

February 8, 2023



ENGINEERING,
INC.

ENGINEERS
SURVEYORS

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

Re: Variance/Special Permit Application
David R. & Jody O. Gastfriend
8 Beach Plum Lane
Map 28, Lot M7
G.A.F. Job No. 22-9942

Dear Members of the Zoning Board of Appeals,

G.A.F. Engineering, Inc. respectfully submits on behalf of the applicants, David R. & Jody O. Gastfriend, the following application for a Variance/Special Permit.

This single family home project consists of the removal of a first floor deck to allow the construction of a first floor addition and second floor deck within the same footprint as the existing deck. Other improvements proposed consist of reconstruction of the front yard stairs and landing. An outdoor shower enclosure will be relocated. Existing setbacks from the building to the side property lines will not be lessened as a result of the project.

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 Paul E. Turner, Building Commissioner, dated January 18, 2023
- Deed of the subject property
- Certified abutters list
- Tax Verification Form
- G.A.F. Engineering, Inc. Plan entitled "Plan to Accompany Notice of Intent" dated December 19, 2022
- M. Architecture + Design architectural plans dated December 13, 2022
- 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 \$128.40

The property is located within the Residence 60 District (R-60). The Building Commissioner has determined that relief is required from Article 6: Density and Dimensional Regulations, Section 621, Side Setback. It is requested that a Special Permit be issued to allow construction of the project at the current

266 MAIN ST.
WAREHAM, MA 02571


TEL 508.295.6600
FAX 508.295.6634

sideline setbacks. In our opinion the project as designed complies with the following conditions necessary for the issuance of a Special Permit.

- The Use as developed will not adversely affect the neighborhood.
- The specific site is an appropriate location for such a Use, structure, or condition.
- There will be no nuisance or serious hazard to vehicles or pedestrians.
- Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
- The Use or structure as proposed does not pose a substantial detriment to the neighborhood in which it is proposed.
- The proposal, as approved, conforms to all other applicable provisions of the Wareham Zoning By-law.

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: David R. & Jody O. Gastfriend
Jilian A. Morton, Esq.

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 \$150.00.

**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: 8 Beach Plum Lane **LOT #** M7 **MAP:** 28

ZONING DISTRICT: Residence 60 (R-60) **USE REQUESTED:** Residential

OWNER OF LAND & BUILDING: Jody O. Gastfriend **TEL. #** 617-803-9821

ADDRESS OF OWNER: 8 Beach Plum Lane, Wareham, MA 02571

PERSON(S) WHO WILL USE THE PERMIT: David R. & Jody O. Gastfriend

ADDRESS: 8 Beach Plum Lane, Wareham, MA 02571

DATE: 2/6/23 **SIGNATURE** *Jody O. Gastfriend*

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: David R. & Jody O. Gastfriend

Applicant's Address: 8 Beach Plum Lane, Wareham, MA 02571

Telephone Number: 617-283-6495

Cell Phone Number: 617-283-6495

Address of Property/Project: 8 Beach Plum Lane, Wareham

Email Address: gastfriend@gmail.com

Landowner's Name: Jody O. Gastfriend

Owner's Address: 8 Beach Plum Lane, Wareham, MA 02571

Telephone Number: 617-283-6495

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

Map 28 Lots M7 Zone Residence 60 (R-60)

Date Approved _____ Date Denied _____

Comments: _____



TOWN of WAREHAM

Massachusetts

BUILDING DEPARTMENT

Paul Turner
Director of Inspectional Services

January 18, 2023

Mr. Jamie Weinstein
23 Miller Farm Road
Mashpee, Massachusetts 02649

RE: 8 Beach Plum Lane / Map 28, Lot M7

I have reviewed your building application B-23-9 proposing to “construct a new addition under existing deck foot print. Existing deck to be demolished and rebuilt. Part of the existing basement to be finished” located at 8 Beach Plum Lane Wareham, Massachusetts. At this time I must deny your request.

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

Article 6: Density and Dimensional Regulations:

621 Residential Districts R-60, Side setback,

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

The subject dwelling is located in R-60 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.



2013 00116608

Bk: 43936 Pg: 238 Page: 1 of 3

Recorded: 12/19/2013 03:53 PM

ATTEST: John R. Buckley, Jr. Register
Plymouth County Registry of Deeds

QUITCLAIM DEED

We, **BARBARA B. ROWES A/K/A BARBARA BOER ROWES and JAY R. ROWES** of 8 Beach Plum Lane, Wareham, Massachusetts for consideration paid and in full consideration of **One Million Two Hundred Fifty Thousand Dollars (\$1,250,000.00)**,

grant to **JODY O. GASTFRIEND**, of 30 Orient Avenue, Newton, Massachusetts with QUITCLAIM covenants in and to the land in Wareham, Plymouth County, Massachusetts with the buildings thereon, bounded and described as follows:

See attached Exhibit "A" for Property Description

FOR TITLE Being a portion of the property conveyed to Grantor by deed recorded with the Plymouth County Registry of Deeds in Book 24683, Page 237.

Title was not examined by preparer of Deed

PROPERTY ADDRESS: 8 BEACH PLUM LANE, WAREHAM, MA 02571

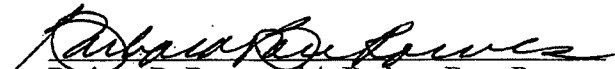
The signatory(ies) to this document hereby waive and release any and all rights of homestead in the subject property.

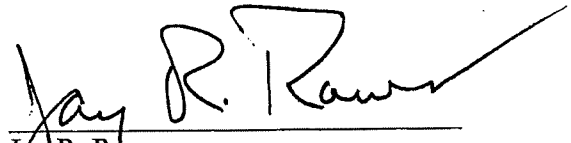
[signature page follows]

MASSACHUSETTS EXCISE TAX
Plymouth District ROD #11 1
Date: 12/19/2013 03:53 PM
Ctrl# 069743 18584 Doc# 00116608
Fee: \$5,700.00 Cons: \$1,250,000.00

CANCELLED

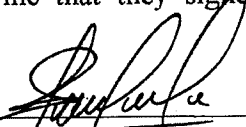
WITNESS our hands and seals this 17th day of December, 2013.


Barbara B. Rowes a/k/a Barbara Boer Rowes


Jay R. Rowes

STATE OF DELAWARE

On this 17th day of December, 2013, before me, the undersigned Notary Public, personally appeared **Barbara B. Rowes a/k/a Barbara Boer Rowes and Jay R. Rowes**, proved to me through satisfactory evidence of identification, which was Drivers Licenses to be the persons whose names are signed on the preceding or attached documents, and acknowledged to me that they signed it voluntarily for its stated purpose.


Notary Public
My Commission Expires: 07/13/2017

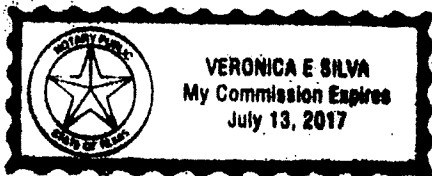


EXHIBIT "A"

Shown as Lot 7 on a certain plan entitled "Subdivision of Lot 3 Shown on 1944 Subdivision of Lots at Little Harbor-Wareham, Mass. "dated July 1, 1948. Walter E. Rowley. Sur. duly recorded with the Plymouth County Registry of Deeds in Plan Book 7. Page 675 and further bounded and described as follows:

NORTHWESTERLY by Lot 6 on said plan and by Private Way, shown on said plan, Two Hundred Thirty (230) feet, more or less;

NORTHEASTERLY by Lot 8 on said plan, Sixty-two and 5/10 (62.5) feet;

SOUTHEASTERLY by land of Ellen A. Messinger, as shown on said plan, Two Hundred Fifty and 92/100 (250.92) feet, more or less;

SOUTHWESTERLY by the waters of Buzzards Bay, as shown on said plan, One Hundred Seventeen (117) feet, more or less; containing 20,700 square feet of land, more or less as shown on said plan.

Subject to and with the benefit of all rights, restrictions, easements and reservations of record, if any, insofar as the same may be now in force and applicable.

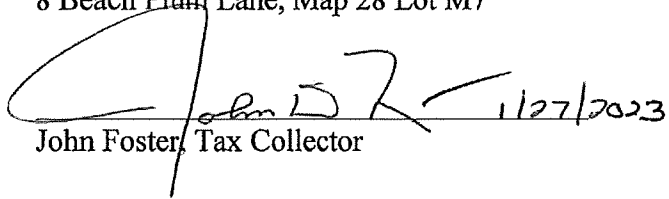
TR 24683-237

MAP & LOT	OWNER	CO-OWNER	STREET ADDRESS	TOWN	STATE	ZIP CODE
28-1008	DUBOIS RODNEY F & KAREN N	LYNFORD JEFFREY H TRS ET ALS	32 RIP RD	HANOVER	NH	03755
28-M5	STOWE SANDRA M		9 BEACH PLUM LN	WAREHAM	MA	02571
28-M6	BEACH PLUM LANE TRUST	THOMAS RICHARD N & BETTY TRS C/O RICHARD THOMAS	PO BOX 328	WAREHAM	MA	02571
28-M7	GASTFRIEND JODY O		8 BEACH PLUM LN	WAREHAM	MA	02571
28-E3	DATTMAN LUCY A + SIM ELSIE W	ALEXANDER T TRUSTEES C/O AT SIMS	11 LOOKOUT LN	WAREHAM	MA	02571
28-M8	EDWARDS PETER M		PO BOX 331	WAREHAM	MA	02571
28-1015	EDWARDS DEBORAH S TRUSTEE	RUSSETT VERONIKA TR ET ALS C/O JOHN M LOVELY, ESQ.	6 RAILROAD AVE	FOXBORO	MA	02035
28-E6/B	LOVELY JOHN M TRUSTEE	9 LOOKOUT LANE REALTY TR	6 RAILROAD AVE	FOXBOROUGH	MA	02035
28-M9	SALATHE LINDA DOMINA	C/O LINDA DOMINA	PO BOX 68	WAREHAM	MA	02571
28-E2	EDWARDS DEBORAH S TRUSTEE	LOOKOUT REALTY TRUST	PO BOX 811	E WAREHAM	MA	02538
28-E9	ROY CINDY L		13 LITTLE HARBOR RD	WAREHAM	MA	02571
28-E1	RUSSETT VERONIKA TRUSTEE	VERONIKA RUSSETT IRREV TRUST	PO BOX 130	WAREHAM	MA	02571
CERTIFIED ABUTTERS AS THEY APPEAR ON OUR TAX ROLLS AS OF 1/26/2023 <i>W. Renee Atkins</i> ASSESSORS OFFICE						
REQUESTED BY BOB ROGERS 508 295-6600 BOB@GAFENGING.COM						

PLANNING BOARD
TAX VERIFICATION FORM

This verifies that Jody O. Gastfriend (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, is up to date on taxes on all properties he/she owns in the Town of Wareham.

8 Beach Plum Lane, Map 28 Lot M7

 11/27/2023
John Foster, Tax Collector