02 0.04 0.09 km

Esri, HERE, Garmin, INCREMENT P, NGA, USGS

Web AppBuilder for ArcGIS
Esri, HERE, Garmin, INCREMENT P, NGA, USGS | FEMA, MassGIS | MassDEP |

ZONING BOARD OF APPEALS DECISION SHEET

Petition Number: 55-23

Petitioner Name: Jeffrey Johnson and Amanda Kut

Map: 22

Lot: D8

Address: 16 Widow's Cove Lane, Wareham, MA

Project: proposing a complete renovation of the structure including a proposed 5' x 26' front porch, proposed 1.5' x 13' first floor addition and proposed roof lines for second floor expansion that are being constructed on a pre-existing nonconforming structure in the side and front setbacks. Also proposed is a 12' x 16' shed located in front of the principle structure

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. _____