

Town of Topsfield
Zoning Board of Appeals

Application for Zoning Relief

Form A

Before you file this application, it is necessary that you be familiar with the requirements for filing plans and other materials in support of this application as specified in the Topsfield Zoning Bylaws and the Topsfield Zoning Board of Appeals Rules and Procedures that are available from the Town Clerk.

Incomplete applications will not be considered unless waivers are previously obtained from the Zoning Board of Appeals

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BOARD USE ONLY

Date Filed:
Date Action Due
Public Hearing:
Decision:

Revised 5/06

Rec'd @ 200 filing
fee. 10/27/09

RECEIVED OFFICE OF TOWN CLERK
Topsfield, MA 01983

Date: Oct. 27, 2009 Time 11:08 AM

Beverly Ann Guarino
Beverly Ann Guarino,
Town Clerk

NATURE OF APPLICATION:

- Petition for Special Permit pursuant to Article IV, Section 305 of the Zoning Bylaw.
- Petition for Finding pursuant to Article _____, Section _____ 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 10/22/09 of the Building Inspector or others pursuant to L.L. c. 40A, Section 15.

DESCRIPTION OF APPLICANT:

- a. Name Steven Malay & Deborah Malay
- b. Address 42 Wenham Rd Topsfield 01983
- c. Phone Number 978-561-1228
- d. Interest in Premises (e.g., owner, tenant, prospective purchaser, etc.) owner
(Attach copy of lease and/or letter of authorization from authorization from owner, if applicable)

DESCRIPTION OF PREMISES:

- a. Assessor's Map 70, Lot(s) 15, Zoning District ORA
- b. Location of Premises (number and street) 42 Wenham Rd
- c. Name and address of legal owner (if different from Applicant) _____
- d. Deed to the Premises recorded at (if known):
 Essex South District Registry of Deeds, Book 15989 Page 360
 Essex South Registry District of the Land Court, Certificate Number _____
- e. Prior zoning decisions affecting the Premises (if any):
Date of Decision _____ Name of Applicant _____
Nature of Decision _____
- f. Present use of the Premises residence
- g. Present structures conform to current Zoning Bylaw. Yes No. If no, in what respect does it not conform. _____

PROPOSAL (attach additional sheets if necessary):

- a. General Description:
In law apartment to include living room, bedroom, bathroom, new garage, utility room

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

	FRONT	REAR	SIDE(S)
1. Setbacks required per bylaw	<u>20</u>	<u>40</u>	<u>20</u>
2. Existing setbacks			
3. Setbacks proposed	<u>56.3</u>	21.42 <u>313.9</u>	30.9 <u>21.42</u>
	FRONTAGE	AREA	
4. Frontage and area required by bylaw	<u>200</u>		
5. Existing frontage (s) and area	<u>168.82</u>	<u>93,204</u>	
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:

Planning board

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

Signature of Applicant



Town of Topsfield

8 West Common Street
Topsfield, MA 01983

INSPECTIONAL SERVICES
DEPARTMENT

PERMIT DENIAL

NAME: Steve & Deborah Maloy

ADDRESS: 42 Wenham Rd.

LOCATION: 42 Wenham Rd.

ZONING DISTRICT: ORA

PERMIT REQUESTED FOR: Accessory Apartment

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

ZONING BOARD OF APPEALS

PLANNING BOARD

BOARD OF SELECTMEN

FOR A:

VARIANCE

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
 Other

ZONING REQUIREMENT: 200'

PROPOSED: 168.82

Date Permit Denied 10/22/09

Inspector of Buildings
Zoning Enforcement Officer

**TOWN OF TOPSFIELD, MA
ZONING BOARD OF APPEALS**

Application Supplement Form B

Attach to this form a copy of the Assessor's map (scale 1" equals 200') showing the property and all other properties and roadways within 300 feet of any portion of the property. Also, show the lot number and lot owner's name on each lot within the 300'.

List below the lot owner names and mailing addresses as shown in the Assessors' records, beginning with the property of the Applicant (locus).

Applicant's Name, Mailing Address: Steven + Deborah Maloy
42 Wenham Rd, Topsfield, MA 01983
Telephone No. 978-561-1228

Locus: 42 Wenham Rd

70 Map Block 15 Location ORA Owner MALOY (If different from location) Mailing Address

SEE ATTACHED LIST

If needed, attach additional sheets.

Assessor's Certification

To the Topsfield Zoning Board of Appeals:

This is to certify that, at the time of the last assessment for taxation made by the Town of Topsfield, the names and mailing addresses of the parties assessed as owners of land within 300' of the parcel of land shown in the attached sketch were as listed.

Authorized Signature Assessors' Office Laureni M. Evans

Date of Verification 10/26/09

ABUTTERS' LIST FOR 70-15 42 WENHAM RD WITHIN 300' FOR ZONING BOARD OF APPEALS
TOPSFIELD, MA

Map	Block No	Street Name	Owner's Name	Co-Owner's Name	Mailing Address	City	St Zip
64	15	WENHAM RD	WELSH JACKSON O	WELSH BARBARA G	28 WENHAM RD	TOPSFIELD	MA 01983
70	12	WENHAM RD	RIORDAN BRENDAN T	RIORDAN PAMELA M	29 WENHAM RD	TOPSFIELD	MA 01983
70	11	WENHAM RD	PETTENGILL STEVEN C	PETTENGILL VIRGINIA C	37 WENHAM RD	TOPSFIELD	MA 01983
70	14	WENHAM RD	COLSMAN ECKART E	COLSMAN TILDA	38 WENHAM RD	TOPSFIELD	MA 01983
70	10	WENHAM RD	LACHMAYR HORST	LACHMAYR HELLA	41 WENHAM RD	TOPSFIELD	MA 01983
70	9	WENHAM RD	TREVENEN ANNE B		45 WENHAM RD	TOPSFIELD	MA 01983
70	16	WENHAM RD	CLARK HENRY W & SHARON P TRS	CLARK S T LIV TR & CLARK H W LIV TR	46 WENHAM RD	TOPSFIELD	MA 01983
71	18	WENHAM RD	ROCKWELL HELEN M		51 WENHAM RD	TOPSFIELD	MA 01983
71	19	WENHAM RD	SALADINO ROBERT P JR		105 WEST 55TH ST PH2	NEW YORK	NY 10019

70 - 15 42 WENHAM RD



GEOGRAPHIC INFORMATION SYSTEM
VISION APPRAISAL TECHNOLOGY

Information on this Map is
Compiled and Maintained for
Assessing Purposes Only