



This form was received on the date stamped here:

TOWN OF WAREHAM

ZONING BOARD OF APPEALS APPLICATION FOR A:

- VARIANCE
SPECIAL PERMIT
SITE PLAN REVIEW
APPEAL

Certain uses are allowed in 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. Permits may be issued only after a public hearing. To apply for a public hearing for a Permit from the Zoning Board of Appeals, please do the following:

- Complete this form.
Read information packets. (Directions attached)
Submit application form and packet of information to Town Clerk for signature.
Submit application form to Town Collector for signature.
Submit completed form, packets, and appropriate fees** to the Planning and Community Development Office.

** See Directions for fees, or ask at the Planning and Community Development Office.

I hereby apply for a [check applicable]: [X] Variance [] Special Permit [] Site Plan [] Appeal for a use at the following place:

STREET & NUMBER: 11 Lake Avenue MAP: 121 LOT: 789.772 783.786
ZONING DISTRICT: R-130
USE REQUESTED: Dwelling addition
OWNER OF LAND & BUILDING: William Casper
ADDRESS OF OWNER: (same as above)
PERSON(S) WHO WILL UTILIZE PERMIT: (same as above)
ADDRESS: (same as above)
DATE: 8/9/23 SIGNATURE: William J. Casper

WAREHAM TOWN CLERK 2023 AUG 15 AM 9:48

Town Clerk: Date:
Tax Collector: Daniela Cambria Date: 8-10-23
Planning/Zoning Dept.: Sonia Raposo Date: 8.15.23
Application fee paid: 300.00 Check #: 112 Receipt:
Advertising fee paid: 150.00 Check #: 113 Receipt:
Abutters fee paid: 215.40 Check #: 1654 Receipt:

APPLICANT/CONTRACTOR/REPRESENTATIVE INFORMATION SHEET

Check Applicable: _____ Special Permit _____ Site Plan _____ Appeal _____

Date stamped in: _____ Date decision is due _____

Applicant's Name: William Cooper

Applicant's Address: 11 Lake Avenue Wareham

Telephone Number: 774 265.3977

Cell Phone Number: " " "

Email Address: mwl1984@aol.com

Address of Property/Project: 11 Lake Avenue Wareham

Landowner's Name: William Cooper

Owner's Address: 11 Lake Avenue Wareham

Telephone Number: 774 265.3977

Contact Person: Frank Westgate Telephone Number: 505 275-8200

Map 121 Lot 769-772 Zone R-130
753-756

Date Approved _____ Date Denied 7/27/2013

Comments: See attached letter from
F.W. Westgate & Associates dated 8/09/13
See attached letter from owner



TOWN of WAREHAM

Massachusetts

BUILDING DEPARTMENT

Paul Turner
Director of Inspectional Services

July 27, 2023

Mr. William Cooper
11 Lake Avenue
Wareham, Massachusetts 02538

RE: 11 Lake Avenue / Map 121, Lot 769

Mr. Cooper,

I have reviewed your Building Permit application B-23-452, submitted July 20, 2023 to construct an accessory apartment with a garage under located at 11 Lake Avenue, Wareham, Massachusetts. At this time I must deny your request.

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

Article 3: Use Regulations;

330 Table of Accessory Use Regulations, Residential Uses, Accessory apartment, R-130. The use is prohibited in the district.

340.4, Residential Uses, Accessory Apartment (Definition).

Accessory Apartment: Is a second dwelling unit located within or attached to a structure originally designed, constructed and occupied as a detached single-family dwelling unit in a manner that maintains the appearance of the structure as a detached single-family home.

Article 16: Definitions;

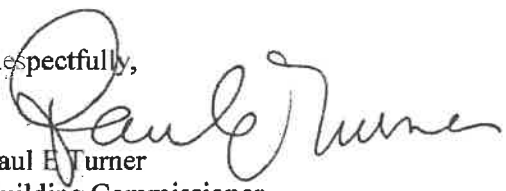
Accessory Use: A use incidental and subordinate to the principle use of a structure or lot, or a site, not the principal use, which is located on the same lot as the principal structure. Accessory use by area shall be interpreted not to exceed 40 percent of the area to total use of the structure and/or lot on which it is located.

Your principle structure is 1008sqft of living area and your accessory use is 720sqft of living area resulting in a 71% ratio of accessory use area.

Therefore a Variance must be applied for and secured from the Wareham Zoning Board of Appeals in order to proceed with your request.

The subject dwelling is located in R-130 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.

Deed

We, **Hardy Fischer and Carolyn A. Fischer**
of **11 Lake Avenue, East Wareham, Massachusetts 02538**
in consideration of **\$118,000.00 (One Hundred Eighteen Thousand and 00/100)**
grant to **William J. Cooper and Joan M. Cooper, Husband and Wife, as Tenants by the Entirety**
of **11 Lake Avenue, East Wareham, Massachusetts 02538** with quitclaim covenants
See Exhibit A Attached Hereto and Made a Part Hereof

Executed as a sealed instrument this 24th day of August, 1998.

Hardy Fischer _____
Hardy Fischer
Carolyn A. Fischer _____
Carolyn A. Fischer

Commonwealth of Massachusetts

Plymouth, ss: 24th day of August, 1998

Then personally appeared the above-named **Hardy Fischer and Carolyn A. Fischer**, and acknowledged the foregoing to be their free act and deed before me.

[Signature] (Seal)
Notary Public
My Commission Expires:

Helen P. Burgess
NOTARY PUBLIC
My Commission Expires Nov. 6, 1998

DEEDS REG 18
PLYMOUTH
08/24/98
TAX 538.00
CHCK 538.00
6967A009 13140
EXCISE TAX
CANCELLED

EXHIBIT "A"

The land with the buildings thereon now known as and numbered **11 Lake Avenue, East Wareham, Plymouth County, Commonwealth of Massachusetts**. Said premises are shown as lots numbered **769, 770, 771, 772, 783, 784, 785** and **786** on Sheet 5 of Subdivision Plan #8702B, dated June 15, 1926, drawn by **Frederick O Smith**, surveyor, Registered with Plymouth Registry District of Land Court, as Plan Number **8702B**, filed with Certificate of Title Number **2383**.

Said premises are conveyed subject to and with the benefit of easements, restrictions, reservations and rights of way of record so far as the same are now in force and applicable.

Meaning and intending to convey and hereby conveying with Quitclaim Covenants the premises conveyed to the Grantors by Deed dated September 19, 1985, registered with Plymouth County Registry of Deeds, Document 24S313, and see Certificate of Title Number 72048.

Property Address:

11 Lake Avenue
East Wareham, Massachusetts 02538



Fwestgate@aol.com

[Sent from Yahoo Mail on Android](#)



22 abutters

MAP 121 LOT 769
OWNERS WILLIAM J & JOAN M COOPER

MAP & LOT	OWNERS	STREET ADDRESS	TOWN & STATE	ZIP CODE
121-0-1091	MACOMBER KELLY,	21 BOYSENBERRY RD,	E WAREHAM, MA	02538
121-0-1093	DAUS BONNIE G,	22 BARKER RD,	E WAREHAM, MA	02538
121-0-1098	BENJAMIN MICHELE,	18 BARKER ROAD,	E WAREHAM, MA	02538
121-0-1109	OHEARN HELENE M, OHEARN JOHN R	15 BARKER RD,	E WAREHAM, MA	02538
121-0-1123	SAUNDERS TERENCE P,	36 BARKER RD,	E WAREHAM, MA	02538
121-0-255	COUGHLIN PAUL A, COUGHLIN PATRICIA A	10 PLYMOUTH AVE,	E WAREHAM, MA	02538
121-0-257	OBRIEN LAWRENCE E JR & PATRICIA, GANICK & O'BRIEN	95 DIXWELL AVE,	QUINCY, MA	02169
121-0-260	NIMESKERN PHILLIP WILLIAM, GAGER MICHAEL G	110 MALLARD WAY,	WALTHAM, MA	02453
121-0-265	HUSTON DENNIS L, HUSTON JOANNE B	PO BOX 924,	E WAREHAM, MA	02538-0924
121-0-269	PECK PATRICIA S, C/O PETER PELDZIUS	PO BOX 593,	WAREHAM, MA	02571
121-0-270	SAYWARD DAVID A,	2 PLYMOUTH AVE,	E WAREHAM, MA	02538
121-0-426	PAPPAS JAMES	750 N BEDFORD ST	E BRIDGEWATER, MA	02333
121-0-431	LABRECQUE RAY R,	46 LAFAYETTE ST,	RANDOLPH, MA	02368
121-0-433	WESTON BRANDON, WESTON BEGHAN	4 LAKE AVE,	E WAREHAM, MA	02538
121-0-758	IRELAND MELANIE A,	31 BOYSENBERRY RD,	E WAREHAM, MA	02538
121-0-763	FLECK MICHAEL J, FLECK RACHEL P	25 LAKE AVE,	E WAREHAM, MA	02538
121-0-765	WIGHTMAN SEAN,	21 LAKE AVE,	E WAREHAM, MA	02538
121-0-769	COOPER WILLIAM J, COOPER JOAN M	11 LAKE AVE,	E WAREHAM, MA	02538
121-0-773	BROUSSEAU ROGER N,	1 LAKE AVE,	E WAREHAM, MA	02538
121-0-453	SALTALAMACCHIA JENNIFER	3 BOYSENBERRY RD	E WAREHAM, MA	02538
128A-0-1750	ALMEIDA JOHN, ALMEIDA MELISSA	205 TREMONT ST	CARVER, MA	02330
128A-0-1753	ZIINO STEPHEN E, ZIINO MARY E	7 PLYMOUTH AVE,	E WAREHAM, MA	02538

CERTIFIED ABUTTERS AS THEY APPEAR
ON OUR TAX ROLLS AS OF 8/9/2023

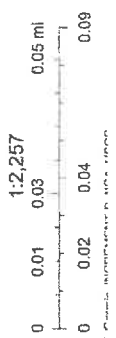

ASSESSORS OFFICE

REQUESTED BY
FRANK WESTGATE
774 505-0074
FWESTGATE@AOL.COM



8/9/2023, 8:30:30 AM

Parcels with CAMA Data — PWater — Public Road
 Parcel Lines — Priority Line Miscellaneous Lines



TO WHOM IT MAY CONCERN:

I, Wiliam J. Cooper, am writing this letter to explain the reasons for a Request for a Variance to allow an addition to my home at 11 Lake Avenue in East Wareham.

I currently live with my wife and daughter, along with her partner who has a son with disabilities whom he shares custody with. They have been searching for a home in the Wareham area for the last several years but, due to the housing market, have been unsuccessful.

My daughter is expecting a child at the end of this year and will need space for her growing family. Due to the high costs of homes and living in the area, we are all residing together ... along with an indoor cat and dog .

My wife and I are already in declining health and In the coming months will be on a fixed social security disability income. Financially it would make life easier if we could continue living together. The proposed addition would provide separate and private space for my wife and I while staying close to my daughter and her growing family.

The granting of this variance would provide emotional comfort and needed assistance as we age.

Respectfully,



William J. Cooper

08/09/23