

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:

- o Complete this form.
- o Complete information packets. (Directions attached)
- o Submit application form and packet to Town Clerk for signature.
- o Submit application form and packet to Town Collector for signature.
- o 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 a 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 Wareham Week in the amount of \$80.00.

**The applicant will also be responsible for the costs of sending out abutter notifications by Certified Mail. The cost is \$6.73 per certified letter to each abutter. 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: 13 Woodland Circle MAP: 46A-1 LOT: 139

ZONING DISTRICT: R-30

USE REQUESTED: Residential - construct addition for bath and laundry

OWNER OF LAND & BUILDING: Susan Thomassen TEL.# 508-446-0287

ADDRESS OF OWNER: 13 Woodland Circle, Wareham, MA 02571

PERSON(S) WHO WILL UTILIZE PERMIT: Susan Thomassen

ADDRESS: 13 Woodland Circle, Wareham, MA 02571

DATE: _____ SIGNATURE: *Dorothy J. Barry Attey*

This application was received on the date stamped here: 245 MAIN ST WAREHAM
508-225-7540

Town Clerk: _____ Date: _____

Tax Collector: *Hathy King* Date: 11-16-22

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

Application fee paid: 300.00 Check #: 11902 Receipt: _____

Advertising fee paid: 100.00 Check #: 11903 Receipt: _____

Abutters fee paid: 148.90 Check #: 11901 Receipt: _____

QUITCLAIM DEED

I, Christine M. Cunningham, an unmarried woman, formerly of Newton, Middlesex County, Commonwealth of Massachusetts, and presently of Waltham, Middlesex County, Commonwealth of Massachusetts, in full consideration of Three Hundred and Twelve Thousand (\$312,000.00) Dollars paid, grant to Susan Thomassen of 13 Woodland Circle, Wareham, Massachusetts, with Quitclaim Covenants,

The land with the buildings thereon in Wareham, Plymouth County, Massachusetts, being lot #139 as shown on a "Plan of re-division of Lot #131 to #141 inclusive, Pinehurst Beach, Wareham, Massachusetts", dated May 10, 1921 Hayward and Hayward, C.E. recorded with Plymouth County Registry of Deeds, Plan Book 3, Page 65, to which plan reference is hereby made for further and more particular description. Said lot contains according to said plan 2799 square feet, more or less, and is bounded as follows:

- SOUTHWESTERLY by Woodland Circle, forty (40) feet;
- SOUTHEASTERLY by Lot No. 138, seventy and 60/100 (70.60) feet;
- NORTHEASTERLY by Lot No. 135, thirty-eight and 38/100 (38.38) feet;
- NORTHWESTERLY by Lot No. 140, seventy-two and 22/100 (72.20) feet.

The above-described premises are conveyed together with the benefit of and subject to all rights, rights of way, restrictions, easements, and reservations of record if the same are in force and applicable.

13 Woodland Circle, Wareham, MA 02571

I do hereby release any and all rights of homestead to said premises and state under oath that no other person or persons has/have any rights of homestead in said property.

Meaning and intending to convey the same premises conveyed to me by deed of Walter R. Warren and Martha E. Warren, dated June 18, 2004, recorded with Plymouth County Registry of Deeds in Book 28475, Page 1.

End of page. Signature on following page.

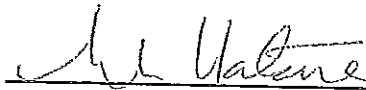
In witness whereof I hereunto set my hand and seal this 19th day of
December 2021.

Seal Christine M. Cunningham
Christine M. Cunningham

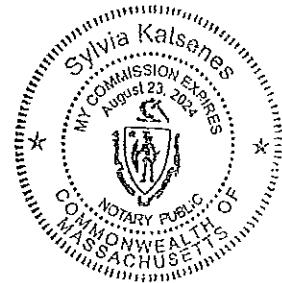
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS

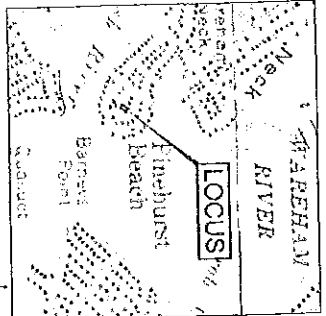
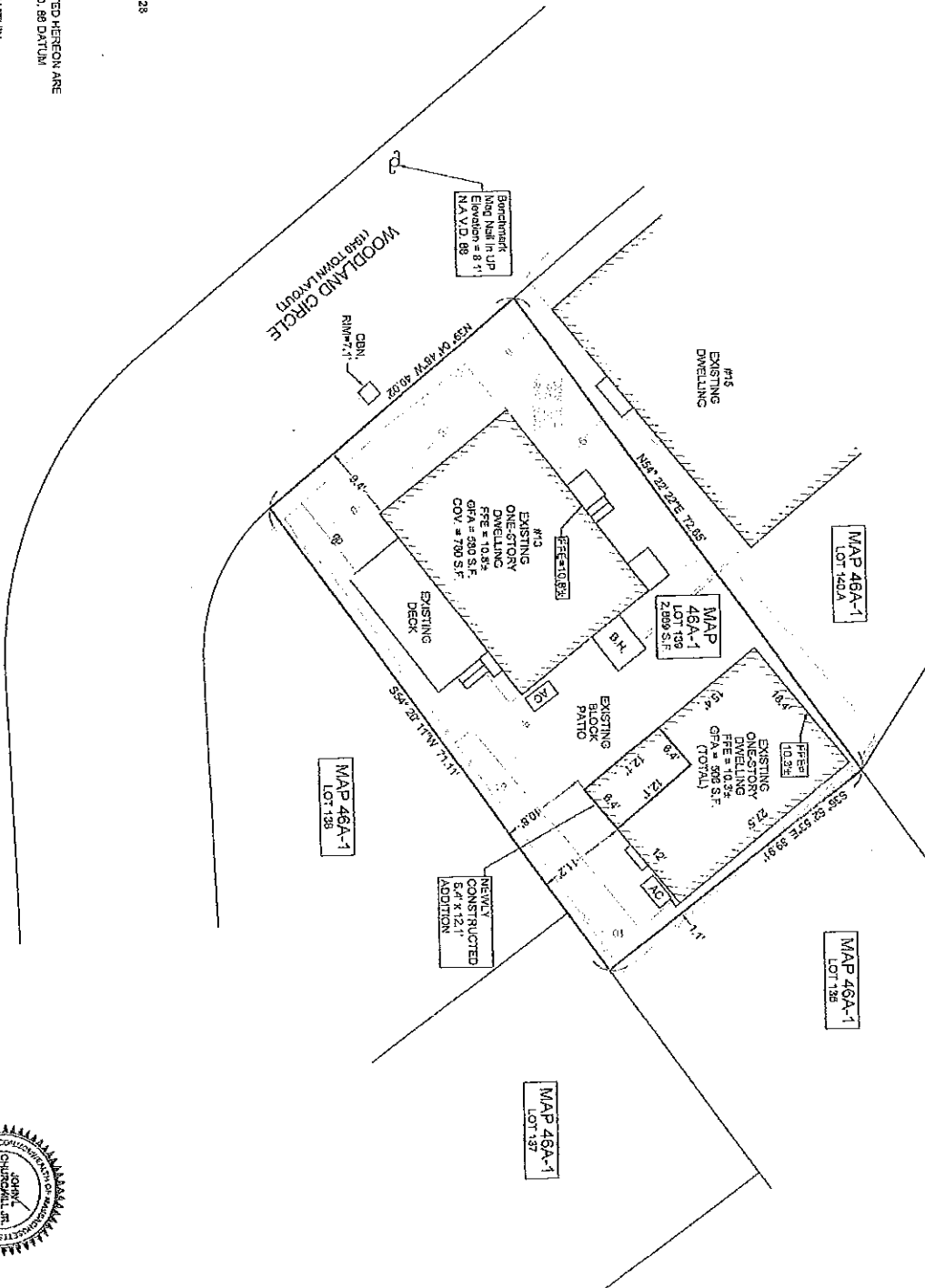
On this 19th day of December 2021, personally appeared before me, the undersigned notary public, Christine M. Cunningham, personally known to me to be the person whose name is signed to the attached document entitled "Quitclaim Deed" and acknowledged to me that she signed it voluntarily for the purposes stated therein and swore and affirmed to me that the contents of said Quitclaim Deed are truthful and accurate to the best of her knowledge and belief.



Sylvia Katsenes
Notary Public
My commission expires
08/23/2024



ZONING DISTRICT: R-30 (TABLE 021 & TABLE 029)	
MIN. LOT SIZE	30,000 S.F.
MIN. FRONT SETBACK	#120'
MIN. SIDE SETBACK	#10'
MIN. REAR SETBACK	#10'
MAX. BUILDING COVERAGE	#20% (71 S.F.)
MAX. FLOOR AREA RATIO	#50% (80 S.F.)
**ANNEPOND ALIGNMENT	
FORMER	AS BUILT
2,980 S.F.	NO CHANGE
40.02'	NO CHANGE
0.4'	NO CHANGE
11.2' (REAR STRUCT.)	NO CHANGE
1.11% (1,200 S.F.)	44.89% (1,288 S.F.)
32.27% (1,000 S.F.)	37.91% (1,089 S.F.)



OWNER OF RECORD:
 SUSAN THOMASSEN
 13 WOODLAND CIRCLE
 WAREHAM, MA 02571
 DEED BOOK 08280, PAGE 28

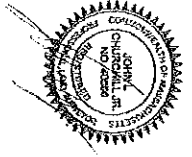
PLAN REFERENCE:
 PLAN BOOK 3, PAGE 03

ELEVATION DATUM:
 THE ELEVATIONS DEPICTED HEREON ARE
 BASED UPON THE NAVD. 88 DATUM

FLOOD ZONE:
 PROPOSED ADDITION IS WITHIN
 FLOOD ZONE AE(1), AS SHOWN
 ON FIRM PANEL 25023C0377.1,
 DATED 7/17/2012

UTILITIES:
 THIS PLAN DOES NOT DEPICT
 EXISTING UTILITY SERVICES.

GRAPHIC SCALE



PROPOSED SITE PLAN
 AT
13 WOODLAND CIRCLE
WAREHAM, MA

PREPARED FOR:
SUSAN THOMASSEN

PREPARED BY:
JC ENGINEERING, INC.
 2854 CRANBERRY HIGHWAY
 EAST WAREHAM, MA 02536



Picture taken on 6/24/22

13 WOODLAND CIR

Location 13 WOODLAND CIR

Mblu 46/A 1/ 139/ 1

Acct#

Owner CUNNINGHAM CHRISTINE M

Assessment \$262,200

Appraisal \$262,200

PID 5830

Building Count 2

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2022	\$191,700	\$70,500	\$262,200

Assessment			
Valuation Year	Improvements	Land	Total
2022	\$191,700	\$70,500	\$262,200

Owner of Record

Owner CUNNINGHAM CHRISTINE M
Co-Owner
Address 1171 WASHINGTON ST
 W NEWTON, MA 02465

Sale Price \$255,000
Certificate
Book & Page 28475/0001
Sale Date 06/18/2004
Instrument UNKQ

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
CUNNINGHAM CHRISTINE M	\$255,000		28475/0001	UNKQ	06/18/2004
WARREN WALTER R	\$1		3597/0050		01/01/1901

Building Information

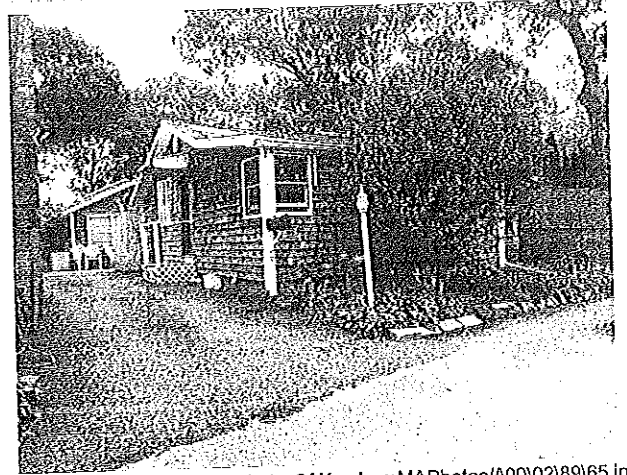
Building 1 : Section 1

Year Built: 1930
Living Area: 580
Replacement Cost: \$161,710
Building Percent Good: 70

Replacement Cost
Less Depreciation: \$113,200

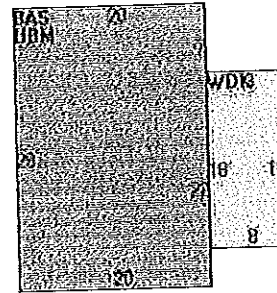
Building Attributes	
Field	Description
Style:	Bungalow
Model	Residential
Grade:	Ave
Stories:	1 Story
Occupancy	1
Exterior Wall 1	Wood Shingle
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asphalt Shing
Interior Wall 1	K Pine/Bead Bd
Interior Wall 2	Drywall
Interior Flr 1	Carpet
Interior Flr 2	
Heat Fuel	Gas
Heat Type:	Flr Frn/Susp
AC Type:	None
Total Bedrooms:	2 Bedrooms
Total Bthrms:	1
Total Half Baths:	0
Total Xtra Fixtrs:	
Total Rooms:	3 Rooms
Bath Style:	Average
Kitchen Style:	Average
# of Fireplaces	
Fireplace Type	
Finish Bsmt SF	
Fin Bsmt Qual	
Num Park	
Fireplaces	
Fndtn Cndtn	
Basement	

Building Photo



(<https://images.vgsi.com/photos2/WarehamMAPhotos/A00102189165.jpg>)

Building Layout



(https://images.vgsi.com/photos2/WarehamMAPhotos/Sketches/5830_583)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	580	580
UBM	Basement Unfin	580	0
WDK	Deck, Wood	144	0
		1,304	580

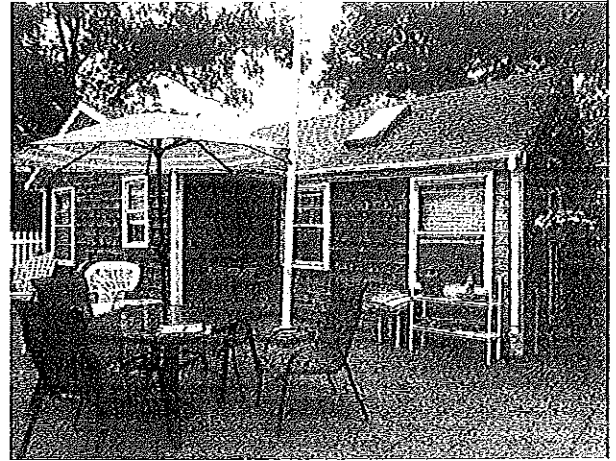
Building 2 : Section 1

Year Built: 1930
 Living Area: 426
 Replacement Cost: \$108,875
 Building Percent Good: 70
 Replacement Cost
 Less Depreciation: \$76,200

Building Attributes : Bldg 2 of 2

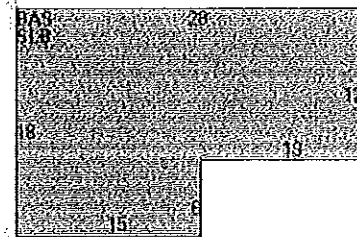
Field	Description
Style:	Bungalow
Model	Residential
Grade:	Ave
Stories:	1 Story
Occupancy	1
Exterior Wall 1	Wood Shingle
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asphalt Shing
Interior Wall 1	Drywall
Interior Wall 2	
Interior Flr 1	Carpet
Interior Flr 2	Linoleum
Heat Fuel	Gas
Heat Type:	Forced Hot Air
AC Type:	None
Total Bedrooms:	2 Bedrooms
Total Bthrms:	0
Total Half Baths:	1
Total Xtra Fixtrs:	
Total Rooms:	3 Rooms
Bath Style:	Average
Kitchen Style:	Average
# of Fireplaces	
Fireplace Type	
Finish Bsmt SF	
Fln Bsmt Qual	
Num Park	
Fireplaces	
Fndtn Cndtn	
Basement	

Building Photo



(<https://images.vgsi.com/photos2/WarehamMAPhotos/A00102189166.jpg>)

Building Layout



(https://images.vgsi.com/photos2/WarehamMAPhotos/Sketches/5830_147)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	426	426
SLB	Slab Fndtn	426	0
		852	426

Extra Features

Extra Features	Legend
No Data for Extra Features	

Land

Land Use

Use Code 1090
 Description MULTI HSES
 Zone R30
 Neighborhood 0060
 Alt Land Appr No
 Category

Land Line Valuation

Size (Acres) 0.06
 Frontage 0
 Depth 0
 Assessed Value \$70,500
 Appraised Value \$70,500

Outbuildings

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
PAT2	PATIO			513.00 S.F.	\$2,300	1

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2022	\$191,700	\$70,500	\$262,200
2021	\$165,300	\$70,500	\$235,800
2020	\$155,000	\$70,500	\$225,500

Assessment			
Valuation Year	Improvements	Land	Total
2022	\$191,700	\$70,500	\$262,200
2021	\$165,300	\$70,500	\$235,800
2020	\$155,000	\$70,500	\$225,500

Statement of Intent

Petitioner: Susan Thomassen

Locus: 13 Woodland Circle

Application for Building Permit to Construct Addition to Dwelling

The Petitioner, Susan Thomassen, purchased the property at 13 Woodland Circle on December 19, 2021. Located on the property are 2 dwellings. According to the records of the Wareham Assessors, both dwellings currently located on the property were built in 1930. The bungalow in the front consists of a 1-story dwelling containing approximately 580 sq. ft., consisting of 3 rooms and 1 full bath. The bungalow in the rear is a 1-story dwelling containing 506 sq. ft. and has a half bath. Both structures are connected to municipal sewerage.

Susan Thomassen, who formerly resided in a home at Point Independence, purchased the property at 13 Woodland Circle with the intention of residing in the front bungalow and having her disabled father reside in the rear bungalow after she modified the rear bungalow to provide a handicap bathroom to accommodate her father.

Shortly after purchasing the property at 13 Woodland Circle, Ms. Thomassen hired a contractor who shortly thereafter commenced construction on the 77 sq. ft. addition to the rear bungalow where a handicap bathroom and a laundry were intended to be located. The contractor proceeded with construction of the addition without first obtaining a building permit from the Town of Wareham. Construction of the addition was suspended pursuant to a Stop Work Order issued by the Building Inspector for failure to obtain the necessary building permit.

Subsequently, Ms. Thomassen retained an engineer to prepare a site plan and an architect to prepare the plans for the bathroom addition, following which Ms. Thomassen applied for a building permit. On October 20, 2022, the Building Commissioner denied the application for building permit and informed Ms. Thomassen that she would need to file an application for a special permit from the Zoning Board of Appeals.

The rear bungalow, which was constructed in 1930, does not comply with current density and dimensional regulations set forth in Article 6 of the Zoning Bylaw; however, the rear bungalow qualifies as a pre-existing, non-conforming, single-family residential structure as defined by Section 1351 of the Zoning Bylaw.

The Petitioner seeks a special permit to allow construction of a 6.4 ft. x 12.1 ft. addition to the structure to accommodate a full bath and laundry. The proposed addition will not increase any dimensional non-conformity; however, the addition would increase the lot coverage and would, therefore, increase the Floor Area Ratio of structures on the lot from 35.2% to 37.9%.

The Petitioner states that this modest alteration or extension will not be substantially more detrimental to the neighborhood than the existing non-conformity; and as a result, the Petitioner requests that the Zoning Board of Appeals grant the special permit under Section 1352 of the Zoning Bylaw.



TOWN of WAREHAM
Massachusetts
BUILDING DEPARTMENT

Paul E. Turner
Director of Inspectional Service

October 20, 2022

Susan Thomassen
13 Woodland Circle
Wareham, Massachusetts, 02571

RE: 13 Woodland Circle

Map 46A-1, Lot 139

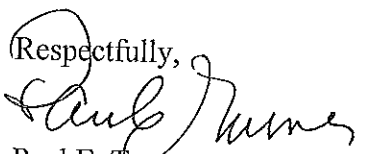
I have reviewed your application for a building permit of the addition under construction on the rear dwelling located at 13 Woodland Circle, Wareham Massachusetts. At this time, I must deny your request.

The as built addition increases the maximum building lot coverage and maximum floor area ratio. Therefore, a Special Permit will need to be secured from the Zoning Board of Appeals to proceed with your request.

Your proposal is being denied under the following sections of the Wareham Zoning By-law:

- **Article 6: Density and Dimensional Regulations, 620 Table of Dimensional Regulations, 621 Residential Districts, Maximum Building Coverage.**
- **Article 6: Density and Dimensional Regulations, 628 Dimensional Standards for Existing Small Lots, Category 1, Floor Area Ratio.**

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

Respectfully,

Paul E. Turner
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.

TOWN OF WAREHAM ABUTTERS
 MAP 46/A-1 LOT 139
 OWNER SUSAN THOMASSEN

MAP & LOT	OWNER	CO-OWNER	STREET ADDRESS	TOWN	STATE	ZIP CODE
46/A-1-111/B	DERANIAN MARCUS & KAREN	C/O KAREN DERANIAN	30 WOODLAND CIR	WAREHAM	MA	02571
46/A-1-112	DERANIAN KAREN TR KULDA FAMILY	C/O KAREN DERANIAN	40 COURT ST 3RD FL	PLYMOUTH	MA	02360
46/A-1-141/B	MARTUCCI DEBRA B		PO BOX 395	SOMERSET	CA	95684
46/A-1-113/B	BROWNE SAMUEL F TRUSTEE +	24 WOODLAND CIR REALTY TRUST	24 WOODLAND CIR	WAREHAM	MA	02571
46/A-1-140/B	GRACIA CHERYL	GRACIA JARROD A	510 BEDFORD ST	NEW BEDFORD	MA	02740
46/A-1-133	GORMAN MICHAEL F		1 WOODLAND CIR	WAREHAM	MA	02571
46/A-1-140/A	MCGEE JOSEPH		15 WOODLAND CIR	WAREHAM	MA	02571
46/A-1-114/B	INFUSSI CLAIRE	INFUSSI RICHARD	9 DAVID WAY	BERKLEY	MA	02779
46/A-1-139	THOMASSEN SUSAN		13 WOODLAND CIR	WAREHAM	MA	02571
46/A-1-138	CALCI JOSEPH & INGE	CALCI STEVEN	31 MARGO RD	BRIGHTON	MA	02135
46/A-1-134	CARADIMOS ROBERT		11 PETER COOPER DR	WAREHAM	MA	02571
46/A-1-135	TAYLOR MARY		5 WOODLAND CIR	WAREHAM	MA	02571
46/A-1-137	BAILEY PHILIP H	MONAN LINDA A	9 WOODLAND CIR	WAREHAM	MA	02571
46/A-1-136	VAULDING CHRISTINE	REDMOND PAUL F TRUSTEES	102 HILMA ST	QUINCY	MA	02171
46/A-1-116	ROY MICHELE E		89 PINEHURST DR	WAREHAM	MA	02571

CERTIFIED ABUTTERS AS THEY APPEAR
 ON OUR TAX ROLLS AS OF 11/15/2022

S. Ronnie Atkins
 ASSESSORS OFFICE

REQUESTED BY
 DENNIS J CONRY, ESQ.
 508 295-7540
 D.CONRY@CONRYLAW.COM/CASTBIZ.NET