

December 28, 2020

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

Re: Variance Request
Cornelius Sullivan
7 Groveland Street
Map 3, Lot 103
G.A.F. Job No. 19-9279

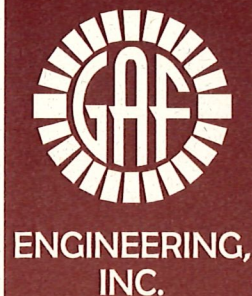
Dear Members of the Zoning Board of Appeals,

G.A.F. Engineering, Inc. respectfully submits on behalf of the applicant, Cornelius (Neil) Sullivan, the following application for a variance. This application is being filed in response to a Denial letter (see attached) issued by David Riquinha, Building Commissioner, and dated December 14, 2020. An application had been made to construct a detached accessory structure at this location. Per the attached letter the project will require a Variance from the Board of Appeals under Article 6, Table 625 of the Town of Wareham Zoning By-Law.

Attached herewith you will find one (1) original and one (7) copies of the following:

- Application for Variance
- Letter from David Riquinha, Building Commissioner, dated December 14, 2020.
- Deed of the subject property Book 28118, Pages 176-178
- Certified abutters list
- Plan entitled "Plan to Accompany Notice of Intent" Dated November 18, 2019 and Revised December 18, 2019
- Architectural Plan-"Proposed East Elevation"
- Architectural Plan-"Proposed West Elevation"
- Check #833 for the Town of Wareham for \$300.00 (filing fee)
- Check #834 for Wareham Week for \$80.00 (legal ad)
- Check #2572 for Town of Wareham for \$48.80 (abutters notices)

The property is located within the Multiple Residence District (MR30) and is a pre-existing, non-conforming lot with a single-family dwelling, and accessory garage. Per the Assessors field card the original structure was constructed in 1910. We are requesting the board grant relief from the Building Height requirement for Accessory Structures, Article 6, Table 625. Per this section the building height may not exceed 20 feet.



ENGINEERING,
INC.

ENGINEERS
SURVEYORS

266 MAIN ST.
WAREHAM, MA 02571

TEL 508.295.6600
FAX 508.295.6634

garage structure above average finished grade is 25.0 feet to the ridge and 30.0 feet to the cupola peak. As indicated on the attached plan, the project is partially located on a wetland resource area identified as a Coastal Bank. Coastal Banks are regulated under the Massachusetts Wetlands Protection Act, MGL Chapter 131, Section 40, and the Wetlands Protection Act Regulations, 310 CMR 10.00. Coastal Banks are protected and regulated by the Wareham Conservation Commission and the Massachusetts Department of Environmental Protection. Two hearings were held with the Conservation Commission and the revised plan as submitted was approved by the Conservation Commission. Given the sensitive nature of the location there is no ability to fill or alter the grading to raise the grade and adjacent ground, thereby reducing the overall building height.

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.



William F. Madden, P.E.

bill@gafenginc.com

WFM/kcl

Cc: Neil Sullivan
Blaise Scioli

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: 7 Groveland Street MAP: 3 LOT: 103

ZONING DISTRICT: Multiple Residence 30

USE REQUESTED: Accessory Building

OWNER OF LAND & BUILDING: Cornelius Sullivan TEL.# 617-320-5922

ADDRESS OF OWNER: P.O. Box 1039, 7 Groveland St., Onset, MA 02558

PERSON(S) WHO WILL UTILIZE PERMIT: Same

ADDRESS: _____

DATE: 12/21/20 SIGNATURE: 

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

Massachusetts

BUILDING DEPARTMENT

David L. Riquinha
Director of Inspectional Services

Neil Sullivan
C/O, Blaise Scioli
7 Groveland Street
Wareham, MA 02532

December 14, 2020

RE: 7 Groveland Street (Accessory building)

I have reviewed your permit application to construct a new detached accessory structure in the side yard of your existing property. The proposal does not comply with height requirements set forth in the Wareham zoning by-law and must be denied at this time.

Your detached accessory structure proposal exceeds the permitted building height of 20' in residential zoning districts. A Variance must be applied for and secured from the Zoning Board of Appeals in order to proceed.

The submitted permit application, which includes a site plan by G.A.F. Engineering labeled "Job no 19-9279" comprised of one page dated November 18, 2019, is being denied under the following sections of the Wareham Zoning By-law:

- **Article 6, Table 625, Accessory Buildings;** the detached accessory structure proposed in your application exceeds the allowable height of 20' and requires a Variance from the Zoning Board of Appeals.

The subject dwelling is located in the MR-30 Zoning district.

Respectfully,

David Riquinha
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.

Return to:
Cornelius J. Sullivan
78 Constitution Road
Charlestown, MA 02129

57920
Received & Recorded
PLYMOUTH COUNTY
REGISTRY OF DEEDS
03 MAY 2004 03:12PM
JOHN R. BUCKLEY, JR.
REGISTER
Bk 28118 Pg 176-178

DEED

We, **DONALD I. COHEN** and **BEVERLY S. COHEN** of 7 Groveland Street,
Onset, Wareham, Massachusetts

In consideration of **ONE MILLION TWO HUNDRED FIFTY FIVE THOUSAND
AND 00/100 (\$1,255,000.00) DOLLARS**

Grant to **CORNELIUS J. SULLIVAN**

of 78 Constitution Road, Charlestown, MA 02129

With Quitclaim Covenants

Three (3) certain parcels of land in Wareham, in the County of Plymouth, Commonwealth of
Massachusetts, bounded and described as follows:

PARCEL NO 1 is bounded:

Beginning at a corner of land formerly of Nellie L. Temple on the westerly side of
Groveland Street and running thence by said street S. 16 degrees E. seventy-five (75) feet;

thence by land formerly of Mary B. Elden S. 64 degrees W. one hundred (100) feet more
or less to Beach Street;

thence by Beach Street N. 16 degrees W. seventy-five (75) feet to a corner of land formerly
of Nellie L. Temple;

thence by land formerly of Nellie L. Temple N. 64 degrees E. one hundred (100) feet more
or less to the point of beginning.

Being Lot 105 on a plan of Nanumet Heights made by Thomas A. Churbuck and recorded
with Plymouth County Registry of Deeds, Book of Plans 1, Page 132.

*Copy by Add: 7 Groveland Street
Wareham, MA*

PARCEL NO. 2:

A parcel of land with buildings thereon in that part of said Wareham called Point Independence bounded and described as follows:

Beginning at a stone bound, which bound is the Southeast corner of Lot 103 on plan recorded in the Plymouth County Registry of Deeds, Plan Book 1, Page 132, thence South 64 degrees West one hundred (100) feet more or less to a stone bound in line of Beach Street;

thence North 16 degrees West by said Beach Street, fifty (50) feet to a stone bound;

thence North 64 degrees East in line of Lot 104 on said Plan one hundred (100) feet more or less to a stone bound in line of Groveland Street;

thence South 16 degrees East in line of said Street fifty (50) feet to the point of beginning.

Being Lot 103 on as shown on said plan.

PARCEL NO. 3

Also a certain parcel of land adjoining the above lot, being Lot 104 as shown on said plan and bounded and described as follows:

Beginning at a stone bound at the Northeast corner of Lot 103 described above, thence running South 16 degrees East by the Westerly line of Groveland Street fifty (50) feet to a stone bound;

thence South 64 degrees West by land now or formerly of Ramsdell one hundred twenty-seven (127) feet to a stone bound in the Easterly line of Beach Street extension;

thence North 11 degrees West by said Easterly line of Beach Street extension Fifty (50) feet to the Southeast corner of Lot 103 aforesaid;

thence North 64 degrees East by said Lot 103 on said plan one hundred twenty-three (123) feet to the point of beginning.

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

Herby conveying Lots 103, 104 and 105 on said plan, however the same may be bounded and described together with all other adjoining land on said Groveland Street, owned by Leonard L. Elden and shown on said plan at the time of his said death recorded in Book 1922, Page 558, however the same may have been acquired.

Being the same premises conveyed to us by William D. Troll and Laura L. Troll to Donald I. Cohen and Beverly S. Cohen, dated June 5, 1987, recorded in Plymouth County Registry of Deeds, Book 7763, Page 111.

Executed as a sealed instrument this 3rd day of May 2004.

Donald I. Cohen
DONALD I. COHEN

Beverly S. Cohen
BEVERLY S. COHEN

THE COMMONWEALTH OF MASSACHUSETTS

Plymouth SS.

On this 3rd day of May, 2004, before me, the undersigned notary public, personally appeared **DONALD I. COHEN** and **BEVERLY S. COHEN**, proved to be through satisfactory evidence of identification, which was Nebraska driver's license, to be the person whose names are signed on the preceding document, and acknowledged to me that they signed it voluntarily for its stated purpose.

Edward M. Kiernan

Notary Public
My Commission Expires

9/18/09

Edward M. Kiernan

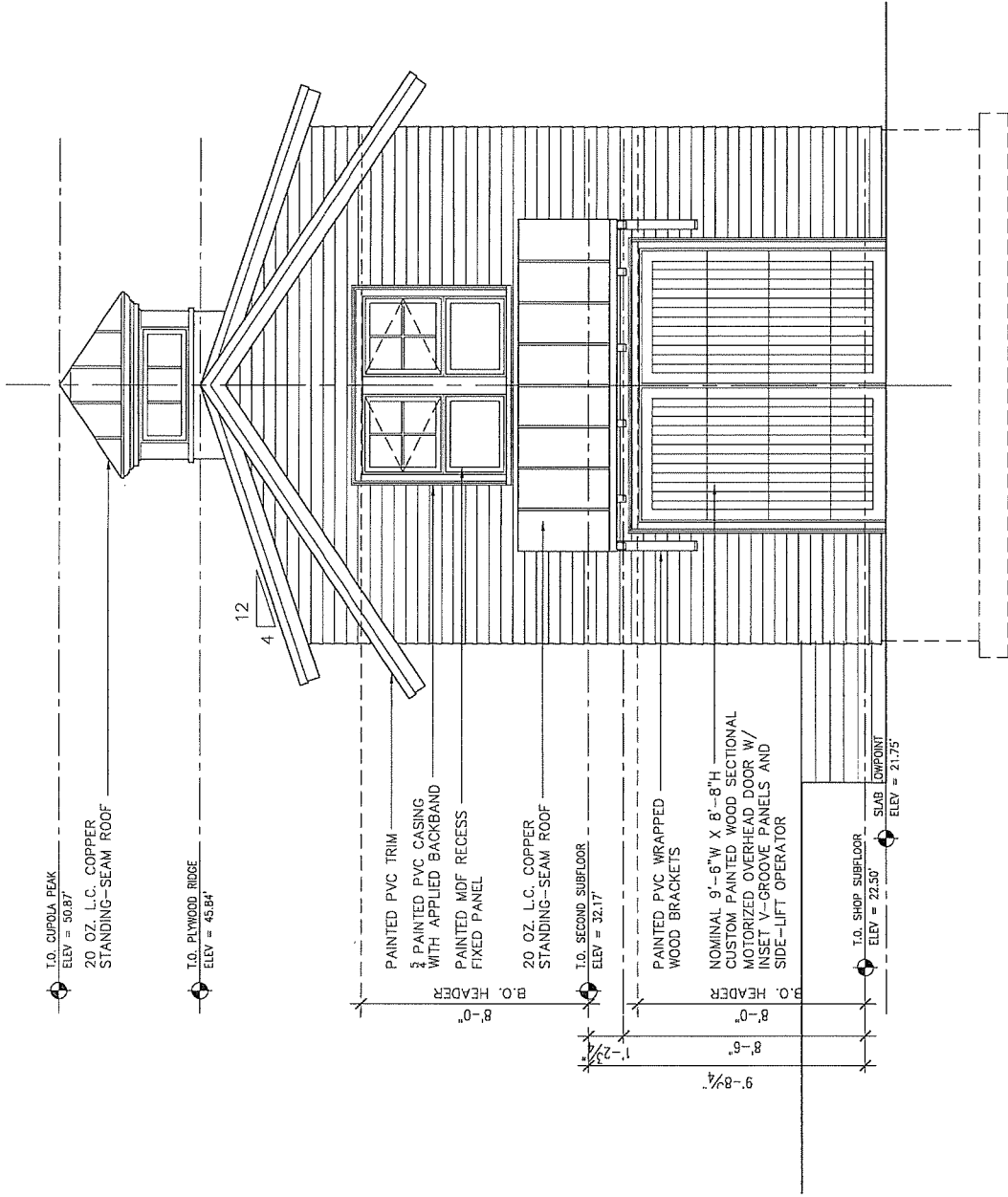
BROCKTON
DEEDS REG#2

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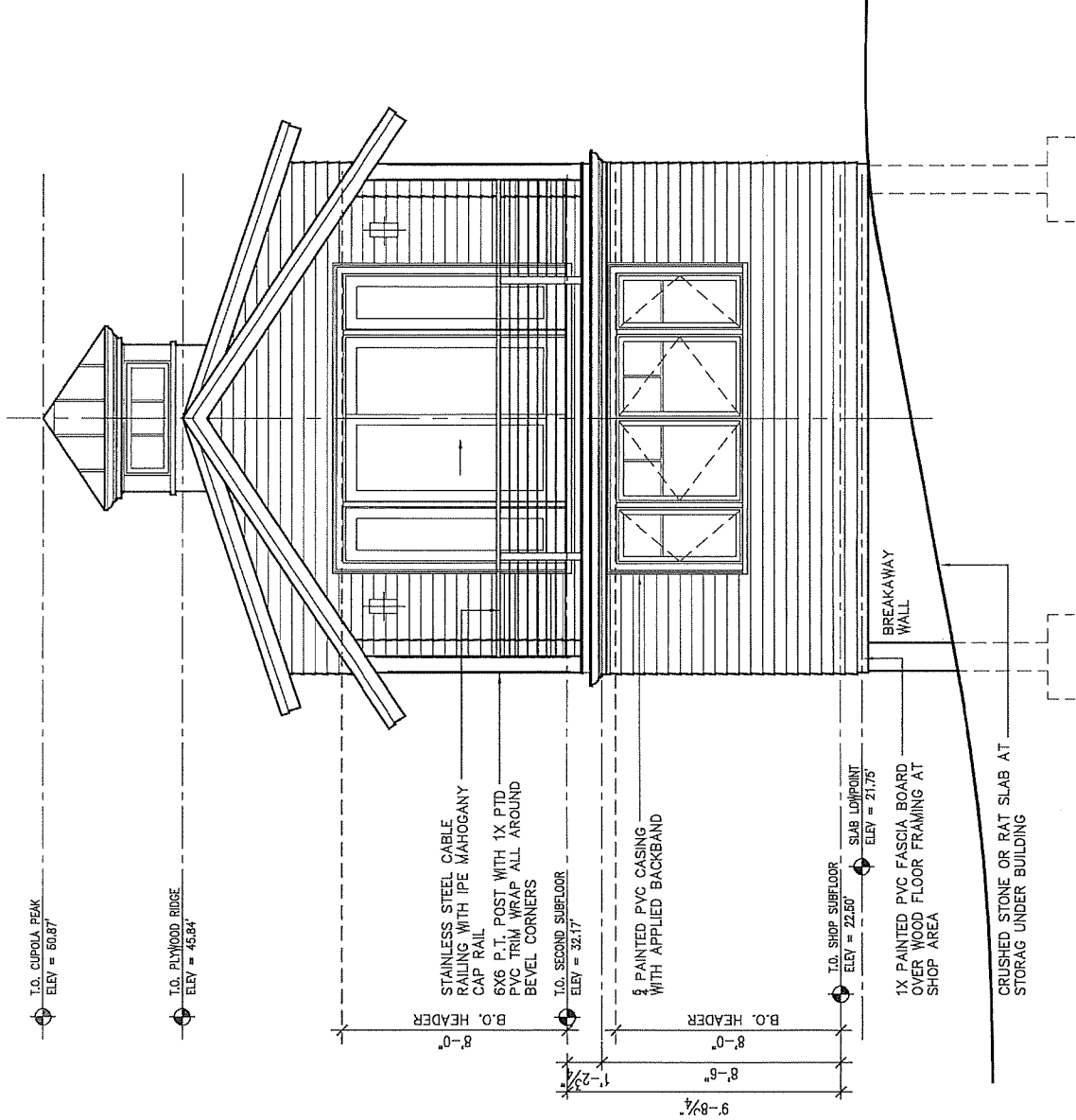
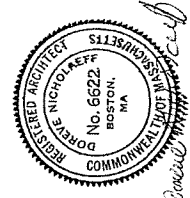
FEE

CASH \$5722.80

CANCELLED



PROPOSED EAST ELEVATION - 1/4" = 1'-0"



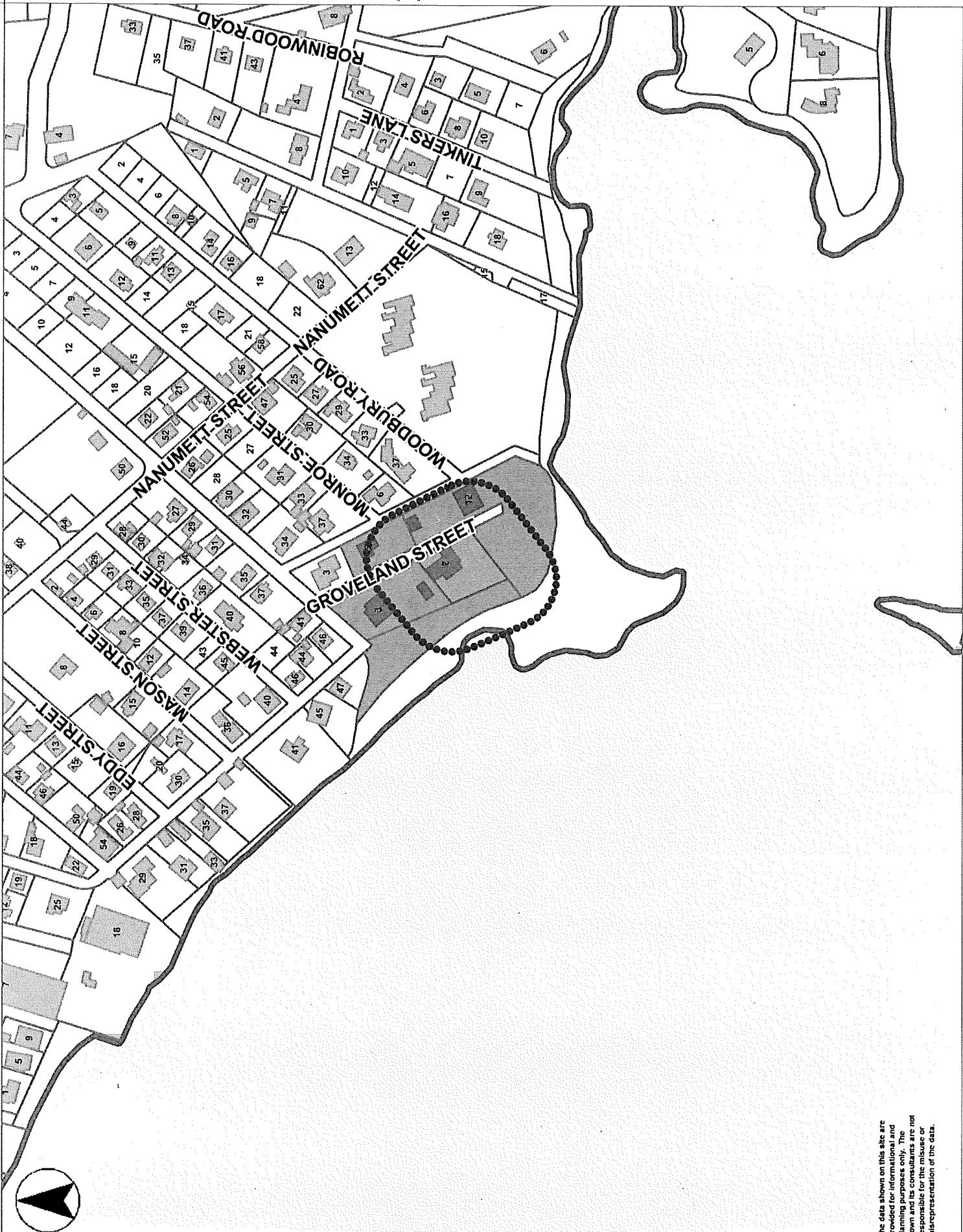
PROPOSED WEST ELEVATION - 1/4" = 1'-0"

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TOWN OF WAREHAM ABUTTERS						
MAP 3 LOT 103						
OWNER CORNELIUS SULLIVAN						
MAP & LOT	OWNER	CO-OWNER	STREET ADDRESS	TOWN	STATE	ZIP CODE
3-1033/B	TOWN OF WAREHAM		54 MARION RD	WAREHAM	MA	02571
3-106	LEMMONS KAREN D TRUSTEE	DOROTHY S FRAUENHOFER IRREV TRUST	PO BOX 150	ONSET	MA	02558
3-94/A	SANTANGELO MICHAEL	BOLL FRANCES ANN	92 BROOKS ST	MEDFORD	MA	02155
3-98/B	MACKERTICH GEORGE J TRUSTEE OF	BAY LEA TRUST	265 OAK ST	PEMBROKE	MA	02359
CERTIFIED ABUTTERS AS THEY						
APPEAR ON OUR TAX ROLLS						
AS OF 10/30/2020						
<i>44. Renee Adams</i>						
ASSESSORS OFFICE						
REQUESTED BY						
BRIAN GRADY						
G.A.F. ENGINEERING						
508 295-6600						



- MA Places
 - Fire Station
 - Police Station
 - Town Hall
 - Public Library
 - School
- Buildings
- Parcels
- Town Boundary
- MA Highways
 - Interstate
 - US Highway
 - Numbered Rout
- Streets
- Bathymetry
 - 0-5 ft
 - 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



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.

360

720 ft

Printed on 11/30/2020 at 12:27 PM