

SPECIAL PERMIT APPLICATION

TOWN OF WAREHAM ZONING BOARD OF APPEALS

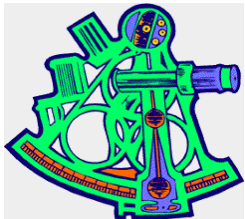
2850 Cranberry Highway
E. Wareham, MA 02538

March 9, 2020

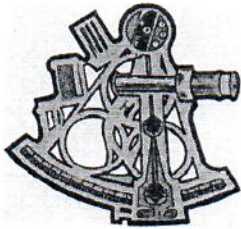
PREPARED FOR:

John L. Churchill Jr.
2854 Cranberry Highway
E. Wareham, MA 02538

PREPARED BY:



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



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Civil & Environmental Engineering

2854 Cranberry Highway
East Wareham, Massachusetts 02538
Ph. 508-273-0377 – Fax 508-273-0367

March 9, 2020

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

RE: Special Permit Application for 2850 Cranberry Highway, E. Wareham, MA

Dear Board Members,

On behalf of the applicants, John L. Churchill Jr., please find enclosed a Special Permit Application for the construction of a two-family dwelling on a non-conforming lot. This property is shown as Lot 1077 on Assessor's Map 129. In accordance with Article 6, Table 623, the proposed two-family dwelling does not meet the minimum lot area and the minimum frontage required for a two-family dwelling. In accordance with Article 3, Table 320, two-family dwellings are allowed by special permit by the board of appeals.

Zoning Requirements

The property is located in the Commercial Zoning District (CS) and contains 31,253 +/- square feet of land, which is considered a pre-existing, non-conforming lot. Minimum lot area, frontage, and building setback requirements as specified in the Wareham Zoning Bylaw, Article 6 for a two-family dwelling in a commercial district are as follows: 45,000 square feet of land area with 200 feet of frontage, 20 feet minimum setback from the front and 10 feet minimum setbacks from the side and rear property lines.

As part of this Special Permit Application, the applicant would like to construct a two-family dwelling that will be in compliance with the Massachusetts State Building Code and FEMA requirements. The proposed footprint will meet the front, side, and rear property line setback requirements.

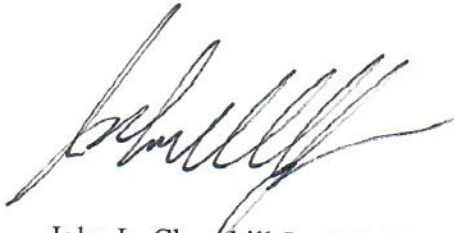
For the reasons stated above, we would appreciate your favorable vote on a Special Permit for the raising of the existing dwelling, which is under the purview of this board.

Wareham Board of Appeals

Page 2

March 9, 2020

Respectfully yours,

A handwritten signature in black ink, appearing to read "John L. Churchill Jr.", written in a cursive style.

John L. Churchill Jr., PE, PLS
President

Cc: File; Client

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: 2850 Cranberry Highway LOT: 1077 MAP: 129
ZONING DISTRICT: CS
USE REQUESTED: Two-Family Residential
OWNER OF LAND & BUILDING: John L. Churchill Jr. TEL.# 508-273-0377
ADDRESS OF OWNER: 2854 Cranberry Highway, E. Wareham, MA 02538
PERSON(S) WHO WILL UTILIZE PERMIT: Same
ADDRESS: Same
DATE: 3/6/20 SIGNATURE: [Signature]
This application was received on the date stamped here

Town Clerk: _____ Date: _____
Tax Collector: Alex Hatch Date: 3-18-2020
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 Applicable: Variance Special Permit Site Plan Appeal

Date stamped in: _____ Date decision is due _____

Applicant's Name: John L. Churchill Jr

Applicant's Address: 2854 Cranberry Hwy, E. Wareham, MA 02538

Telephone Number: 508-273-0377

Cell Phone Number: _____

Email Address: JChurchill@JCEngineeringInc.com

Address of Property/Project: 2850 Cranberry Hwy

Landowner's Name: Same

Owner's Address: Same

Telephone Number: Same

Contact Person: JC Engineering Inc Telephone Number: 508-273-0377

Map 129 Lot 1077 Zone CS

Date Approved _____ Date Denied _____

Comments: _____

2850 CRAN HWY

Location 2850 CRAN HWY

Mblu 129 / / 1077 / /

Acct#

Owner CHURCHILL JOHN L JR

Assessment \$149,900

Appraisal \$149,900

PID 13293

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2017	\$0	\$149,900	\$149,900

Assessment			
Valuation Year	Improvements	Land	Total
2017	\$0	\$149,900	\$149,900

Owner of Record

Owner CHURCHILL JOHN L JR
Co-Owner
Address 2854 CRANBERRY HWY
 E WAREHAM, MA 02538

Sale Price \$30,000
Certificate
Book & Page 28696 / 348
Sale Date 07/20/2004
Instrument 1G

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
CHURCHILL JOHN L JR	\$30,000		28696 / 348	1G	07/20/2004
MILLER BARRY L	\$0		13106 / 198	1F	08/26/1994
HATHAWAY	\$0				

Building Information

Building 1 : Section 1

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

Building Photo

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:	



(http://images.vgsi.com/photos2/WarehamMAPhotos//default.jpg)

Building Layout

Building Sub-Areas (sq ft)	<u>Legend</u>
No Data for Building Sub-Areas	

Extra Features

Extra Features	<u>Legend</u>
No Data for Extra Features	

Land

Land Use

Use Code	3900
Description	DEVEL LAND
Zone	SC
Neighborhood	6000
Alt Land Appr Category	No

Land Line Valuation

Size (Sqr Feet)	30800
Frontage	0
Depth	0
Assessed Value	\$149,900
Appraised Value	\$149,900

Outbuildings

Outbuildings	<u>Legend</u>
No Data for Outbuildings	

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2016	\$0	\$149,900	\$149,900
2015	\$0	\$149,900	\$149,900
2014	\$0	\$163,700	\$163,700

Assessment			
Valuation Year	Improvements	Land	Total
2016	\$0	\$149,900	\$149,900
2015	\$0	\$149,900	\$149,900
2014	\$0	\$163,700	\$163,700

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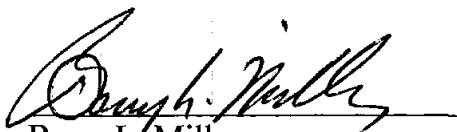
QUITCLAIM DEED

We, Barry L. Miller and Ruea A. Miller, joint tenants, both of 3 Vernon Street, New Bedford, Massachusetts, for consideration of Thirty-Thousand (\$30,000.00) Dollars, paid, grant to John L. Churchill, Jr., of 5 Roundhill Boulevard, East Wareham, Massachusetts, with Quitclaim Covenants, the land in that part of Wareham, Plymouth County, Massachusetts, known as East Wareham on the Northeasterly side of state highway sometimes known as the Sandwich Road, bounded and described as follows:

Beginning at a cement bound in the Northeasterly line of said Road, a corner of the land of Harold E. Campbell; thence North 28° 46' 45" East 200.74 feet to a cement bound; thence 54° 57' 15" West 50.93 feet to a cement bound; thence North 23° 20' 45" East 66.76 feet to a stake; thence North 54° 57' 15" West 79.66 feet to a stake being 6 feet from the line of the herring run, said last four courses being in line of land Harold E. Campbell; thence from said stake south 30° 10' 40" West 263.94 feet, said line being approximately parallel with a and 6 feet distant from said herring run to said State Highway; thence by said State Highway south 54° 11' 15" East 143.67 feet to the bound first mentioned, together with the buildings thereon. Said premises are conveyed subject to restriction for benefit of the remaining land of Harold E. Campbell that no lunch bar, restaurant, or other like business shall be conducted thereon insofar as said restriction is in force and applicable. There is reserved for the benefit of the remaining land of said Harold E. Campbell the right to pass and repass over the driveway as now used from the remaining land of said Campbell to and from the Street. Said premises are conveyed subject to any rights which may exist therein in connection with a herring run from the herring run hereinbefore mentioned to the pond situated Northeasterly of the above described premises.

For our title see deed dated March 24, 1994 and recorded in the Plymouth County Registry of Deeds Book 13106, page 198.

WITNESS our hands and seals this 20 day of July, 2004.


Barry L. Miller


Ruea A. Miller

Received & Recorded
PLYMOUTH COUNTY
REGISTRY OF DEEDS
20 JUL 2004 02:36PM
JOHN R. BUCKLEY, JR.
REGISTER
Bk 28696 Pg 348-349

mail
Property Address: 2850 Cranberry Highway, East Wareham, Massachusetts

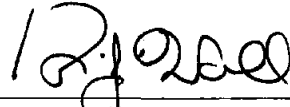
Brian J. Wall, Esq.
86 Willow St., Suite 6
Yarmouthport, MA 02675

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss.

July 20, 2004

On this 20th day of July, 2004, before me, the undersigned notary public, personally appeared Barry L. Miller and Ruea A. Miller, proved to me through satisfactory evidence of identification, which were Massachusetts Driver's Licenses to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.



Brian J. Wall, Notary Public
My Commission Expires: 4/26/07

PLYMOUTH
DEEDS FILED
PLYMOUTH
CANCELLED

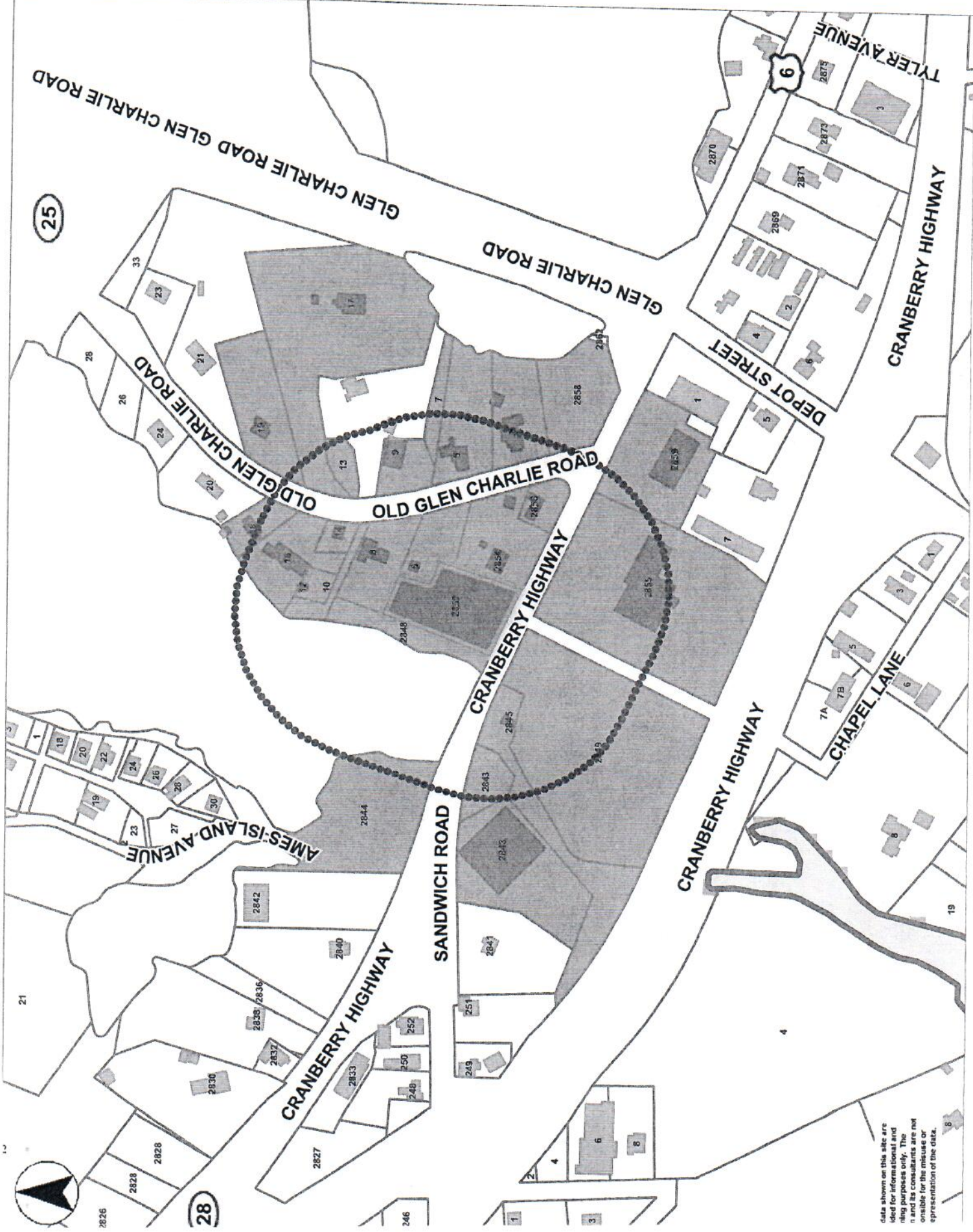
07/20/04 2:28PM 01
000000 #2516

FEE \$136.80

CASH \$136.80

MAP & LOT	OWNER	CO-OWNER	STREET	TOWN	STATE	ZIP CODE
129-1149	WAREHAM LAND TRUST INC		PO BOX 718	WAREHAM	MA	02571
129-1148/B	LYNCH RAMONA M TR OF JAMES LYNCH	FAMILY NOMINEE TRUST	205 BROADWAY	TAUNTON	MA	02780
129-1074	COMMONWEALTH OF MASSACHUSETTS	DEPT OF FISH & WILDLIFE	100 CAMBRIDGE ST RM 1901	BOSTON	MA	02202
129-1148/C	COMMONWEALTH OF MASS		10 PARK PLAZA RM 3510	BOSTON	MA	02116
129-1150	WAREHAM B P O ELKS #1548		PO BOX 566	E WAREHAM	MA	02538
129-1077	CHURCHILL JOHN L JR		2854 CRANBERRY HWY	E WAREHAM	MA	02538
129-1162	TOWN OF WAREHAM		54 MARION RD	WAREHAM	MA	02571
129-1079	SWART REALTY TRUST		16 OLD GLEN CHARLIE RD	E WAREHAM	MA	02538
129-RA	MACLURE ERIN K		8 OLD GLEN CHARLIE RD	E WAREHAM	MA	02538
129-1081	SWART DIANNE M		16 OLD GLEN CHARLIE RD	E WAREHAM	MA	02538
129-RB	MACLURE ERIN K		8 OLD GLEN CHARLIE RD	E WAREHAM	MA	02538
129-1080	DAY DEIDRE		8 OLD GLEN CHARLIE RD	E WAREHAM	MA	02538
129-1082	ULIANO NATHAN D TRUSTEE	CHRISTINE G ULIANO IRREV TRUST	14 OLD GLEN CHARLIE RD	E WAREHAM	MA	02538
129-1075	GRAF LEONARD W	GRAF MARY M	PO BOX 206	E WAREHAM	MA	02538
129-1100/A	WHITE JOHN E JR		2856 CRANBERRY HWY	E WAREHAM	MA	02538
129-1097	ELLIS WILLIAM		11 OLD GLEN CHARLIE RD	E WAREHAM	MA	02538
129-1153/A1	SBJC REALTY LLC		PO BOX 491	ONSET	MA	02558
129-1094	ELLIS BEVERLY L TRUSTEE OF BLE	REALTY TRUST	2854 CRANBERRY HWY	E WAREHAM	MA	02538
129-1093/B	FELDMAN GREGORY S	WORTHINGTON BARBARA H	7 OLD GLEN CHARLIE RD	E WAREHAM	MA	02538
129-1101/C2	BARTER KIMBERLY L TRUSTEE	KIMBERLY BARTER TRUST	3 OLD GLEN CHARLIE RD	E WAREHAM	MA	02538
129-1101/A	LIZARRALDE DANIEL	LIZARRALDE HEGE JENSVOLD	19 OLD GLEN CHARLIE RD	E WAREHAM	MA	02538
			17 OLD GLEN CHARLIE RD	E WAREHAM	MA	02538
CERTIFIED ABUTTERS AS						
THEY APPEAR ON OUR TAX ROLLS						
AS OF 1/31/2020						
<i>W. Denise Atkins</i>						
ASSESSORS OFFICE						
REQUESTED BY						
SAM IAMELE						
JC ENGINEERING INC						
508 273-0377						
SIAMELE@JCEENGINEERINGINC.COM						

- MA Places
- Fire Station
- Police Station
- Town Hall
- Public Library
- School
- Buildings
- Parcels
- Town Boundary
- MA Highways
- Interstate
- US Highway
- Numbered RC
- 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 Label
- Abutting Towns



data shown on this site are intended for informational and planning purposes only. The information and its consultants are not responsible for the misuse or representation of the data.



TOWN of WAREHAM

Massachusetts

BUILDING DEPARTMENT

David Morris
Director of Inspectional Services

John Churchill
2854 Cranberry Highway
E. Wareham, MA 02538

February 13, 2020

RE: 2850 Cranberry Highway

I have reviewed your proposal to create a new 6-bedroom duplex at 2580 Cranberry Highway. Due to lot area and frontage requirements, I must deny your application at this time.

Your proposal to construct a new front entry addition on your existing residential dwelling is being denied under the following sections of the Wareham Zoning By-law:

Article 6, Table 623, Commercial Districts, The proposed duplex does not meet the minimum lot area and the minimum frontage required for a 2-family dwelling.

Article 3, Table 320, principal Use Regulations, 2-family dwellings are allowed by special permit by the board of appeals.

The subject dwelling is located in Zoning district CS.

Respectfully,

David Morris
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.

