



ENGINEERING,
INC.

ENGINEERS
SURVEYORS

August 23, 2021

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

Re: Variance/Special Permit Application
Randall J. & Diane M. Riva
10 Captain Collis Drive
Map 2, Lots 19 & 20
G.A.F. Job No. 21-9621

Dear Members of the Zoning Board of Appeals,

G.A.F. Engineering, Inc. respectfully submits on behalf of the applicant, Randall J. & Diane M. Riva, the following application for a Variance/Special Permit.

The project consists of the following proposed improvements.

1. Reconstruct an existing deck at the right rear corner of the house. Enclose the deck on three sides with screens and construct a roof.
2. Install a new roof over the existing basement entryway.
3. Construct a new 12'x 19.5' deck on the left rear side of the house.
4. Construct a landing and stairs from the second floor balcony on the east side of the house.
5. Remove a portion of the concrete patio in the rear yard to reduce impervious coverage.

Attached herewith you will find one (1) original and seven (7) copies of the following:

- Application for Variance/Special Permit
- Applicant/Contractor/Representative Information Sheet
- Letter from David Riquinha, Building Commissioner, dated July 19, 2021
- Deed of the subject property
- Certified abutters list
- Tax Verification Form
- Site Photographs
- Plan entitled "Plan to Accompany Notice of Intent dated June 16, 2021.
- Check for the Town of Wareham for \$300.00 (filing fee)
- Check for Wareham Week for \$100.00 (legal ad)
- Check for Abutter Certified mail notices for \$88.29

266 MAIN ST.
WAREHAM, MA 02571

TEL 508.295.6600
FAX 508.295.6634

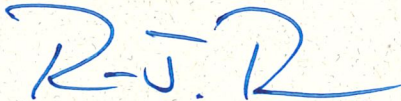
The property is located within the Onset Village District (OV2). The Building Commissioner has determined that relief is required from Article 6, Table 622 and Article 13, Section 1352 of the Wareham Zoning By-Law.

The maximum building coverage allowed in the OV2 Zone is 20%. This project increases the building coverage from the existing amount of 21.21% to a proposed amount of 25.41%. Existing non-conforming sideline setbacks are not made more non-conforming as a result of the project. The removal of a portion of the concrete patio eliminates the existing non-conformity with respect to maximum impervious coverage.

Based on the above we respectfully submit that the project results in an improvement to the property, is not substantially more detrimental to the neighborhood, and therefore the project may be approved as a Special Permit.

We trust the foregoing is sufficient for your immediate needs. Please feel free to contact me with any questions, comments or should you require any additional information.

Very Truly Yours,
G.A.F. Engineering, Inc.



Robert J. Rogers
Project Manager

bob@gafenginc.com
RJR/rjr

Cc: Randall J. & Diane M. Riva

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:

- Complete this form.
- Complete information packets.
- Submit application form and packet to Town Clerk for signature.
- Submit application form and packet to Town Collector for signature.
- 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 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 the Wareham Week in the amount of \$100.00.

**The applicant will also be responsible for the cost of sending out abutter notifications by Certified Mail. 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: 10 Captain Collis Drive **LOT #** 19 & 20 **MAP:** 2

ZONING DISTRICT: Onset Village 2 (OV-2) **USE REQUESTED:** Residential

OWNER OF LAND & BUILDING: Randall J. & Diane M. Riva **TEL. #** 781-721-2617

ADDRESS OF OWNER: 21 Wedgemere Avenue, Winchester, MA 01890

PERSON(S) WHO WILL USE THE PERMIT: Randall J. & Diane M. Riva

ADDRESS: 21 Wedgemere Avenue, Winchester, MA 01890

DATE: August 23, 2021 **SIGNATURE** 

This application was received on the date stamped here:

Town Clerk: _____ **Date:** _____

Tax Collector: _____ **Date:** _____

Planning/Zoning Dept.: _____ **Date:** _____

Application fee paid: _____ **Check#:** _____ **Receipt:** _____

Advertising fee paid: _____ **Check#:** _____ **Receipt:** _____

Abutters fee paid: _____ **Check#:** _____ **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: Randall J. & Diane M. Riva

Applicant's Address: 21 Wedgemere Avenue, Winchester, MA 01890

Telephone Number: 781-721-2617

Cell Phone Number: 508-944-0010

Address of Property/Project: 10 Captain Collis Drive, Onset, MA 02558

Email Address: rangerriva@aol.com

Landowner's Name: Randall J. & Diane M. Riva

Owner's Address: 21 Wedgemere Avenue, Winchester, MA 01890

Telephone Number: 781-721-2617

Contact Person: Robert J. Rogers (G.A.F. Engineering, Inc.) Telephone Number: 508-295-6600

Map 2 Lots 19 & 20 Zone Onset Village 2 (OV-2)

Date Approved _____ Date Denied _____

Comments: _____



TOWN of WAREHAM

Massachusetts

BUILDING DEPARTMENT

David L Riquinha
Building Commissioner

Randall Riva
21 Wedgemere Ave
Winchester, MA 01890

July 19, 2021

RE: 10 Captain Collis Drive (Deck addition/reconstruction)

Map # 2, Lot # 19

We have reviewed your application to modify the structure at 10 captain Collis Drive in Onset, MA. Your proposal is not in compliance with current zoning regulations and must be denied at this time.

After reviewing the information in your permit application, it is my understanding that you would like to remove the existing deck on the rear of the dwelling, in order to reconstruct a larger deck, with a new enclosed portion on the east side that does not currently exist. Additionally, you are proposing a staircase to the second floor roof area.

The property, as it is currently, does not comply with current building coverage requirements, nor does it comply with setback requirements along the Eastern property line. The proposed construction will intensify the existing nonconformities by increasing the building coverage, while also enlarging the structure along the eastern property line where the structure is currently nonconforming.

Your building permit application is being denied under the following sections of the Wareham Zoning By-law:

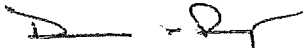
- **Article 6, Table 622, Village Districts**, The proposed construction does not comply with building coverage, and side setback requirements for the OV-2 zoning district. This will require relief from the Zoning Board of Appeals (ZBA).

- **Article 13 Section 1352 Non-conforming Structures:** Alteration or expansion of a lawfully pre-existing non-conforming residential structure requires relief from the zoning Board of Appeals. A **Special Permit** is required for expansion of a lawfully non-conforming structure unless the Board of Appeals finds that the expansion will be substantially more detrimental to the neighborhood in which case a **Variance** may be required.

You must bring this letter to the Zoning Board office and apply for a hearing where you will request the necessary relief as mentioned above. If you are successful, you will be required to wait 20 days for the statutory appeal period to lapse; you will then need to record the ZBA decision with the Plymouth County Registry of Deeds; then apply for a new building permit to construct the addition and perform the work in accordance with the zoning approval. The existing permit application has been denied and will not be reopened to perform the requested work.

The subject dwelling is located in Zoning district OV-2.

Respectfully,



David Riquinha

Building Commissioner

Zoning Enforcement Officer

- It is the owners' responsibility to check with other departments, i.e. Health, and conservation, etc. 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.



2017 00051983

Bk: 48588 Pg: 20 Page: 1 of 2
Recorded: 06/26/2017 02:44 PM
ATTEST: John R. Buckley, Jr. Register
Plymouth County Registry of Deeds

QUITCLAIM DEED

Ramo P. Riva, surviving joint owner, being unmarried, of 23 Chestnut Street, Taunton, Massachusetts

in consideration of One Dollar (\$1.00)

grant to Randall J. Riva and Diane M. Riva, husband and wife, as tenants by the entirety of 21 Wedgemere Avenue, Winchester, Massachusetts 01890

with quitclaim covenants

The land with the buildings and improvements thereon situated on Long Neck in Wareham, Plymouth County, Massachusetts near the northerly shore of Onset Bay, being lots numbered nineteen (19) and twenty (20) on a plan of the estate of Job D. Hammon, drawn by Adolphus Savery and recorded with Plymouth County Registry of Deeds. For a more particular description of said lots reference is made to said plan.

Together with the rights of way and rights mentioned in deed from Lillias L. Pratt and recorded with Plymouth County Registry of Deeds, Book 1140, Page 239.

Meaning and intending to convey the premises together with all rights, privileges and appurtenances set out and described in deed of Lillias L. Pratt to Gertrude H. Watters, dated December 16, 1912 and recorded with Plymouth County Registry of Deeds, Book 1140, Page 239.

I hereby release any and all rights of homestead and I certify that there are no persons, including former spouses, partners or former partners in civil union who are entitled to claim benefit of a homestead in these premises.

Property address: 10 Captain Collis Drive, Wareham, Massachusetts 02558

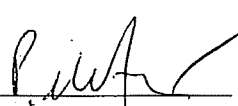
Mail

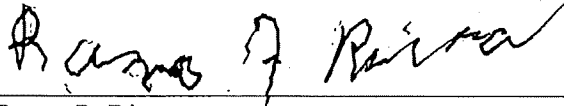
*RANDALL RIVA
21 WEDGEMERE AVE
WINCHESTER, MA 01890*

Being the same premises conveyed to this Grantor by deed dated October 6, 1976 and recorded in Plymouth County Registry of Deeds at Book 4213, Page 311.

NO TITLE SEARCH

Executed as a sealed instrument this 26th day of June, 2017.

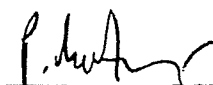

WITNESS

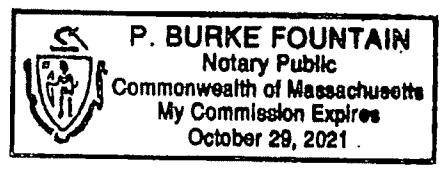

Ramo P. Riva a/k/a Ramo. F. Riva

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss.

On this 26th day of June, 2017, before me the undersigned notary public, personally appeared Ramo P. Riva, proved to me through satisfactory evidence of identification, being driver's license or other state or federal government document bearing a photographic image (unless one of the following are checked): [] Oath or affirmation of a credible witness known to me who knows the above signatory, or [] My own personal knowledge of the identity of the signatory, to be the person(s) whose name is signed above, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief and acknowledged the foregoing to be signed voluntarily for its stated purpose and as his free act and deed.


Notary Public:
My Commission Expires:

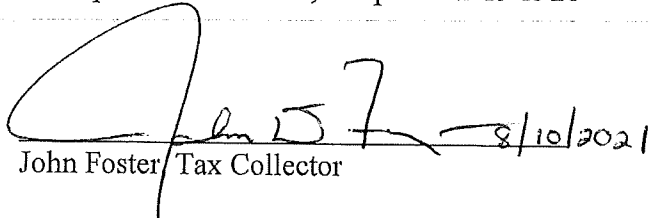


TOWN OF WAREHAM ABUTTERS						
MAP 2 LOTS 19 & 20						
OWNER RANDALL J & DIANE M RIVA						
MAP & LOT	OWNER	CO-OWNER	STREET ADDRESS	TOWN	STATE	ZIP CODE
2-1006	TOWN OF WAREHAM		TOWN HALL	WAREHAM	MA	02571
2-24	DENOVELLIS MARK A	DENOVELLIS ELIZABETH A	PO BOX 32	ONSET	MA	02558
2-23/B	CHERELLA ROBERT S JR TRUSTEE	CO JASON CHERELLA JR	450 W ELM AVE	BURBANK	CO	91506
2-23/A	LYNCH FRANCIS J III TRUSTEE	OF THE LONG NECK REALTY TRUST	27 WEDGEWOOD DR	N EASTON	MA	02356
2-19	RIVA RANDALL J	RIVA DIANE M	21 WEDGEMERE AVE	WINCHESTER	MA	01890
2-17	REINKE HERBERT	REINKE GERALDYN TRUSTEES	109 MARCOURT DR	CHAPPAQUA	NY	10514
2-15	CHURCHILL DOUGLAS E	CHURCHILL CAROLYN	100 MADBURY RD	DURHAM	NH	03824
2-14	IPPOLITO JOHN J TRUSTEE	IPPOLITO 2018 LIVING TRUST	301 LINCOLN ST	N EASTON	MA	02356
2-13	VENDETTI EDMUND C JR		PO BOX 255	FRANKLIN	MA	02038
2-12/B	OBRIEN EUGENE J + MICHAEL F	MCDONOUGH DOROTHY + OBRIEN MATTHEW	171 HODGES ST	TAUNTON	MA	02780
CERTIFIED ABUTTERS AS THEY						
APPEAR ON OUR TAX ROLLS						
AS OF 5/15/2021						
ASSESSORS OFFICE						
REQUESTED BY						
BOB ROGERS GAF ENGINEERING						
508 295-6600						
BOB@GAFENGINC.COM						

PLANNING BOARD
TAX VERIFICATION FORM

This verifies that Randall J. & Diane M. Riva (name of applicant) is up-to date on the taxes for the property(ies) he/she owns in Wareham. If the applicant is not the current owner of the property that the application addresses, the current owner same (name of property owner) is up to date on taxes on all properties he/she owns in the Town of Wareham.

10 Captain Collis Drive; Map 2 Lots 19 & 20

 8/10/2021
John Foster Tax Collector



