



ENGINEERING,
INC.

ENGINEERS
SURVEYORS

266 MAIN ST.
WAREHAM, MA 02571

TEL 508.295.6600
FAX 508.295.6634

August 9, 2021

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

Re: Special Permit/Variance Request
Kevin Connors
13 Salt Creek Road
Map 20, Lots L3 and L4
G.A.F. Job No. 14-8287

Dear Members of the Zoning Board of Appeals,

G.A.F. Engineering, Inc. respectfully submits on behalf of the applicant, Kevin Connors, the following application for a Special Permit/Variance. This application is being filed in response to a Denial letter (see attached) issued by David Riquinha, Building Commissioner, and dated August 5, 2021. An application had been made to construct a two-story addition on an existing foundation, reconstruct the second floor and add a storage/mechanical area above for the existing dwelling. Per the attached letter the project will require a Special Permit from the Board of Appeals under Article 6, Table 621 of the Wareham Zoning By-Law. A Variance will also be required for increasing the Floor Area Ratio from 16.6% to 28.6%. Per Table 628 a Floor Area Ratio of 25% is permitted as of right for existing small lots.

Attached herewith you will find one (1) original and one (8) copies of the following:

- Application for Variance
- Letter from David Riquinha, Building Commissioner, dated August 5, 2021
- Deed of the subject property Book 47080, Pages 125-129
- Certified abutters list
- Plan entitled "Plan to Accompany Notice of Intent, 13 Salt Creek Road, Wareham, MA, Prepared for Kevin Connors, 116 Lady Slipper Lane, Abington, MA" Dated June 21, 2021
- Architectural Plan-"Renovation Design, Connors Residence" Sheets A1, A2 and S1
- Check #492 for the Town of Wareham for \$300.00 (filing fee)
- Check #493 for Wareham Week for \$100.00 (legal ad)
- Check #494 for Town of Wareham for \$55.68 (abutters notices)

The property is located within the Residence 60 District (R60) and is a pre-existing, non-conforming lot with a single-family dwelling, and accessory shed. Per the Assessors field card the original structure was constructed in

1932. The lots were created by a plan for Bertha H. Lays, dated August 5, 1927, and recorded at the Plymouth County Registry of Deeds in Plan Book 4, Page 294.

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

William F. Madden, P.E.

bill@gafenginc.com

WFM/brg

Cc: Kevin Connors

File

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:

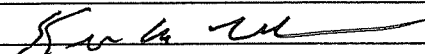
- o Complete this form.
- o Complete information packets. (Directions attached)
- o Submit application form and packet to Town Clerk for signature.
- o Submit application form and packet to Town Collector for signature.
- o Submit completed form, packets, and appropriate fees** to the Zoning Board of 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 \$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: 13 Salt Creek Road LOT: L3, L4 MAP: 20
ZONING DISTRICT: Residence 60
USE REQUESTED: _____
OWNER OF LAND & BUILDING: Kevin and Mariann Connors TEL.# 781-424-4405
ADDRESS OF OWNER: 13 Salt Creek Road, Wareham, MA 02571
PERSON(S) WHO WILL UTILIZE PERMIT: Same
ADDRESS: _____
DATE: 8/6/21 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

APPLICANT/CONTRACTOR/REPRESENTATIVE INFORMATION SHEET

Check One: Variance Special Permit Site Plan Appeal

Date stamped in: _____ Date decision is due _____

Applicant's Name: Kevin Connors

Applicant's Address: 13 Salt Creek Road, Wareham, MA 02571

Telephone Number: _____

Cell Phone Number: 781-424-4405

Email Address: mariannconnors@comcast.net

Address of Property/Project: 13 Salt Creek Road

Landowner's Name: Kevin and Mariann Connors

Owner's Address: 13 Salt Creek Road, Wareham, MA 02571

Telephone Number: _____

Contact Person: William Madden, G.A.F. Engineering Telephone Number: 508-295-6600

Map 20 Lot L3 and L4 Zone Residence 60

Date Approved _____ Date Denied _____

Comments: _____



TOWN of WAREHAM

Massachusetts

BUILDING DEPARTMENT

David L Riquinha
Building Commissioner

Kevin & Mariann Connors
C/o, Brian Grady; G.A.F. Engineering
266 Main Street
Wareham, MA 02571

August 5, 2021

RE: 13 Salt Creek Road (Raze and reconstruct)

Map # 20, Lot # L-3

I have reviewed your application to modify the existing structure at 13 Salt Creek Road, in Wareham, MA. The proposal is not in compliance with current zoning regulations and must be denied at this time.

After reviewing your application, it is my understanding that you would like to demolish the second floor portion of your existing structure, in an attempt to create two new levels above. The existing foundation is not in compliance with setback regulations, and you are proposing an increase to the size of the structure, within the preexisting nonconforming footprint. This is an intensification, and/or aggravation of a lawfully nonconforming structure, and requires a Special Permit from the Zoning Board of Appeals. Additionally, you are increasing the floor area ratio from 16.6% to 28.6%, where 25% is permitted as of right. This is a new nonconformity, and will require a Variance from the Zoning Board of Appeals.

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

- **Article 6, Table 621, Residential Districts:** The proposed residential structure does not comply with setback requirements for the R-60 zoning district.
- **Article 13 Section 1352 Non-conforming Structures:** A lawfully preexisting nonconforming residential structure may be altered/ expanded by way of Special Permit. If the Zoning Board of Appeals determines that the proposed construction

will result in a substantial detriment to the neighborhood, a Variance will be required.

- **Article 6, Table 628, Small Lots in Residential Districts:** Your proposed structure increases the floor area ratio from 16.6% to 28.6%, where 25% is permitted as of right. This is a new nonconformity and will require a Variance from the Zoning Board of Appeals.

You must bring this letter to the Zoning Board office, and apply for a hearing, where you will request the necessary relief as mentioned above. If you are successful, you will be required to wait 20 days for the statutory appeal period to lapse; you will then need to record the ZBA decision with the Plymouth County Registry of Deeds; then apply for a new building permit to perform the work in accordance with the building code, Zoning Board approval. The existing permit application has been denied and will not be reopened to perform the requested work.

The subject dwelling is located in the R-60 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.

MASSACHUSETTS EXCISE TAX
Plymouth District ROD #11 001
Date: 06/21/2016 02:36 PM
Ctrl# 092440 15253 Doc# Plymouth County Regis
Fee: \$1,550.40 Cons: \$340,000.00

MASSACHUSETTS QUITCLAIM DEED

We, **Paul F. Connors, Jr. of Atlanta, Georgia and Margery Connors of Boston, Massachusetts, as Trustees of the 13 Salt Creek Road Realty Trust** u/d/t dated April 30, 2012 and recorded with the Plymouth County Registry of Deeds in Book 46891, Page 15, for consideration paid, and in full consideration of

THREE HUNDRED FORTY THOUSAND, AND NO/100 DOLLARS, (\$340,000.00)

Grant to **Kevin M. Connors and Mariann Connors**, of 116 Lady Slipper Lane, Abington, Massachusetts, WITH QUITCLAIM COVENANTS,

The land with the buildings thereon in Wareham, Plymouth County, Massachusetts, comprising two certain parcels and being bounded and described as follows:

The first parcel being Lot # 3 as shown on "Plan of Shore Lots in Wareham, owned by Bertha H. Lays", dated May 25, 1925, from Hayward and Hayward, C.E., to which plan, reference is hereby made.

Said lot is further described and bounded as follows:

EASTERLY: By the beach measuring forty-five (45) feet;

SOUTHERLY: By Lot #2 as shown on said plan, measuring ninety-four (94) feet;

WESTERLY: By private way as shown on said plan, measuring forty (40) feet; and

NORTHERLY: by Lot# 4 as shown on said plan, measuring seventy-eight and fifteen hundredths (78.15) feet.

The above lot being part of a subdivision of the entire premises conveyed to Bertha H. Lays by Joseph H. Burgess, dated May 17, 1923, and recorded at the Plymouth County Registry of Deeds, in Book 1436, Pages 399 to 400.

LOCUS: 13 SALT CREEK ROAD, WAREHAM, MASSACHUSETTS

The second parcel being Lot #4 as shown on "Plan of Shore Lots in Wareham, Massachusetts owned by Bertha H. Lays", August 27, 1923, Hayward and Hayward, Surveyors, and to which plan, reference is hereby made for further description and boundaries.

Said Lot is further described and bounded as follows:

NORTHERLY: By the water at point shown on said plan, forty-five (45) feet;

EASTERLY: By Lot #3 on said plan, seventy-five and eighteen hundredths (75.18) feet;

WESTERLY: by Lot #5 on said plan, sixty-two and seven tenths (62.70) feet; and

SOUTHERLY: By a private way shown on said plan, forty (40) feet.

Together with any beach privileges, and any rights of way. Said lot is subject to any encumbrances of record if any there may be, and to any restrictions of record so far as they may be in force and applicable.

Said lots are also shown as Lot 3 and Lot 4 on "Plan of Shore Lots in Wareham, Massachusetts owned by Bertha H. Lays", August 5, 1927, Hayward & Hayward, Surveyors, recorded with the Plymouth County Registry of Deeds in Plan Book 4, Page 294, and to which plan, reference is hereby made for further description and boundaries.

The Grantor hereby waives any and all right of Homestead in and to the premises conveyed hereby and warrants and represents that there are no persons entitled to any rights of homestead under G.L. c. 188 in the premises conveyed by this deed.

For Grantor's title, see deed dated April 27, 2012, and recorded with the Plymouth County Registry of Deeds at Book 41298, and Page 126. See also Appointment of Successor Trustees recorded in Book 46891, Page 24 and death certificates for Michael J. Connors recorded in Book 46891, Page 22 and Barbara Connors recorded in Book 46891, Page 20.

Property Address: 13 Salt Creek Road, Wareham, MA

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

Witness my hand and seal this th 20 day of June, 2016.

Paul F. Connors, Jr.

Paul F. Connors, Jr., Trustee

STATE OF GEORGIA

County:

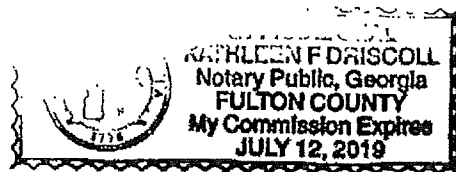
June 20, 2016

On this day, then personally appeared before me, the undersigned Notary Public, Paul F. Connors, Jr., Trustee, and proved to me through satisfactory evidence of identification which was a Driver's License 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.

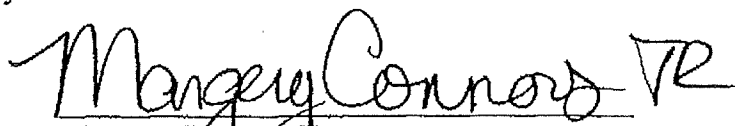
K. Driscoll

Notary Public: Kathleen F. Driscoll

My Commission Expires: July 12, 2019



WITNESS my hand and seal this 20th day of June 2016.



Margery Connors, Trustee

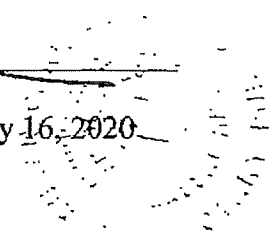
COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

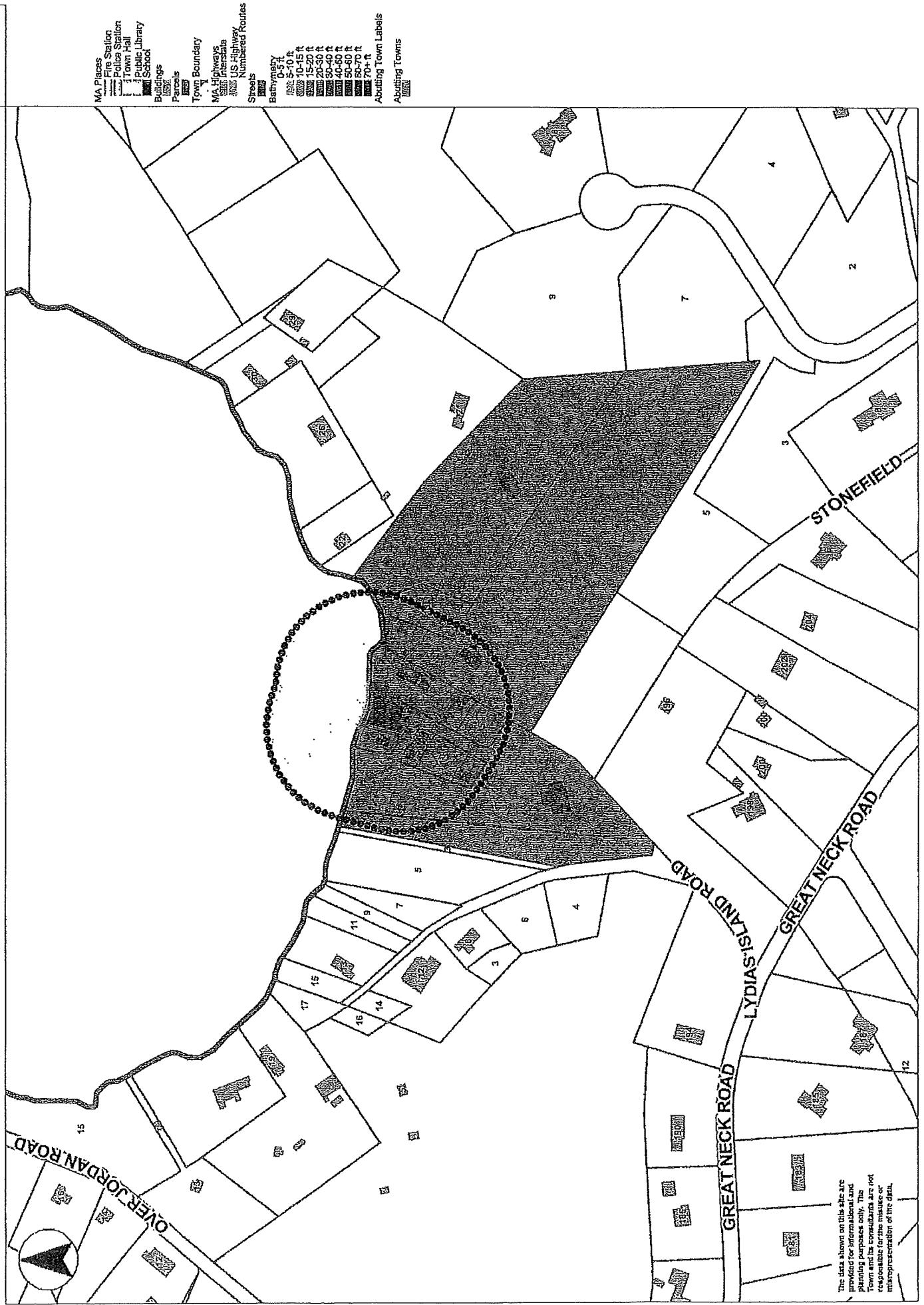
June 20, 2016

On this 20th day of June 2016, before me, the undersigned notary public, personally appeared Margery Connors, Trustee, proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a federal or state governmental agency, oath or affirmation of a credible witness, or personal knowledge of the undersigned, and whose name is signed on the preceding document, or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.


Susan G. Nilan, Notary Public
My commission expires January 16, 2020



| TOWN OF WAREHAM ABUTTERS | | | | | | | |
|---------------------------------|--|-------------------------------------|-----------------------|---------------|-------|------------|--|
| MAP 20 LOT L3 & L4 300' | | | | | | | |
| OWNER KEVIN M & MARIANN CONNORS | | | | | | | |
| MAP & LOT | OWNER | CO-OWNER | STREET ADDRESS | TOWN | STATE | ZIP CODE | |
| 20-1047 | DIDIER A L TRUSTEE OF THE SALEM | STREET TRUST | 8 LYDIA'S ISLAND RD | WAREHAM | MA | 02571 | |
| 20-1048 | DIDIER ANGELA L TRUSTEE OF | SALEM STREET TRUST | 8 LYDIA'S ISLAND RD | WAREHAM | MA | 02571 | |
| 20-19 | CONROY JUDITH A LIFE ESTATE | | 455 ELM ST | WALPOLE | MA | 02081 | |
| 20-L7 | FLYNN N PATRICIA LIFE ESTATE | | 13 SYLVIA AVE | BROCKTON | MA | 02301 | |
| 20-L6 | SPERRY JOHN H III TRUSTEE | TWELVE SALT CREEK ROAD REALTY TR | 34 STAPLES SHORE RD | LAKEVILLE | MA | 02347 | |
| 20-L5 | RALEIGH HARRY D | RALEIGH MARILYN A LIFE ESTATE | 448 WEST CENTER ST | W BRIDGEWATER | MA | 02376 | |
| 20-L3 | CONNORS KEVIN M | CONNORS MARIANN | 13 SALT CREEK RD | WAREHAM | MA | 02571 | |
| 20-L13 | DESLAURIERS BARBARA A TRUSTEE | C/O LINDLEY INN UNIT 124 | 9000 HOCKING HILLS DR | THE PLAINS | OH | 45780-1209 | |
| 20-L1 | KING RICHARD MACAFEE & ROBERT BARTLETT | STEWART JANE MARIE C/O RICHARD KING | 13 MAIDSTONE DR | MERRIMACK | NH | 03054 | |
| 21-1005 | CRISAFULLI SCOTT | CRISAFULLI LAURA J | 52 HARDING ST | MILFORD | MA | 01757 | |
| 21-1006 | GRAY SCOTT WHITNEY | GRAY MARGARET C HALLETT | 17 LYDIA'S ISLAND RD | WAREHAM | MA | 02571 | |
| CERTIFIED ABUTTERS AS THEY | | | | | | | |
| APPEAR ON OUR TAX ROLLS | | | | | | | |
| AS OF 8/5/2021 | | | | | | | |
| <i>W. Denise Akers</i> | | | | | | | |
| ASSESSORS OFFICE | | | | | | | |
| REQUESTED BY | | | | | | | |
| BRIAN GRADY | | | | | | | |
| 508 295-6600 | | | | | | | |
| BRIAN@GAFENGINC.COM | | | | | | | |



- MA Places
- Fire Station
- Police Station
- Town Hall
- Public Library
- School
- Buildings
- Parcels
- Town Boundary
- MA Highways
- U.S. Highways
- Numbered Routes
- Bathways
- Abutting Town Labels

The data shown on this site are provided for informational and planning purposes only. The town and lot coordinates are not guaranteed and are not a representation of the data.

GAF ENGINEERING, INC.
 266 MAIN STREET
 WAREHAM, MA 02571
 (508) 295-6600

| EXPLANATION | AMOUNT |
|------------------|--------|
| 13 Salt Creek Rd | |

0492

53-179/113

UNT Three Hundred ^{xx}/100 DOLLARS

CHECK AMOUNT

| TE | TO THE ORDER OF | DESCRIPTION | CHECK NUMBER |
|-----|-----------------|-------------|--------------|
| 121 | Town of Wareham | 8287-ZBA | 492 |

\$ 300.00

Eastern Bank
LYNN, MA 01901
 24 HOUR SERVICE 1-800-EASTERN

Mum Madu

SAFEGUARD SEC
 SAFEGUARD SEC

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE. RED IMAGE DISAPPEARS WITH HEAT.

⑈000492⑈ ⑆011301798⑆ 60 1381943⑈

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER. SEE REVERSE SIDE FOR COMPLETE SECURITY FEATURES.

GAF ENGINEERING, INC.
 266 MAIN STREET
 WAREHAM, MA 02571
 (508) 295-6600

| EXPLANATION | AMOUNT |
|------------------|--------|
| 13 Salt Creek Rd | |

0493

53-179/113

UNT One Hundred ^{xx}/100 DOLLARS

CHECK AMOUNT

| TE | TO THE ORDER OF | DESCRIPTION | CHECK NUMBER |
|-----|-----------------|-------------|--------------|
| 121 | Wareham Week | 8287-ZBA | 493 |

\$ 100.00

Eastern Bank
LYNN, MA 01901
 24 HOUR SERVICE 1-800-EASTERN

Mum Madu

SAFEGUARD SEC
 SAFEGUARD SEC

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ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER. SEE REVERSE SIDE FOR COMPLETE SECURITY FEATURES.

GAF ENGINEERING, INC.
 266 MAIN STREET
 WAREHAM, MA 02571
 (508) 295-6600

| EXPLANATION | AMOUNT |
|------------------------------------|--------|
| Red blood w/ck #0524 8/17/21 88.29 | |

0494

53-179/113

UNT Fifty Five ⁶⁸/100 DOLLARS

CHECK AMOUNT

| TE | TO THE ORDER OF | DESCRIPTION | CHECK NUMBER |
|-----|-----------------|-------------|--------------|
| 121 | Town of Wareham | 8287-ZBA | 494 |

\$ 55.68

Eastern Bank
LYNN, MA 01901
 24 HOUR SERVICE 1-800-EASTERN

Mum Madu

SAFEGUARD SEC
 SAFEGUARD SEC

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⑈000494⑈ ⑆011301798⑆ 60 1381943⑈

0524

53-179/113

ORIGINAL DOCUMENT PRINTED ON CHEMICAL RESISTIVE PAPER WITH MICROPRINTED BORDER. SEE REVERSE SIDE FOR COMPLETE SECURITY FEATURES.

GAF ENGINEERING, INC.
266 MAIN STREET
WAREHAM, MA 02571
(508) 295-6600

| EXPLANATION | AMOUNT |
|-------------|--------|
| | |
| | |
| | |
| | |
| | |

PAY AMOUNT OF Eighty-eight dollars 29/100 DOLLARS

DATE 8/17/21

TO THE ORDER OF Town of Wareham

DESCRIPTION 8887-ZBA

CHECK NUMBER 0524

CHECK AMOUNT \$ 88.29

Mumford Maddux

 Eastern Bank
LYNN, MA 01901
24 HOUR SERVICE 1-800-85-ESTERN

⑆000524⑆ ⑆011301798⑆ 60 1381943⑆

SECURE
CHECKS
SAFE
SPECTRUM
MP