

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: Robert and Debra Reed

Applicant's Address: 26 Highland Rd, Wareham, MA 02571

Telephone Number: (508) 863-1400

Cell Phone Number: (508) 863-1400

Email Address: rareed623@comcast.net

Address of Property/Project: 26 Highland Rd, Wareham, MA 02571

Landowner's Name: Robert and Debra Reed

Owner's Address: 26 Highland Rd, Wareham, MA 02571

Telephone Number: (508) 863-1400

Contact Person: Robert Reed Telephone Number: (508) 863-1400

Map 61 Lot 1142 Zone WV2

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

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



**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: 26 Highland Rd. LOT: 1142 MAP: 61  
ZONING DISTRICT: WV2  
USE REQUESTED: Residential One Family Dwelling  
OWNER OF LAND & BUILDING: Robert + Debra Reed TEL.# (508) 863-1400  
ADDRESS OF OWNER: 26 Highland Rd., Wareham MA 02571  
PERSON(S) WHO WILL UTILIZE PERMIT: Robert and Debra Reed  
ADDRESS: 26 Highland Rd. Wareham, MA 02571  
DATE: 4/25/21 SIGNATURE: [Signature] Debra Reed  
This application was received on the date stamped here:

Town Clerk: _____	Date: _____
Tax Collector: <u>[Signature]</u>	Date: <u>5/17/21</u>
Planning/Zoning Dept.: _____	Date: _____
Application fee paid: _____	Check #: _____ Receipt: _____
Advertising fee paid: _____	Check # _____ Receipt: _____
Abutters fee paid: _____	Check # _____ Receipt: _____



We, **RICHARD J. REED** and **ANNIE M. REED**,

of Wareham,

Plymouth County, Massachusetts,

in consideration of ~~One Hundred Fifteen Thousand and no/100 (\$115,000.00) Dollars~~

grant to **ROBERT A. REED, JR.** and **DEBRA A. REED**, husband and wife, as tenants by the entirety

of 26 Highland Road  
Wareham, MA 02571

with quitclaim covenants

26 Highland Road, Wareham, MA 02571

~~XXXXXX~~

The land in Wareham, Plymouth County, Massachusetts, together with the buildings thereon, situated on the Southerly side of Highland Road, bounded and described as follows:

Beginning at a stone bound in the Southerly side line of Highland Road and the Easterly side line of an avenue running Southerly from said Highland Road to the Town lot;

thence South 84° 45' East by the Southerly side line of said Highland Road, Seventy-five and no/100 (75.00) feet to a corner;

thence South 5° 15' West, One hundred forty-one and 75/100 (141.75) feet more or less to land now or formerly of Milton Davidson et ux;

thence North 83° 10' West, by said land now or formerly of Milton Davidson et ux, Seventy-five and no/100 (75.00) feet to the Easterly side line of said avenue;

thence North 6° 50' East by said Easterly sideline of said avenue One hundred forty-three and 15/100 (143.15) feet more or less to bound first mentioned and 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.

For our title, see the deed of William H. Reed et al to Richard J. Reed and Annie M. Reed dated June 16, 1972 recorded with Plymouth County Registry of Deeds, Book 3787 Page 301.

RECORDED  
JUL 19 1988  
COMMONWEALTH OF MASSACHUSETTS  
DEEDS & EXCISE  
262.20  
CANCELLED



BOOK 8588 PAGE 324

Executed as a sealed instrument this

18th day of July 1988

*Richard J. Reed*  
RICHARD J. REED

*Annie M. Reed*  
ANNIE M. REED

The Commonwealth of Massachusetts

Plymouth

ss.

July 18, 1988

Then personally appeared the above named Richard J. Reed and Annie M. Reed

and acknowledged the foregoing instrument to be their free act and deed,

Before me,

*Edward M. Keenan*  
My commission expires 11-4-88

Notary Public - Justice of the Peace

RECD JUL 19 1988 AT 9-46 AM AND RECORDED

The foregoing is a true copy from the  
Plymouth County Registry of Deeds.  
Book 8588 Page 323

Attest:

*John R. Buckley*  
Register











Dear Members of the Zoning Board of Appeals Committee,

We are presenting this application and supporting documents to the Wareham Zoning Board of Appeals to apply for relief from The Inspectional Services Department (ISD) denial of a building permit. A new home design was submitted to replace the existing structure on Lot 1142, Map 61, 26 Highland Road.

The existing single-family dwelling is approximately 110 years old and was one of the first constructed in this neighborhood, with a poured concrete foundation. A cross-section of the foundation wall is exposed, from earlier construction, and indicates that the form was built with horizontal 1"x10" boards (repurposed for side wall sheathing) with vertical 2"x4" supports (repurposed for exterior side wall, window/door jacks and studs). The concrete was poured between the inner form and the excavated bank which produced a wall that in some locations is only 3" thick. Each foundation wall shows weeping at the cold joints, where the joint striations indicate that significant time elapsed between pours. All the foundation walls have floor to top of wall cracks, which only became more prominent with the recent earthquake. The foundation was poured on the excavated gravel without a footing and the eastern dwelling wall has dropped 3" from West to East along the 26' frontage.

The existing two-level dwelling is balloon framed. This type of construction does not have a fire stop and provides a continuous raceway from the basement to the roof, which would promote fire propagation. The side walls and roof were constructed with rough sawn native lumber. The exterior walls show a significant deflection off the vertical level from years of live and dead horizontal roof loading.

It is our intention, should the variance be approved, to demolish the existing dwelling and construct a new two-level, three-bedroom, four-bathroom home with a two-stall attached garage. Interior and exterior wall framing will be assembled with KDS lumber and glued steel fasteners. Structural building components will be manufactured lumber, LVL roof rafters and wooden I-beam floor joists. The building thermal barrier will utilize spray-in, closed cell, urethane insulation. Composite materials are designed for exterior siding and trim with a stamped, slate design, metal roof.

The home's utilities will feature on-demand domestic hot water and heating water units. On-demand heat pump and condenser assemblies will be utilized for the building's cooling load. Four-pipe fan coil units, with hot and cold coils, provide heating, cooling and humidity control with make up air for indoor air quality. Individual room ventilation will use variable air volume (VAV) boxes with a Siemens ATC system. LED lighting will be used throughout with a residential (Acuity Brand) nLight control system. The control system will include occupancy sensors, power/relay packs, low voltage wall pods and a gateway for programming. The new landscaping will be irrigated with a graywater, rainwater storage system. One-thousand gallons of rainwater will be stored in basement tanks for dry weather use. No domestic water will supplement the sprinkler system. A video surveillance security system will be installed for remote lock-up, motion and break-glass acoustic and magnetic point sensors for intrusion detection and annunciation. We will apply for a road open permit across Highland Court to install a data service and an underground 200A electrical service, eliminating the existing aerial services that cross Highland Road. A 200A/1 $\Phi$ /240V lighting – appliance control and energy management electrical panel board will be installed. This panel will integrate branch circuit protection, control (switching) and metering into a single integrated package.



The new home design incorporates many architectural details of existing dwellings within the Wareham Village District. It is an attempt to compliment some of the historic district architecture while constructing a modern home utilizing new technologies for energy and water conservation. Many of the building elements used are made either in part or completely from recycled material. We are prepared to make a substantial investment in the Village District by building a home that will enhance the neighborhood and improve my great-grandparents property.

The soil condition in this area is coarse gravel, possibly glacial deposits or the remnants of an ancient riverbed. The lot is a typical subdivision rectangle that slopes downhill by 2.5 feet from west to east. Run-off from Highland Court or the old Pilgrim School access road runs through the lot, west to east, but will be corrected should a variance be approved. The lot and dwelling are two of the smaller in this area and probably met the needs of a working-class family in the early 1900's, but possibly not of a family in the 21<sup>st</sup> century.

This dwelling, which has outlived its useful life, will be demolished and replaced with a modern, efficient home which is designed to withstand the deteriorating effects of the coastal environment. The new home will be a commitment to improve the neighborhood and compliment the Village District. Although the overall footprint of the new home is greater than the Village District zoning allows, the proposed building is within the zone's setbacks and would be an asset to the neighborhood appeal. There are several features in the new home's design which enhance that appeal, but also comes with a cost for additional space requirements. The design incorporates areas such as a separate laundry room, outdoor home features (patio), garage storage space, walk-in pantry associated with the kitchen storage, walk-in closets in the master bedroom, an eat-in kitchen with a central island and/or table and chairs, and a formal dining room which is distinct from the kitchen. According to the National Association of Home Builders (NAHB), these features are some of the most desired by families and significantly increase the overall building footprint.

The proposed dwelling will be substantially unique among the Village District homes if a variance is approved by the Board. The new home will utilize modern, efficient technologies in water, gas and electric conservation. Construction will follow LEED principles where we will find an outlet to recycle the existing building materials and use new construction materials with a large recycled content.

Thank you for your attention to our application for a variance.





# TOWN of WAREHAM

*Massachusetts*

## BUILDING DEPARTMENT

David L Riquinha  
Director of Inspectional Services

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Robert Reed  
26 Highland Road  
Wareham, MA 02571

September 2, 2021

**RE:** 26 Highland Road (Raze & Reconstruct)

Map # 61, Lot # 1142

I have reviewed your building permit application to raze your existing dwelling and reconstruct a new dwelling on the same site. Your proposal does not comply with the requirements set forth in the Wareham zoning by-law and must be denied at this time.

You have provided us with an application to raze your existing single family dwelling which consists of approximately 1024 square feet. The new proposed structure appears to be 4224 square feet +/- and it is increasing the floor area ratio from 10.2% to 41% where 19% is permitted. This action would create a new floor area ratio non-conformity and requires a variance from the Zoning Board of Appeals.

Your parcel is a corner lot comprised of 10,315 square feet and the zoning by-law permits a 20% building coverage in the WV-2 zoning district. Based on the plans you provided, there is an increased building footprint which amounts to approximately 28.75%. An additional variance from the Zoning Board of Appeals will be required for this new building coverage non-conformity.

The submitted permit application documents which include a site plan by G.A.F Engineering labeled "Job no 17-9003" comprised of one page dated November 17, 2020, and the architectural drawings labeled "26 Highland Road. New Home" comprised of 14 pages and dated September 20, 2020, are being denied under the following sections of the Wareham Zoning By-law:

- **Article 6, Table 628, Dimensional Standards for Existing Small Lots,** Table 628 permits a 17% floor area ratio for lots in village districts that are between 10,001 & 15,000 square feet. It also states that the allowable floor area shall not be less than the maximum allowed by the prior size category which in this case, amounts to 19%. You are proposing approximately 41% which requires a variance from the Zoning Board of Appeals.



- **Article 6, Table 622, Village Districts**, The WV-2 zoning district permits a maximum of 20% building coverage and you are proposing 28.75%. This is a new non-conformity and requires a variance from the Zoning Board of Appeals.

The subject dwelling is located in the WV-2 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.**

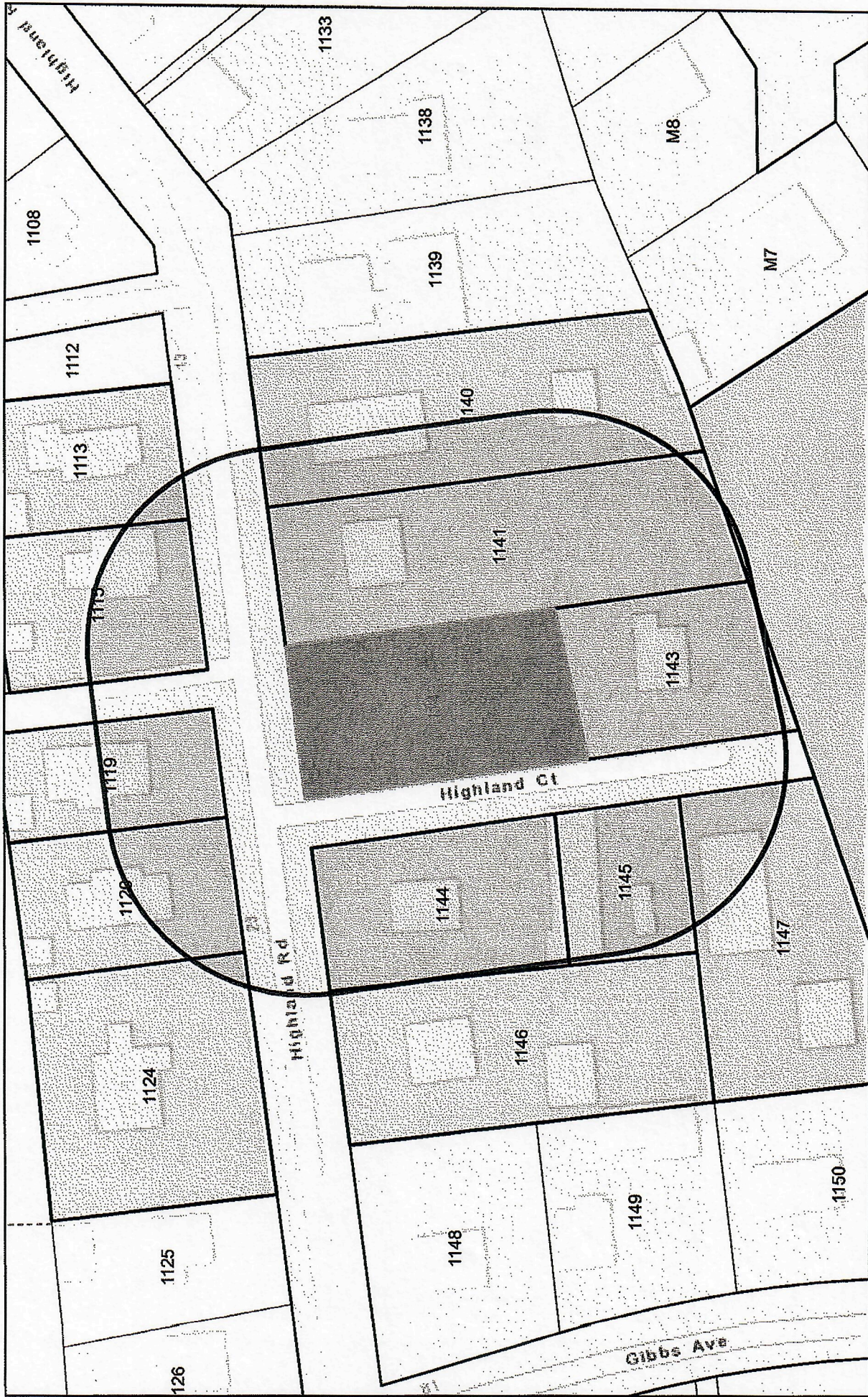
**In accordance with the provisions of MGL chapter 40A §§ 15, you may apply to the Zoning Board of Appeals for the above noted relief within thirty (30) days of receipt of this letter.**







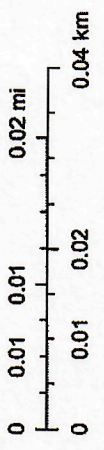
# ArcGIS Web Map



4/21/2021, 12:07:42 PM

1:1,128

Parcels with CAMA Data Parcel Lines  
----- Common Line  
----- Property Line  
----- Public Road



Esri, HERE, Garmin, INCREMENT P, NGA, USGS