

**NOTICE OF DECISION OF THE WAREHAM ZONING BOARD OF APPEALS**

**Petition #15-17**

**Applicant: Jacqueline Lukk**

**Owner: Same as applicant**

**Owner Address: 152 Lake Avenue, East Wareham, MA 02538**

**Subject Property Address: 152 Lake Avenue, East Wareham, MA 02538**

**Subject Property Parcel ID: Assessors Map 122– Lot 529**

**Date of Public Hearing: April 12, 2017**

**Date of Notice: April 13, 2017**

**Decision/Reason:**

The Board voted to grant a Special Permit to extend a deck for Petition #15-17 – Jacqueline Lukk – 152 Lake Avenue, East Wareham, MA with the Board finding the existing deck is pre-existing and non-conforming and the proposed extension will not be a substantial increase to the non-conforming nature of the deck and the proposal is not substantially more detrimental to the existing neighborhood ;

Further, the granting of this Special Permit is subject to the following conditions:

**Conditions:**

1. To be built per plan from JC Engineering, Inc. dated March 8, 2017.
2. Upon completion, an “As Built” plan is to be submitted to the Building Department with a copy provided to the Board of Appeals.
3. Any relief not expressly granted hereunder is hereby denied.
4. For this decision to become effective, a copy of said decision & notice thereof must be filed at the Plymouth County Registry of Deeds & must bear the certification of the Town Clerk that twenty (20) days have elapsed & no appeals have been filed, or that if such appeal has been filed, that it has been dismissed or denied. A certified copy of said recording must be thereafter filed with the Board of Appeals.
5. If substantial use or construction permitted by this Special Permit/Variance has not commenced within two years from the date of which a copy of this decision is filed with the Town Clerk, excluding the amount of time required for an appeal period to expire & the amount of time required to pursue & await the determination of any such appeal, then this Special Permit/Variance shall expire in so far as the foregoing statement is modified by Chapter 195 of the Acts of 1984. Any person exercising rights under a duly appealed Special Permit/Variance does so at the risk that a court may reverse the permit & any construction performed under the permit may be ordered undone.
6. Any person aggrieved by this decision of the Zoning Board of Appeals may file an appeal pursuant to the provisions of M.G.L. Chapter 40A, section 17 within twenty (20) days of the filing of this decision in the office of the Town Clerk. If no appeal is taken within the allotted time, the Clerk will so certify.

**VOTE: Unanimous (5-0-0) By the Wareham Zoning Board of Appeals**