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# THE LAW OFFICES OF BELLO & MORTON, LLC

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184 Main Street Wareham, Massachusetts 02571 · 508-295-2522

June 12, 2023

Wareham Zoning Board of Appeals  
54 Maron Road  
Wareham, MA 02571

Re: Variance Application for Raymond Young; Property Located at 2406 Cranberry Highway, Wareham, MA 02571; Assessor's Map 108, Lot A

Dear Members of the Board of Appeals:

Please find enclosed the following information and exhibits:

1. Petitioner:

Raymond Young  
280 Ayer Road  
Harvard, MA 01450

2. Recorded Owner:

2406 Cranberry Highway, LLC  
280 Ayer Road  
Harvard, MA 01450

3. Current Deed:

Plymouth County Registry of Deeds Book 55224, Page 296, Deed attached as Exhibit A.

4. Building Inspector's Denial Letter:

Denial Letter attached here as Exhibit B from the Building Commissioner referencing Appeal to Zoning Board of Appeal.

5. Certified Abutters List:

Copy Attached as Exhibit C.

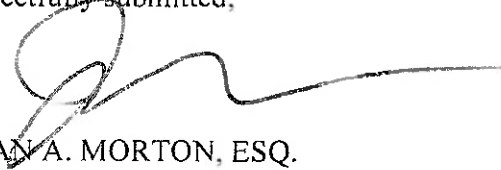
6. Site Layout Plan:

Copy Attached as Exhibit D.

7. Sign Rendering:

Copy Attached as Exhibit E.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Julian A. Morton', with a long horizontal flourish extending to the right.

JULIAN A. MORTON, ESQ.

508-295-2522

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. (Directions attached)
- 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 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 \$100.00.

\*\*The applicant will also be responsible for the costs of sending out abutter notifications by Certified Mail. The cost is \$6.90 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: 2406 Cranberry Hwy LOT: 108 MAP: A

ZONING DISTRICT: IND

USE REQUESTED: \_\_\_\_\_

OWNER OF LAND & BUILDING: 2406 Cranberry Highway, LLC TEL.# \_\_\_\_\_

ADDRESS OF OWNER: 280 Ayer Rd, Harvard, MA 01450

PERSON(S) WHO WILL UTILIZE PERMIT: Raymond Young

ADDRESS: 280 Ayer Rd, Harvard, MA 01450

DATE: 6/11/2009 SIGNATURE: \_\_\_\_\_

This application was received on the date stamped here:

*atby for applicant*

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: Raymond Young

Applicant's Address: C/O Julian Morton, Esq., 184 Main

Telephone Number: St. Wareham, MA 02571 - 508-295-2522

Cell Phone Number: \_\_\_\_\_

Email Address: jam@mortonlawllc.com

Address of Property/Project: 2406 Cranberry Highway

Landowner's Name: 2406 Cranberry Highway, LLC

Owner's Address: 280 Ayer Rd., Harvard, MA 01450

Telephone Number: N/A

Contact Person: Julian Morton Telephone Number: 508-295-2522

Map 108 Lot A Zone IND

Date Approved \_\_\_\_\_ Date Denied \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# EXHIBIT A

**QUITCLAIM DEED**

**PETER GERRY WAREHAM, LLC**, a Massachusetts Limited Liability Company having its place of business at 275 East Main Street, Orange, MA 01364

for consideration paid, and in full consideration of Five Hundred Twenty-Five Thousand and 00/100 Dollars (\$525,000.00)

Grant to **2406 CRANBERRY HIGHWAY, LLC**, a Massachusetts Limited Liability Company have a place of business at 280 Ayer Road, Harvard, MA 01451

with QUITCLAIM COVENANTS

A certain parcel of land containing 38,640 square feet, more or less, located on the Easterly Side of Cranberry Highway, Wareham, Plymouth County, Massachusetts, and being shown as Parcel "A" on a plan entitled "Plan of Land to be conveyed by Alfred H. Hermanson & John W. Hermanson, Cranberry Highway, Wareham, Mass., Scale 1"=40', May 7, 1968, Walter E. Rowley & Assoc., Wareham, Mass." and recorded with the Plymouth County Registry of Deeds as Plan No. 299 of 1968 in Book 3444, Page 357, to which plan referenced may be had for a more particular description of the premises.

Being the same premises conveyed to the GRANTOR by deed of National Bakery Industrial Owner, LLC dated November 26, 2013 and recorded with the Plymouth County Registry of Deeds, Book 43907, Page 249 as confirmed by Confirmatory Quitclaim Deed dated January 17, 2014 and recorded in said Deeds in Book 44049, Page 284.

The Grantor hereby certifies that this conveyance does not represent a sale or transfer of all or substantially all of the assets of the Grantor LLC in Massachusetts.

\*\*\* Electronic Recording \*\*\*  
Doc#: 00073965  
Bk: 55224 Pg: 296 Page: 1 of 2  
Recorded: 06/29/2021 09:32 AM  
ATTEST: John R. Buckley, Jr. Register  
Plymouth County Registry of Deeds

\*\*\*\*\*  
MASSACHUSETTS EXCISE TAX  
Plymouth District ROD #11 001  
Date: 06/29/2021 09:32 AM  
Ctrl# 147358 32427  
Fee: \$2,394.00 Cons: \$525,000.00  
\*\*\*\*\*

2406 Cranberry Highway, Wareham, MA

Executed as a sealed instrument this 21<sup>st</sup> day of June, 2021

PETER GERRY WAREHAM, LLC

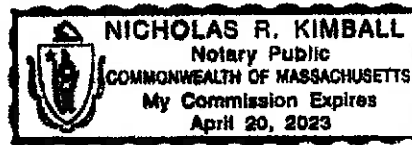
By: *Peter A Gerry*  
PETER A. GERRY, Person authorized

COMMONWEALTH OF MASSACHUSETTS

Franklin, ss.

On this 21<sup>st</sup> day of June, 2021 before me, the undersigned notary public, personally appeared Peter A. Gerry, proved to me through satisfactory evidence of identification, which was \_\_\_\_\_ driver's license,  personal knowledge or \_\_\_\_\_ (other form of identification) to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as Person Authorized of Peter Gerry Wareham, LLC.

\_\_\_\_\_  
Notary Public  
My Commission Expires:



# EXHIBIT B





# TOWN of WAREHAM

*Massachusetts*

## BUILDING DEPARTMENT

Paul Turner  
Director of Inspectional Services

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May 15, 2023

Mr. Raymond Young  
280 Ayer Road  
Harvard Ma, 01451

**RE: 2406 Cranberry Highway / Map 108, Lot A**

Mr. Young,

I have reviewed your Building Permit application S-23-13, submitted May 4, 2023 with a description of work stating "new pylon sign" located at 2406 Cranberry Highway, Wareham, Massachusetts. Your proposed digital display section of the sign could potentially contain the items listed in sections 1162 and 1163 of the Zoning Bylaws, which are prohibited. The maximum square footage allowed on this site for a free standing sign is fifty (50) square feet, the proposed is 99.68 square feet. At this time I must deny your request at this time.

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

**Article 11: Signs**

**1160 Prohibited Signs;**

**1162.** Signs which contain or consist of pennants, ribbons, streamers, spinners, other moving devices, strings of lights or similar devices are prohibited.

**1163.** Signs which have blinking, flashing or fluttering lights or other illuminating devices which have a changing light intensity, brightness or color, are prohibited.


**1172 Signs in Business and Commercial Districts;**

Paragraph 2. Principal Signs, note 3; A free standing sign shall not exceed fifty (50) square feet of area when the establishment fronts on Route 28, or more than (25) square feet of area when the establishment fronts on a street other than Route 28. No more than one free standing sign shall be permitted on a lot. A free standing sign shall not extend over a public way.

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

The subject dwelling is located in **IND** 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.**

# EXHIBIT C

TOWN OF WAREHAM ABUTTERS

MAP 108 LOT A 300'

OWNER 2406 CRANBERRY HIGHWAY LLC

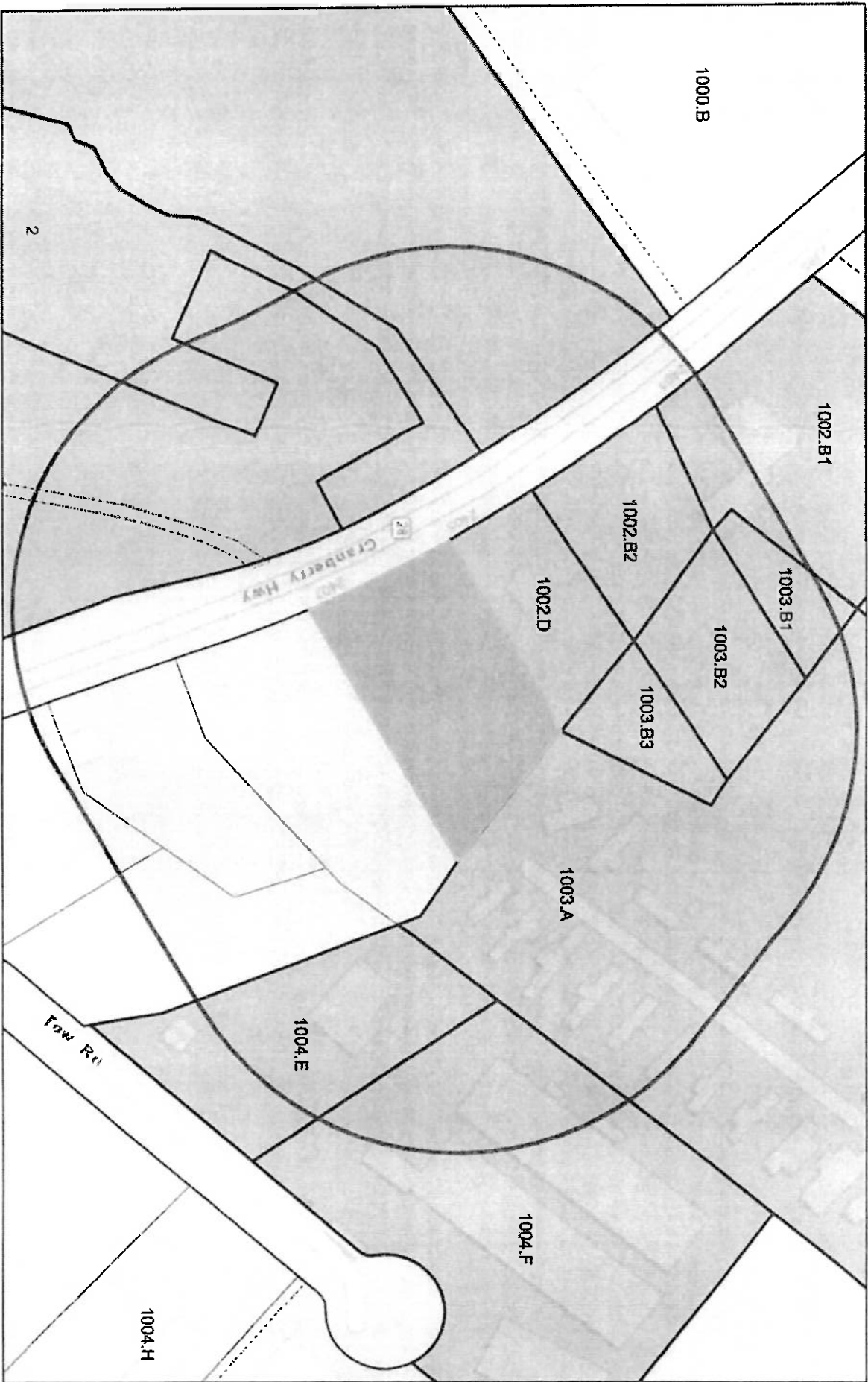
MAP & LOT	OWNERS	STREET ADDRESS	TOWN & STATE	ZIP CODE
108-0-.A	2406 CRANBERRY HIGHWAY LLC	280 AYER RD	HARVARD, MA	01451
108-0-1002.B1	WAREHAM DEVELOPMENT LLC + JB WAREHAM LLC + BOURNE ACQUISITION LLC + 2527 LLC	670 N COMMERCIAL ST	MANCHESTER, NH	03801
108-0-1003.A	GREAT HILL CORP,	200 NORTON AVE,	TAUNTON, MA	02780
108-0-1004.E	FARES REALTY CORP,	156 MAIN ST,	BUZZARDS BAY, MA	02532
108-0-1004.F	UPLAND STORAGE & DEVELOPMENT, CORPORATION	PO BOX 881,	WAREHAM, MA	02576
87-0-2	S&H REALTY LLC, C/O WALMART ATTN PROPERTY TAX DEPT	PO BOX 8050 MS 0555	BENTONVILLE, AZ	72716
87-0-1	WAREHAM RETAIL MANAGEMENT LLC,	30200 TELEGRAPH RD STE 205,	BINGHAM FARMS, MI	48025
87-0-1000.A2	BLISS FAMILY FOUNDATION TO, C/O PETER LATHAM	PO BOX 721,	WAREHAM, MA	02571
108-0-2.A	ALPHA REALTY HOLDINGS LLC	280 AYER RD	HARVARD, MA	01451
108-0-1.A	2416 CRANBERRY HWY LLC + NOURIA ENERGY CORP	ATTN ACCOUNTS PAYABLE 326 CLARK ST	WORCESTER, MA	01606
108-0-3.A	2180 BOSTON PROVIDENCE TRPE + ASSOCIATES LLC	2180 BOSTON PROVIDENCE TRPE	WALPOLE, MA	02081
108-0-1002.A	LEGACY GREAT HILLS ESTATE LLC	10810 N TATUM BLVD STE 102-301	PHEONIX, AZ	85028

CERTIFIED ABUTTERS AS THEY APPEAR  
ON OUR TAX ROLLS AS OF 5/25/2023

*Cheryl Silva*  
ASSESSORS OFFICE

REQUESTED BY  
CHERYL SILVA  
508 295-2522  
CHERYL@MORTONLAWLLC.COM

# ArcGIS Web Map



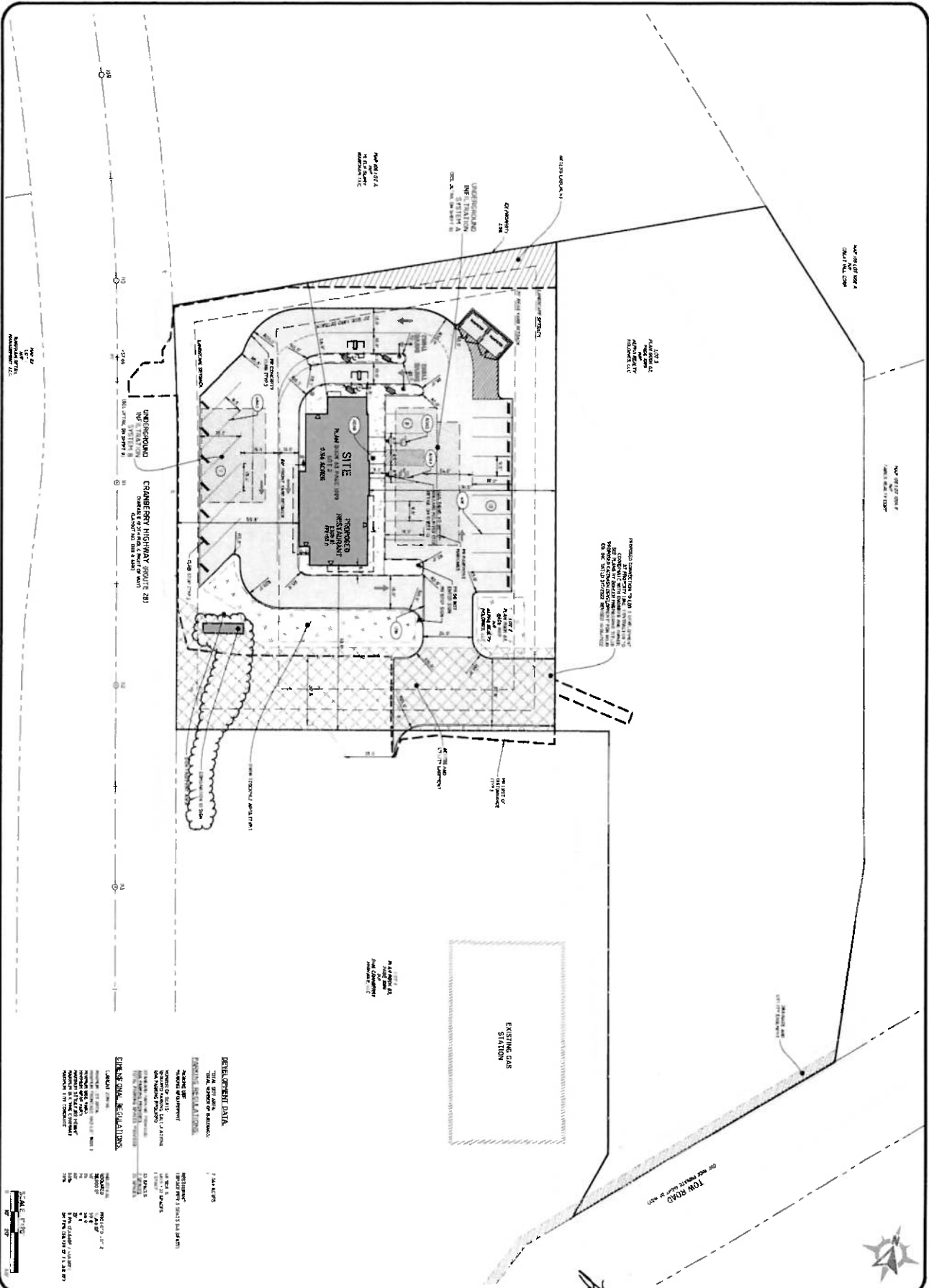
5/25/2023, 1:16:10 PM

- Parcels with CAMA Data
- Property Line
- MiscPolys
- Parcel Lines
- Public Road
- Private Road ROW
- Right of Way
- Common Line



Esri, HERE, Garmin, INCREMENT P, NOAA, USGS

# EXHIBIT D



**SITE LAYOUT PLAN**  
**CRANBERRY HIGHWAY**  
 PLANK ROAD 60 PACE CORP.  
 WAREHOUSES MASSACHUSETTS  
 THE PARK NETWORK  
 100 HIGHLAND ROAD, SUITE 500, NEW JERSEY 07037  
 TEL: 908-531-8100

DATE: 08/11/10  
 DRAWN BY: B.E.C.  
 CHECKED BY: B.E.C.  
 PROJECT NO.: 10-001  
 SHEET NO.: 6 OF 6

**DiPrete Engineering**  
 190 Washington Street, Suite 200, Dedham, MA 02026  
 Tel: 617-328-0000 Fax: 617-328-0006 www.diprete-eng.com  
 Boston • Providence • Newport

**GENERAL NOTES:**

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT UNLESS OTHERWISE NOTED.
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**EXISTING DATA:**

- 1. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT UNLESS OTHERWISE NOTED.
- 2. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT UNLESS OTHERWISE NOTED.
- 3. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT UNLESS OTHERWISE NOTED.
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- 9. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT UNLESS OTHERWISE NOTED.
- 10. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT UNLESS OTHERWISE NOTED.

# EXHIBIT E

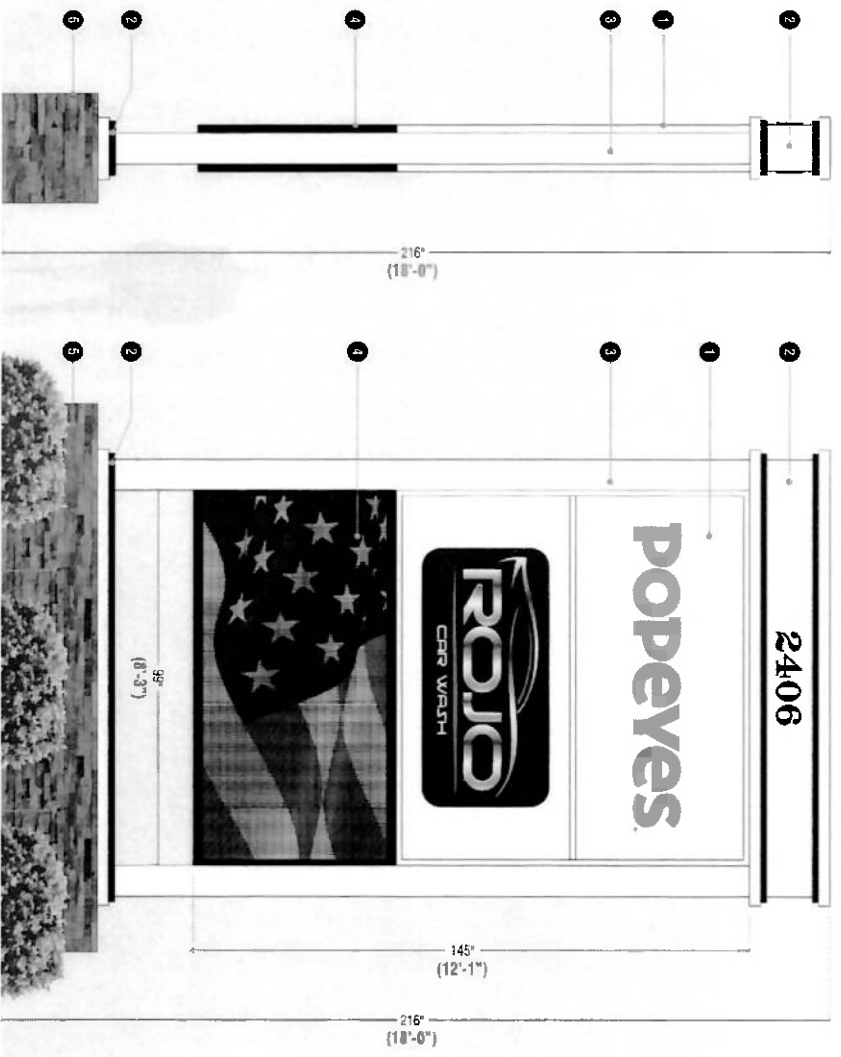


**Pylon Sign**

Quantity: 1 Double-Sided  
 18'-0" HxAG

- 1 Sign Cabinet (Internally Illuminated / LED) (63.25 SF Total)
  - 1x12' Exposed Aluminum Cabinet (Painted White)
  - 2x16" Wiring and Control Bar (Painted White)
  - 1x16" Vinyl Level Panel
  - 1x16" Vinyl Graphics (Contour Cut)
- 2 Header / Footer (Alu-Clay/White)
  - 2 sq. inch Aluminum Trims (Painted White)
  - 3 Square Channel Bezel (Top/Bottom) (Painted White)
  - 1.5" Sq. inch Aluminum Stop Bezel (Painted PMS 289C)
  - 1x60" Aluminum Skating / Pedestal (Painted White)
  - 1x2" Acrylic Unimounted Address (Painted PMS 289C)
- 3 Panel
  - 6x Sq. inch Aluminum Posts (Painted White)
- 4 Digital Display (Fullmount) / LED (63.43 SF Total)
  - Weather-Resistant Full Color Digital Display
- 5 Base / Installation
  - Masonry Base (180" to match building)
  - Direct Burial into Concrete Footings

Overall Sign Height: 18'-0"  
 Tenement Cabinet: 63.25 SF  
 Digital Display: 36.43 SF  
 Overall Square Footage: 99.68 SF



2 End View  
 Scale: 1/10  
 Fabrication

1 Elevation  
 Scale: 1/10  
 Fabrication

**161563**  
 Version 03  
 05-02-23

South Coast  
 Development, LLC  
 2406 Cambridge Hwy  
 Woburn, MA  
 Pylon Sign

**SD SIGN DESIGN**  
 170 Liberty Street  
 Brockton, MA 02301  
 508-580-0094

Wiley Knight  
 Marie Mercer  
 Shaun White  
 Laurie Kalivas  
 BM

SCALE: 1/8"  
 SHEET  
 01 of 01

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