

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

**Petition #42-16**

**Applicant: Caitlyn Elwood**

**Owner: Same as applicant**

**Owner Address: 225 Charge Pond Road, Wareham, MA 02571**

**Subject Property Address: 225 Charge Pond Road, Wareham, MA 02571**

**Subject Property Parcel ID: Assessors Map 114C – Lot 26**

**Date of Public Hearing: October 12, 2016**

**Date of Notice: October 24, 2016**

### **Decision/Reason:**

The Board voted to grant a Variance to construct a garage for Petition #42-16 – Caitlyn Elwood – Assessors Map 114C – Lot 26 – 225 Charge Pond Road, Wareham, MA with the Board finding the following:

- The Board granted the request for a Variance because said request meets the statutes for a Variance.

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

### **Conditions:**

1. The garage addition to be reduced to meet the side yard setback of 10 feet.
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: (4-1-0) By the Wareham Zoning Board of Appeals**