

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 \$6.11 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: 7 Mattos Avenue LOT: 110 MAP: 9B
ZONING DISTRICT: CG
USE REQUESTED: Single family Residence
OWNER OF LAND & BUILDING: Francis Ellis Jr TEL.# _____
ADDRESS OF OWNER: 62 Silva Street Dover, MA 02330
PERSON(S) WHO WILL UTILIZE PERMIT: Francis Ellis Jr.
ADDRESS: 62 Silva Street Dover Plymouth
DATE: 11/15/2022 SIGNATURE: [Signature]
This application was received on the date stamped here: Jillian A. Matton, Esq. atty for.

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: Attorney Julian A Matta, for Applicant

Applicant's Address: 184 Main Street Wareham, MA 02571

Telephone Number: 508-295-2522

Cell Phone Number: _____

Email Address: jam@mattajawillc.com

Address of Property/Project: 7 Mattas Avenue,

Landowner's Name: Francis Ellis Jr.

Owner's Address: 62 Shea Street Carver

Telephone Number: c/o Attorney Matta

Contact Person: ↓ Telephone Number: 508-295-2522

Map 110 Lot 9B Zone C6

Date Approved _____ Date Denied _____

Comments: _____

TOWN OF WAREHAM ABUTTERS

MAP 110 LOT 9/B 300'
OWNER FRANCIS ELLIS JR

MAP & LOT	OWNER	CO-OWNER	STREET ADDRESS	TOWN	STATE	ZIP CODE
110-1061/A	PAYZANT WAYNE P		17 MATTOS AVE	WAREHAM	MA	02571
110-1059	TWENTY-SIX TWENTY-EIGHT	CRANBERRY HIGHWAY LLC	2628 CRANBERRY HWY	WAREHAM	MA	02571
110-1061/B	ALVES CECELIA LIFE ESTATE		PO BOX 493	WAREHAM	MA	02571
110-1060	PERKINS RONALD		13 MATTOS AVE	WAREHAM	MA	02571
110-Y3	YOUNG MEN'S CHRISTIAN	ASSOCIATION SOUTHCOAST INC	25 S WATER ST	NEW BEDFORD	MA	02740
110-9/A	SERRANO RENEE A		11 MATTOS AVE	WAREHAM	MA	02571
110-10	SERRANO RENEE A		11 MATTOS AVE	WAREHAM	MA	02571
110-1	MCDOWELL DENISE M TRUSTEE	DENISE M MCDOWELL 2021 REV TRUST	P O BOX 781	E WAREHAM	MA	02538
110-9/B	ELLIS FRANCIS JR		62 SILVA ST	CARVER	MA	02330
110-8	NUNES JOAQUINA & JASON O	MONTEIRO MARY L	5 MATTOS AVE	WAREHAM	MA	02571
110-2	HOBBS WILLIAM C		2640 CRANBERRY HWY	WAREHAM	MA	02571
110/A	NUNES DOUGLAS	C/O JOAQUINA NUNES EXECUTRIX	5 MATTOS AVE	WAREHAM	MA	02571
110-3/A	HOWE SUSAN		2 MATTOS AVE	WAREHAM	MA	02571
110/B	BUMBUS JAMES E		1 MATTOS AVE	WAREHAM	MA	02571
110-1065	JORGE JAMES K	JORGE NELSON E	PO BOX 715	WAREHAM	MA	02571

CERTIFIED ABUTTERS AS THEY APPEAR
ON OUR TAX ROLLS AS OF 11/1/2022

Francis Ellis

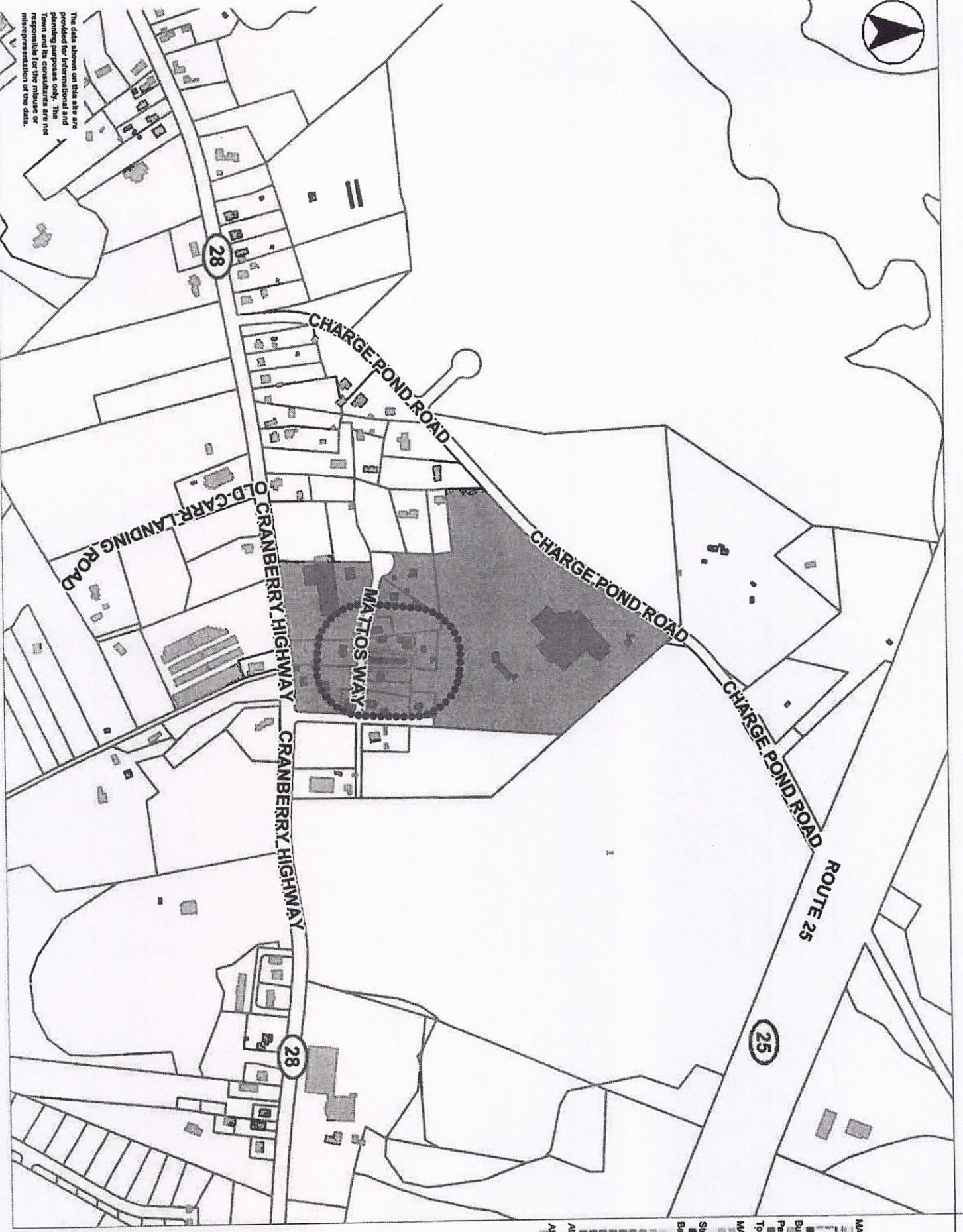
ASSESSORS OFFICE

REQUESTED BY

DEBI PRESCOTT

508 295-2522

DEBI@MORTONLAWLLC.COM



The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.

730

1460 ft

Printed on 11/01/2022 at 08:29 AM

MassOnline by PeopleGIS

- MA Places
 - Fire Station
 - Police Station
 - Town Hall
 - Public Library
 - School
- Buildings
- Parcels
- Town Boundary
- MA Highways
 - Interstate
 - US Highway
 - Numbered Road
- Streets
- Bathymetry
 - 5-10 ft
 - 10-15 ft
 - 15-20 ft
 - 20-30 ft
 - 30-40 ft
 - 40-50 ft
 - 50-60 ft
 - 60-70 ft
 - 70+ ft
- Abutting Town Labels
- Abutting Towns

7 MATTOS AVE

Location 7 MATTOS AVE

Mblu 110 / 9/B /

Acct#

Owner ELLIS FRANCIS JR

Assessment \$74,600

Appraisal \$74,600

PID 11185

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2023	\$0	\$74,600	\$74,600
Assessment			
Valuation Year	Improvements	Land	Total
2023	\$0	\$74,600	\$74,600

Owner of Record

Owner ELLIS FRANCIS JR
 Co-Owner
 Address 62 SILVA ST
 CARVER, MA 02330

Sale Price \$38,000
 Certificate
 Book & Page 47368/0202
 Sale Date 08/26/2016
 Instrument 10

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
ELLIS FRANCIS JR	\$38,000		47368/0202	10	08/26/2016
SILVA ADELINE	\$1		3370/0286		06/07/1967

Building Information

Building 1 : Section 1

Year Built:
 Living Area: 0
 Replacement Cost: \$0
 Building Percent Good:
 Replacement Cost
 Less Depreciation: \$0

Building Attributes	
Field	Description
Style:	Vacant Land
Model	
Grade:	
Stories:	
Occupancy	
Exterior Wall 1	
Exterior Wall 2	
Roof Structure:	
Roof Cover	
Interior Wall 1	
Interior Wall 2	
Interior Flr 1	
Interior Flr 2	
Heat Fuel	
Heat Type:	
AC Type:	
Total Bedrooms:	
Total Bthrms:	
Total Half Baths:	
Total Xtra Fixtrs:	
Total Rooms:	
Bath Style:	
Kitchen Style:	
# of Fireplaces	
Fireplace Type	
Finish Bsmt SF	
Fin Bsmt Qual	
Num Park	
Fireplaces	
Fndtn Cndtn	
Basement	

Building Photo



(<https://images.vgsi.com/photos2/WarehamMAPhotos//00\05\34\77.jpg>)

Building Layout

(https://images.vgsi.com/photos2/WarehamMAPhotos//Sketches/11185_11)

Building Sub-Areas (sq ft)	Legend
No Data for Building Sub-Areas	

Extra Features

Extra Features	Legend
No Data for Extra Features	

Land

Land Use

Use Code 1300
 Description RES ACLNDV MDL-00
 Zone CG
 Neighborhood 0050
 Alt Land Appr No
 Category

Land Line Valuation

Size (Acres) 0.26
 Frontage 0
 Depth 0
 Assessed Value \$74,600
 Appraised Value \$74,600

Outbuildings

Outbuildings	Legend
No Data for Outbuildings	

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2023	\$0	\$74,600	\$74,600
2022	\$0	\$74,600	\$74,600
2021	\$0	\$74,600	\$74,600

Assessment			
Valuation Year	Improvements	Land	Total
2023	\$0	\$74,600	\$74,600
2022	\$0	\$74,600	\$74,600
2021	\$0	\$74,600	\$74,600





JC ENGINEERING, Inc.
Civil & Environmental Engineering
2854 Cranberry Highway
East Wareham, Massachusetts 02538
Ph. 508-273-0377—Fax 508-273-0367

September 12, 2022

Town of Wareham
Building Commissioner
Attn: Paul Turner
54 Marion Road
Wareham, MA 02571

RE: 7 Mattos Avenue, Wareham, MA

Dear Mr. Turner,

On behalf of the property owner, Francis Ellis, Jr., please find attached a copy of the Proposed Site Plan located at 7 Mattos Avenue, as prepared by JC Engineering in December 2016 for the demolition and reconstruction of a single-family dwelling. Mr. Mattos is anticipating rebuilding a single-family dwelling on this property that has previously been torn down. I have also included a copy of the Septic As-built showing the new septic system that was installed for the new dwelling that was to be razed and rebuilt.

Although JCE was not involved in obtaining building permits, we are aware that Mr. Mattos inquired numerous times to obtain a building permit from multiple previous inspectors. Due to the frequent turnover of Building Commissioners that has taken place since the preparation of these plans, I believe Mr. Mattos has not been able to complete this process under one Building Commissioner which has further complicated this process. I am also aware that a Variance application was prepared and submitted by Mr. Mattos for the construction of a duplex, which was denied by the ZBA, but this was completed prior to the demolition of the house and foundation. Also, there were some overdue taxes that needed to be paid prior to the issuance of building permit, so I assume there was some delay in getting those taxes paid.

At this time, I feel it is necessary to formally resubmit the attached plans for your review so that a formal determination can be issued. We are requesting a determination from your department as to whether a simple building permit can be applied for by Mr. Mattos and/or his contractor, or if a permit is necessary from the Zoning Board of Appeals.

Please contact me anytime if you want to discuss further.

Sincerely,

Bradley M. Bertolo, EIT, CSE
Project Engineer

MASSACHUSETTS EXCISE TAX
Plymouth District ROD #11 001
Date: 08/25/2016 01:27 PM
Ctrl# 094817 01743 Doc# Plymouth County Regis
Fee: \$173.28 Cons: \$38,000.00

QUITCLAIM DEED

I, **WALTER B. SILVA JR.**, individually and as executor under the Will of Adeline Silva, referenced below, of 432 Gatehouse Drive, East Wareham, Plymouth County, Massachusetts 02538 and Catherine F. Vasconcelos, as tenant in common, of Pawtucket, Rhode Island, for consideration paid and in full consideration **THIRTY EIGHT THOUSAND & 00/100 DOLLARS (\$38,000.00)** grant to **FRANCIS ELLIS JR.**, an individual, of 62 Silva Street, Carver, Plymouth County, Massachusetts 02330 with **QUITCLAIM COVENANTS**

the land in Wareham, Plymouth County, Massachusetts and being Lot 9B as shown on plan entitled "Plan of land in Wareham, Mass plotted for Ben Silva and Mary Silva, Wareham, Mass., Scale 1" = 40', July 16, 1963, by Arthur C. Thompson, Engineer & Land Surveyor, Marion, Mass." recorded with the Plymouth County Registry of Deeds in Book 5252, Page 440, to which plan reference may be had, bounded and described as follows:

- NORTHERLY by Lot 10, as shown on said plan, Fifty-four and no/100 (54.0) feet;
- EASTERLY by Lot 8, as shown on said plan, Two hundred and 60/100 (200.60) feet;
- SOUTHERLY by First Avenue, as shown on said plan, Sixty and no/100 (60.0) feet;
- WESTERLY by Lot 9A, as shown on said plan One ninety-eight hundred and 89/100 (198.89) Feet.

Together with all rights, privileges and easements connected therewith and subject to restrictions and easements of record and hereby conveyed subject to any building and zoning law requirements which may be in force and applicable.

Meaning and in lending to convey that premises described in that certain Deed of Benjamin M. Silva and Mary L. Silva to Walter Silva and Adeline Silva dated June 7, 1967 and recorded in Plymouth County Registry of Deeds, Book 3370, Page 286.

Grantor does hereby expressly and voluntarily release all rights of homestead, if any, as set forth in MGL Chapter 188 and state that there are no other person or persons entitled to any homestead rights in the premises.

GRANTOR TITLE: see Deed recorded with the Plymouth County Registry of Deeds in Book 3370, Page 286, and also Adeline Silva Probate Docket No. 91P1443-E1

After recording mail to:
Walter B. Silva Jr.
432 Gatehouse Drive
East Wareham, MA 02538

11 VC 1 WAREHAM

PROPERTY ADDRESS: Now known as 7 Mattos Avenue, Wareham, Plymouth County, Massachusetts

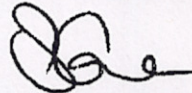
WITNESS our hands and seals this 12 day of August, 2016.

Catherine Vasconcelos
Catherine F. Vasconcelos

STATE OF RHODE ISLAND

Providence County, ss.

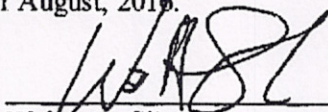
On this 12 day of August, 2016, before me, the undersigned notary public, personally appeared Catherine F. Vasconcelos, proved to me through satisfactory evidence of identification which was Rhode Island state id card, to be the person whose name is signed on the preceding document and acknowledged to me that she signed it voluntarily for its stated purpose and stated that the information contained herein is accurate to the best of her knowledge and belief.



Notary Public: SONIA GRACE
My Commission Expires: 7/1/2018
[affix Notarial Seal]

PROPERTY ADDRESS: Now known as 7 Mattos Avenue, Wareham, Plymouth County, Massachusetts

WITNESS our hands and seals this 08/25/26 day of August, 2016.

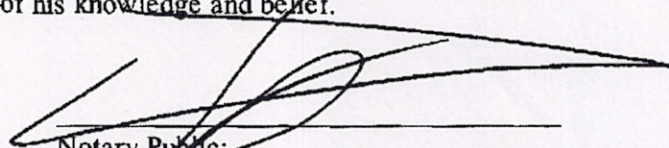


Walter B. Silva Jr.

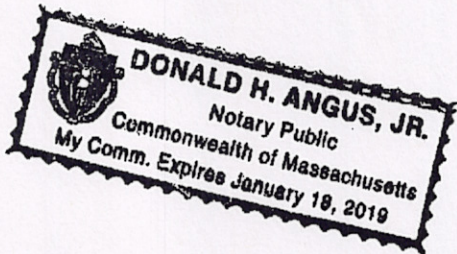
COMMONWEALTH OF MASSACHUSETTS

Plymouth County, ss.

On this 25 day of August, 2016, before me, the undersigned notary public, personally appeared Walter B. Silva Jr, proved to me through satisfactory evidence of identification which was MASSACHUSETTS DRIVERS LICENSE, to be the person whose name is signed on the preceding document and acknowledged to me that he signed it voluntarily for its stated purpose and stated that the information contained herein is accurate to the best of his knowledge and belief.



Notary Public
My Commission Expires:
[affix Notarial Seal]





TOWN of WAREHAM
Massachusetts
BUILDING DEPARTMENT

Paul E. Turner
Director of Inspectional Service

October 5, 2022

Mr. Bradley Bertolo
JC Engineering, Inc.
2854 Cranberry Hwy.
East Wareham, Massachusetts, 02538

Map 110, Lot 9B

RE: 7 Mattos Avenue

I have reviewed your proposal to construct a single family dwelling at 7 Mattos Avenue, Wareham Massachusetts. At this time, I must deny your request.

The proposed single family home is not allowed in the Commercial General zoning district. Therefore, a Variance 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 3: Use Regulations, 320 Table of Principle Use Regulations, Residential Uses, 1-family detached dwelling**
-

The subject dwelling is located in the CG 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.

Find Properties

Owner: Enter Owner

Parcel ID: Enter Parcel ID

Address: MATTOS AVENUE #

Clear

Results Summary

Parcel ID	Address	Owner
110/B	1 MATTOS AVE	BUMBUS JAMES E
110-3/A	2 MATTOS AVE	HOWE SUSAN
110/A	3 MATTOS AVE	NUNES DOUGLAS
110-8	5 MATTOS AVE	NUNES JOAQUINA
110-1	6 MATTOS AVE	ANDREWS DENISE
110-9/B	7 MATTOS AVE	ELLIS FRANCIS JR
110-9/A	11 MATTOS AVE	SERRANO RENEE

Detail Information

Zoom To

LAND_ASSES 74600
 Owner Name ELLIS FRANCIS JR
 CO_OWNER
 MAIL_ADDR 62 SILVA ST
 MAIL_ADDR2

