

NATURE OF APPLICATION:

- Petition for Special Permit pursuant to Article \_\_\_\_\_, Section \_\_\_\_\_ of the Zoning Bylaw.
- Petition for Finding pursuant to Article 20, Section 5.00 of the Bylaw.
- Petition for a Variance from Article \_\_\_\_\_, Section \_\_\_\_\_, of the Zoning Bylaw.
- Petition for Site Plan Review pursuant to Article IX of the Zoning Bylaw (and the Guidelines and Performance Standards for Activities Subject to the Provisions of Article IX of the Topsfield Zoning Bylaw)
- Petition for a Comprehensive Permit pursuant to G.L.c. 40B, Section 20-23
- Appeal from the decision dated 2-1-11 of the Building Inspector or others pursuant to L.L. c. 40A, Section 15.

DESCRIPTION OF APPLICANT:

- a. Name Daniel Donegan and John Gerald Donegan
- b. Address 715 Hale Street, Beverly, MA 01915
- c. Phone Number 978-927-2521
- d. Interest in Premises (e.g., owner, tenant, prospective purchaser, etc.) Prospective Purchaser  
(Attach copy of lease and/or letter of authorization from owner, if applicable)

RECEIVED  
 TOWN CLERK  
 TOPSFIELD, MA  
 2011 FEB - 1 AM 11:35

DESCRIPTION OF PREMISES:

- a. Assessor's Map 49, Lot(s) 36, Zoning District Central Residential/Business District Highway
- b. Location of Premises (number and street) 16 Maple Street
- c. Name and address of legal owner (if different from Applicant) H. Alexander Dearborn, 12 Captain's Way  
Kittery Point, ME 03905
- d. Deed to the Premises recorded at (if known):  
 Essex South District Registry of Deeds, Book 6517,6765,6703 Page 5,90,331  
 Essex South Registry District of the Land Court, Certificate Number \_\_\_\_\_
- e. Prior zoning decisions affecting the Premises (if any):  
 Date of Decision 8/28/08, 11/6/81, 11/26/85 Name of Applicant H. Alexander Dearborn  
 Nature of Decision Use of building for sales of motor vehicles, expansion of building
- f. Present use of the Premises Retail sales and service of motor vehicles
- g. Present structures conform to current Zoning Bylaw.  Yes  No. If no, in what respect does it not conform. Existing Business use (sales and service of motor vehicles) is partly in a residential zone.

PROPOSAL (attach additional sheets if necessary):

- a. General Description:  
Petitioner seeks a finding to allow the use of the second floor of Unit A (as shown on plans attached) to be changed from offices used in conjunction with the motor vehicles sales business to residential use. The petitioner has the whole premises under agreement and intends to live in the proposed second floor residential unit and operate their motor vehicle sales business in the remainder of the premises. There will be no alteration of the exterior of the building.

b. If proposal is for construction or alteration of an existing structure, please state:

	FRONT	REAR	SIDE(S)
1. Setbacks required per bylaw	_____	_____	_____
2. Existing setbacks	_____	_____	_____
3. Setbacks proposed	_____	_____	_____

	FRONTAGE	AREA
4. Frontage and area required by bylaw	_____	_____
5. Existing frontage (s) and area	_____	_____
6. Frontage (s) and area proposed	_____	_____

	FEET	STORIES
7. Existing Height	_____	_____
8. Height proposed	_____	_____

c. Other town, state or federal permits or licenses required, if any:  
License to sell used motor vehicles.

---



---

RECEIVED  
 TOWN CLERK  
 TOPSFIELD, MA  
 2011 FEB - 1 AM 11:35

**NECESSARY ACCOMPANYING DATA:**

It is required that every application be accompanied by appropriate supporting data. Failure to submit appropriate and complete data could result in delay and/or denial of application for zoning relief. Place a check next to the applicable accompanying supporting data:

**Variance of Special Permit Applications:**

(See Zoning Board of Appeals Rules and Procedures Section III)

All required supporting data attached  Yes  No

**Site Plan Review Applications:**

(See Town of Topsfield Zoning Bylaw, Article IX, Section 9.05. See also Guidelines and Performance Standards for Activities Subject to the Provisions of Article IX of the Topsfield Zoning Bylaw)

All required supporting data attached  Yes  No

**Comprehensive Permit Applications:**

(See G.L.c. 40B, Sections 20-23)

All required supporting data attached  Yes  No

**Appeals from decisions of Building Inspector or Others:**

(See Zoning Board of Appeals Rules and Procedures, Section III (1) (e))

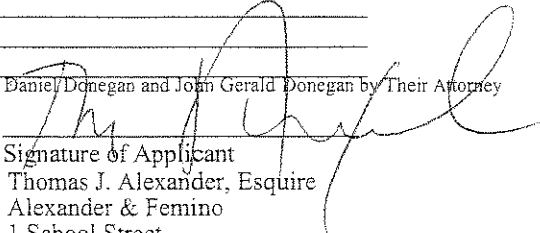
All required supporting data attached  Yes  No

If all required supporting data is not attached, why not:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Date

Daniel Donegan and Joan Gerald Donegan by Their Attorney

  
 Signature of Applicant  
 Thomas J. Alexander, Esquire  
 Alexander & Femino  
 1 School Street  
 Beverly, MA 01915  
 (phone) 978-921-1990  
 BBO# 014851



# Town of Topsfield

8 West Common Street  
Topsfield, MA 01983

INSPECTIONAL SERVICES  
DEPARTMENT

## PERMIT DENIAL

NAME: Daniel Donegan & John Donegan

ADDRESS: 715 Hale Street, Beverly, MA 01915

LOCATION: 16 Maple Street

ZONING DISTRICT: CR & BH

PERMIT REQUESTED FOR: Change of Use from Commercial/Business to a Mixed Use – Residential/Commercial/Business.

THIS DENIAL IS BASED ON THE NEED FOR AN APPROVAL FROM THE:

ZONING BOARD OF APPEALS

PLANNING BOARD

BOARD OF SELECTMEN

FOR A:

VARIANCE (USE)

FINDING

SPECIAL PERMIT

- Lot Area       Lot Frontage       Building Height       Lot Coverage
- Front Yard       Side Yard       Rear Yard       Parking       Open Space
- Sign (size, height, location)       Expansion of Non-Conforming Use
- Change in Non-Conforming Use       Additional Principal Building

**X Other** This property is mainly in the Central Residential Zoning District. According to the Table of Use Regulations mixed uses are not allowed in that district.

Date Permit Denied

2/1/11

Inspector of Buildings  
Zoning Enforcement Officer



The Commonwealth of Massachusetts  
Board of Building Regulations and Standards  
Massachusetts State Building Code, 780 CMR, 7<sup>th</sup> edition



Building Permit Application To Construct, Repair, Renovate Or Demolish a  
*One- or Two-Family Dwelling*

This Section For Official Use Only

Building Permit Number: \_\_\_\_\_ Date Applied: \_\_\_\_\_  
Signature: *Glen Clifton* Date *2/1/11*  
Building Commissioner/Inspector of Buildings

**SECTION 1: SITE INFORMATION**

1.1 Property Address: 16 MAPLE ST  
1.2 Assessors Map & Parcel Numbers  
49 36  
Map Number Parcel Number  
1.1a Is this an accepted street? yes  no   
1.3 Zoning Information: CR/BDH RESIDENTIAL/COMMERCIAL  
Zoning District Proposed Use  
1.4 Property Dimensions:  
2.032 AC 169.05 +/-  
Lot Area (sq.ft) Frontage (ft)

1.5 Building Setbacks (ft)

Front Yard		Side Yards		Rear Yard	
Required	Provided	Required	Provided	Required	Provided

1.6 Water Supply: (M.G.L. c. 40, § 54) Public  Private   
1.7 Flood Zone Information: Zone: \_\_\_\_\_ Outside Flood Zone?   
Check if yes   
1.8 Sewage Disposal System: Municipal  On site disposal system

**SECTION 2: PROPERTY OWNERSHIP<sup>1</sup>**

2.1 Owner<sup>1</sup> of Record:  
Name (Print) H ALEXANDER DEARBORN c/o JERRY DONEGAN  
Signature \_\_\_\_\_  
Address for Service: 12 CAPTAIN'S WAY KITTERY POINT ME 03905  
Telephone: 978-290-0791

**SECTION 3: DESCRIPTION OF PROPOSED WORK<sup>2</sup> (check all that apply)**

New Construction  Existing Building  Owner-Occupied  Repairs(s)  Alteration(s)  Addition   
Demolition  Accessory Bldg.  Number of Units \_\_\_\_\_ Other  Specify: \_\_\_\_\_

Brief Description of Proposed Work<sup>2</sup>: CHANGE OFFICE SPACE TO ONE (1) RESIDENTIAL LIVING UNIT

**SECTION 4: ESTIMATED CONSTRUCTION COSTS**

Item	Estimated Costs: (Labor and Materials)	Official Use Only	
		1. Building Permit Fee: \$ _____ Indicate how fee is determined: <input type="checkbox"/> Standard City/Town Application Fee <input type="checkbox"/> Total Project Cost (Item 6) x multiplier _____ x _____	
1. Building	\$ _____	2. Other Fees: \$ _____	
2. Electrical	\$ _____	List: _____	
3. Plumbing	\$ _____	Total All Fees: \$ _____	
4. Mechanical (HVAC)	\$ _____	Check No. _____ Check Amount: _____ Cash Amount: _____	
5. Mechanical (Fire Suppression)	\$ _____	<input type="checkbox"/> Paid in Full <input type="checkbox"/> Outstanding Balance Due: _____	
6. Total Project Cost:	\$ <u>50,000.00<sup>1</sup></u>		

ALEX DEARBORN

12 CAPTAIN'S WAY, KITTELY POINT, MAINE 03905

PHONE: 207 439 4752 MOBILE: 978-590-5079

43°04.888N X 070°41.415W

1/28/11

Zoning Board of Appeals  
Town of Topsfield  
Topsfield MA

Fax:

ZBA, Topsfield

Re: 16 Maple Street

Ladies and Gentlemen of ZBA:

In applying for a change of status to allow residential occupancy in my building known as 16a Maple, I request that you allow Daniel and/or Jerry Donegan to submit the application in my stead, and to appear before you to make our case.

I expect to attend the hearing if I am not out of the country. Please let me know if you have any questions for me; I am available by phone and email.

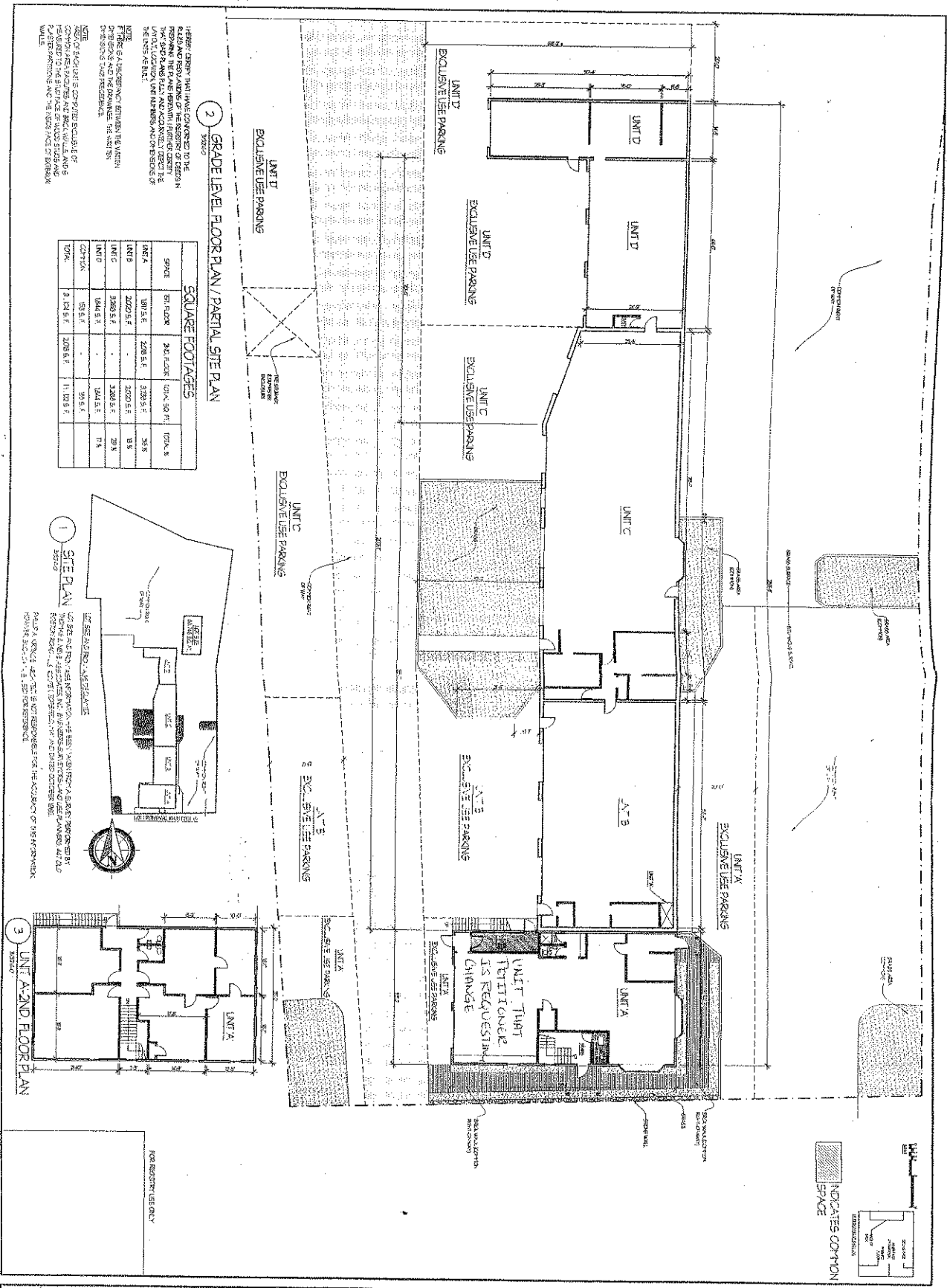
Thanks and best wishes,



Alex Dearborn

alex@dearbornauto.com





**SQUARE FOOTAGES**

SPACE	SQ. FLOOR	2ND FLOOR	COMMON	TOTAL
UNIT A	1,071 S.F.	2,208 S.F.	3,379 S.F.	6,658 S.F.
UNIT B	2,222 S.F.	2,222 S.F.	3,379 S.F.	7,823 S.F.
UNIT C	3,369 S.F.	2,222 S.F.	3,379 S.F.	9,000 S.F.
UNIT D	1,044 S.F.	2,222 S.F.	3,379 S.F.	6,645 S.F.
COMMON	99 S.F.	2,222 S.F.	3,379 S.F.	5,600 S.F.
TOTAL	8,145 S.F.	10,955 S.F.	14,136 S.F.	33,236 S.F.

**A-1**

**Phillip A. Kritikos Architect**

14 Glen Road Peabody, MA 01960  
(978) 531-4164 Fax (978) 538-1391 E-Mail: hkritikos@yahoo.com

16 MAPLE STREET CONDOMINIUMS  
16 MAPLE STREET  
TOPSFIELD, MA

16 MAPLE STREET CONDOMINIUM TRUST  
16 MAPLE STREET  
TOPSFIELD, MA

**MASTER DEED**  
16 MAPLE STREET CONDOMINIUMS

DATE: 9-17-20  
AS NOTED  
BY: [Signature]



16 MAPLE ST.  
2011 apt layout Plan

