



Zoning Board of Appeals Application

For Town Clerk's Use Only	
Filing Fee Received:	
Administrative Appeal:	\$115.00
Special Permit:	\$115.00
Non-Conforming Use Special Permit:	\$115.00
Variance:	\$115.00
Modification to Existing Permit:	\$115.00
40-B Comprehensive Permit:	\$575.00*
*plus per unit review fees and technical/review deposit, please see attachment for details of fees required.	

Application Type: Administrative Appeal Variance
 Special Permit Modification to Existing Permit
 Non-Conforming Use Special Permit 40-B Comprehensive Permit*

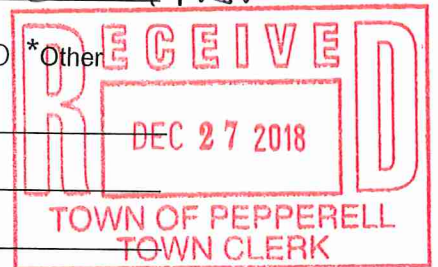
Name of Applicant(s): John Harrison, Trustee, 122 South Road Beverly Dist
 Relationship of Applicant to the subject property:

Owner *Purchaser under agreement with owner Appellant *Other

Address of Applicant(s): 186 Albee St, Fitchburg, MA 01420

P.O. Box if applicable: _____

Subject Property Address: 122 - 124 South Road



Zoning District: Rural Res. Assessors Map and Parcel No.: 37-28-0 & 37-29-0

State Nature of the action or relief requested:

Resubdivide existing 2 parcels which contain a single family home and 2 cabins to create lot 1 which will meet all dimensional controls and lot 2 which requires a 7.82 frontage variance and is otherwise conforming.

Please list all applicable section(s) of the Town of Pepperell Zoning Bylaw:

sec. 4140 and sec. 922.2

Letter/correspondence from the Inspector of Buildings/Zoning Enforcement Officer regarding this matter must be attached. Please see ZBA Information Packet for required attachments to application.

I/We hereby request a hearing before the Zoning Board of Appeals with reference to the above noted request. I/We agree to pay prior to the public hearing all costs of the certified mailing and the advertising of the notice of public hearing and understand that it is my/our obligation to establish at the public hearing, the factual and legal basis for the relief requested. This request is accompanied by all the required submissions and I/we have reviewed the Rules and Regulations of the Zoning Board of Appeals as most recently amended.

[Signature]
Applicant Signature/Date

Print Name

Day phone

Eve phone

Trustee, 122 South Road Beverly Dist
John Harrison, 978-758-7402 (c)

Applicant Signature/Date

Print Name

Day phone

Eve phone

*Owner's Acknowledgement

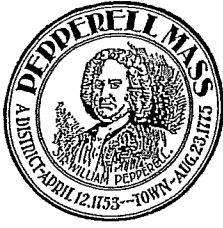
As the owner of subject property, I concur with the application, and if granted, authorize it to be recorded in owner's name and, if land is registered, noted on owner's certificate of title.

Owner's Signature(s)/Date

ZBA-2018-10 December 27, 2018

122-124 South Road (Harrison)

VARIANCES



Town of Pepperell
INSPECTOR OF BUILDINGS

1 Main Street
Pepperell, Massachusetts 01463-1644
(978) 433-0329 Fax (978) 433-0338

October 3, 2018

John Harrison
186 Albee Street
Fitchburg, MA 01420

Dear Mr. Harrison,

You have submitted a Notice of Intent to create two new lots at 122-124 South Road, Pepperell, MA. I make the following comments based on your submitted Plan of Land dated September 13, 2018:

1. The property at 122 South Road currently has 100.11 feet of frontage and 29,077 square feet (.057 acres).
2. The property at 124 South Road currently has 291.77 feet of frontage and 143,184 square feet of land area (3.28 acres).
3. A single family home and two detached cabins are located on the lot currently known as 124 South Road. The house was built in 1954 and at that time there was no minimum lot area or frontage requirement.
4. The submitted plan shows how you would like the 2 pieces of property to be combined and then sub-divided to create two new lots. The new lot with the existing house, to be known as 122 South Road, will meet the 200 foot frontage requirement in the Rural Residence district, have the required 80,000 square feet of land area and the home will meet the setback requirements from the property lines. The two pre-existing non-conforming cabins will be removed.
5. The second lot, to be known as 124 South Road, will have 87,209 square feet of land area but only 192.18 feet of frontage. This does not meet the required 200 feet of frontage. Therefore, you must apply to the Zoning Board of Appeals for a 7.82 foot variance to the 200 foot requirement under Section 9222 and Section 4140 – Table of Dimensional Requirements of the town of Pepperell zoning bylaws.

If you need any additional information, please call.

Sincerely,

Robert Kelly
Building Inspector/Zoning Enforcement Officer

CC: File
Zoning Board of Appeals

OFFICE OF THE BOARD OF ASSESSORS
TOWN OF PEPPERELL
COMMONWEALTH OF MASSACHUSETTS

REQUEST FOR CERTIFIED LIST OF PARTIES IN INTEREST

PROPERTY ADDRESS: 1dd 4164 South St, Pepperell MA 01463

ASSESSORS MAP: 37-28-0 LOT: 37-29-0

LEGAL REFERENCE: BOOK: 71701 PAGE: SS3

APPLICANT: John Harrison trustee TEL: 978-758-7402

APPLICANT MAIL ADDRESS: 106 Albee St, Fitchburg MA 01420

OWNER: 122 South Rd Realty Trust TEL: 978-758-7402

OWNER MAIL ADDRESS: 106 Albee St Fitchburg MA 01420

BOARD/COMMISSION WITH WHICH THE APPLICATION WILL BE FILED:

Zoning Board of Appeals

DATE: 10/1/18 SIGNATURE: [Signature], APPLICANT

DATE: 10/9/18 SIGNATURE: [Signature] trustee, OWNER

OWNER AND APPLICANT MUST SIGN THIS FORM

THIS REQUEST IS INVALID UNLESS FULLY COMPLETED AND ACCOMPANIED BY \$20.00 FEE. \$20.00 Per Board

The certified list will be completed within ten (10) working days of receipt of a valid form.

RETURN TO:

Board of Assessors
One Main Street
Pepperell, MA 01463-1644
Fax (978) 433-0338
Tel (978) 433-0322

OFFICE USE ONLY:

REQUEST SUBMITTED WITH COMPLETE INFORMATION YES NO

PAYMENT RECEIVED \$20.00 CHECK CASH DATE / /

DATE COMPLETED:

NOTES:



TOWN OF PEPPERELL

Board of Assessors

To: Zoning Board of Appeals
From: Anne Sidel - Administrative Assessor *ASB*
Date: 10/9/2018
Re: Application submitted for the properties located at 122 & 124 South Road in the ownership of John Harrison, Trustee of 122 South Road Realty Trust, shown on Tax Map 37 as Parcels 28-0 and 29-0, further described by Deed recorded at the Middlesex South District Registry of Deeds in Book 71701 Page 553.

Parties in Interest: Zoning Board of Appeals - 300' Abutters

<u>Owner & Mailing Address</u>	<u>Map & Lot</u>
John Harrison Trustee 122 South Road Realty Trust 186 Albee Street Fitchburg, MA 01420	37-28-0, 37-29-0
Daniel E & Robin J Crocker 61 Bancroft Street Pepperell, MA 01463	37-57-0
Matthew R & Amanda E Marton 62 Bancroft Street Pepperell, MA 01463	37-18-0
John B & Maureen A Dion POB 451 Pepperell, MA 01463	37-91-0
Nimrod Arad 118 South Road Pepperell, MA 01463	37-92-0
Raymond L & Jacqueline F Barbera 126 South Road Pepperell, MA 01463	37-72-0
Charles & Robin K McCann 2 Ottada Way Pepperell, MA 01463	37-30-0

Parties in Interest: Zoning Board of Appeals - 300' Abutters (cont.)

Owner & Mailing Address

Map & Lot

Eric Donald Ackerman & Jenny S Crisman
128 South Road
Pepperell, MA 01463

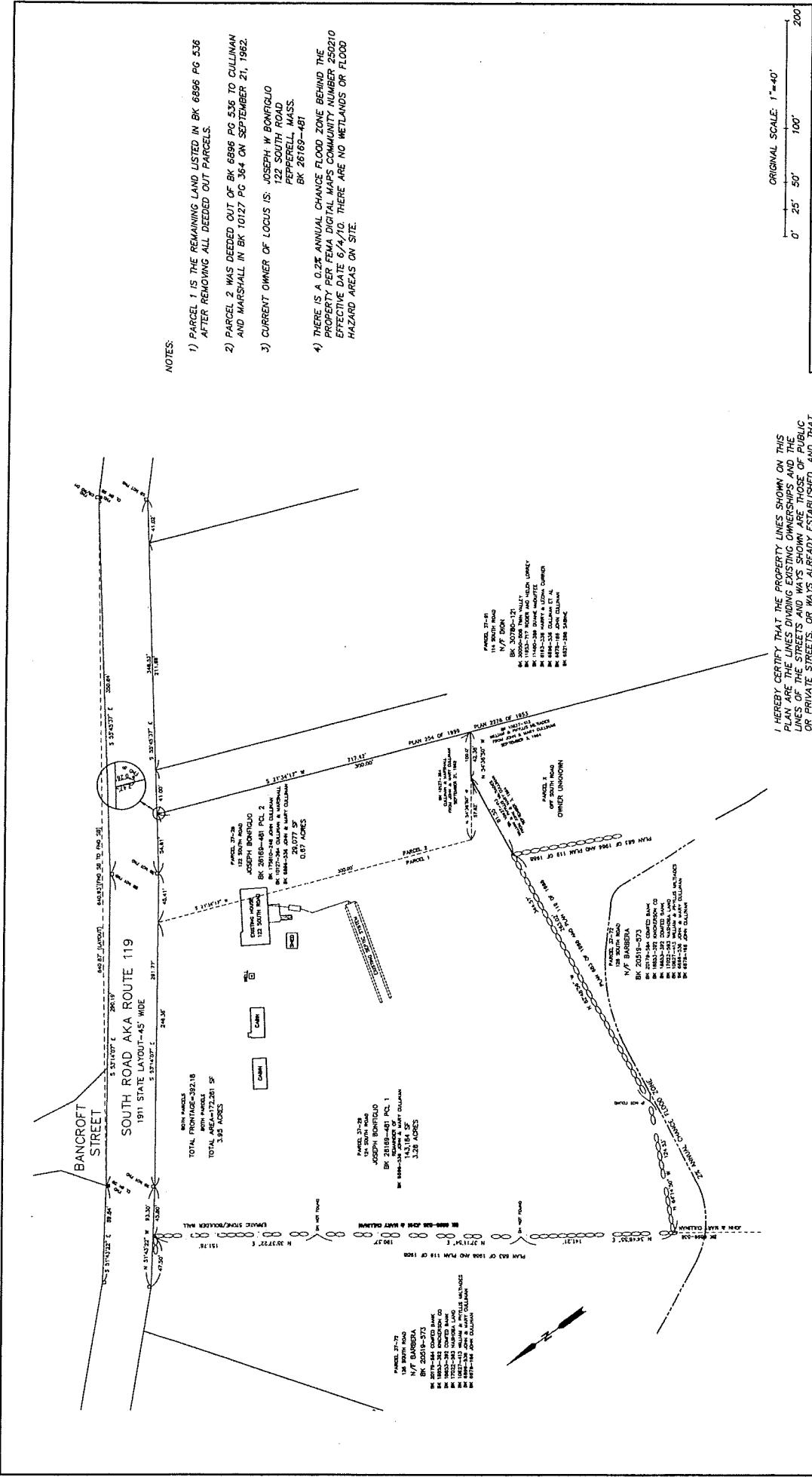
37-71-0

Marika Irwin
116 South Road
Pepperell, MA 01463

37-27-0

George & Heather M Zacharakis
112 South Road
Pepperell, MA 01463

37-90-0



ORIGINAL SCALE: 1"=40'

0' 25' 50' 100' 200'

NOTES:

- 1) PARCEL 1 IS THE REMAINING LAND LISTED IN BK 6896 PG 536 AFTER REMOVING ALL DEEDED OUT PARCELS.
- 2) PARCEL 2 WAS DEEDED OUT OF BK 6896 PG 536 TO CULLINAN AND MARSHALL IN BK 10127 PG 364 ON SEPTEMBER 21, 1982.
- 3) CURRENT OWNER OF LOCUS IS: JOSEPH W BONFIGLIO
122 SOUTH ROAD
PEPPERELL, MASS.
BK 26769-481
- 4) THERE IS A 0.2% ANNUAL CHANCE FLOOD ZONE BEHIND THE PROPERTY BEHIND DIGITAL MAPS COMMUNITY NUMBER 250210 EFFECTIVE DATE 1/1/00. THERE ARE NO WETLANDS OR FLOOD HAZARD AREAS ON SITE.

Middlesex Registry of Deeds
Southern District
Cambridge, Massachusetts
Plan No. 812 of 2018
Rec'd 10-27-2018
JUL 14 2 11 PM '18

PLAN OF LAND IN
PEPPERELL, MASS.
FOR
JOHN HARRISON

SCALE: 1"=40' SEPTEMBER 28, 2018

ROSE LAND SURVEY
P.O. BOX 384
WEST GROTON, MASS. 01472
JOB NO. R-526 & PLAN NO. M-928 81X

I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS AND THE LINES OF THE STREETS OR WAYS ALREADY ESTABLISHED OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED OR NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

I CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.



I HEREBY CERTIFY THAT THE STRUCTURES SHOWN, INCLUDING THE EXISTING SEPTIC SYSTEM, ARE NOT LOCATED IN A FEDERAL FLOOD HAZARD AREA.

SEPTEMBER 28, 2018
DATE

P.L.S. NO. 32090

812 of 2018

Detailed Statement to Application

Property Address: 122-124 South Road

Zoning District: Rural Residence

PROPERTY consists of a single family home with private water and private septic system and 2 cabins which were formerly used as Motor Court cabins with one cabin having one unit and the second cabin having two units.

PROPOSAL: Proposed Lot 1: Remodel the existing single family home

Proposed Lot 2: Remove the 2 cabins and build a new single family home

<u>Dimensional Controls:</u>	Lot 1	Lot 2
Minimum Lot Area: 80,000 sq. ft.	85,051 sq. ft.	87,209 sq. ft.
Minimum Lot Frontage: 200 feet	200 feet	192.18 feet
Minimum Front Yard: 50 feet	77.2 feet	to conform
Minimum Side Yard: 30 feet	86.7 feet and 86.2 feet	to conform
Minimum Rear Yard: 75 Feet	214.7 at closest point	to conform

VARIANCE REQUIRED: Proposed Lot 2 requires a lot frontage variance of 7.82 feet and otherwise conforms to the dimensional controls for the Rural Resident district.

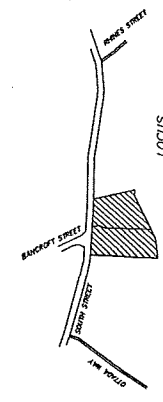
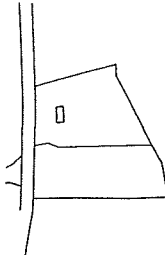
The circumstances relating to this land and the structures thereon is unique in that it has a single family home plus the two cabins that were formerly used as a Motor Court for transients. This is the only such former use in this neighborhood. The cabins are situated along South Road and were so situated to be provide convenient access from the "Great Road" to the units. The two cabins are now vacant and obsolete but formerly provided 3 units. The removal of the cabins and the loss of income potential will create financial hardship alleviated by construction of a single family home which will not change the character of the neighborhood. The removal of the two cabins and replacement with a single family home will not nullify or substantially derogate from the intent of the zoning by-law as one residential unit on a lot of more than adequate area is more conforming than the three motor court units. The granting of the variance will not result in material damage or prejudice to other properties in the district and the granting of the variance will result in desirable relief without substantial detriment to the public good and without derogating from the intent and purpose of the zoning bylaw.

NOTES:

- 1) ALL LOTS SHOWN ARE LOCATED IN A RURAL RESIDENCE ZONE DISTRICT.
MINIMUM FRONTAGE=200.00'
FRONT OFFSET=50', SIDE OFFSET=30', REAR OFFSET=75.00'
LOT 1 MEETS PEPPERELL ZONING FRONTAGE REQUIREMENTS AND HAS 85,051 SF OF DRY LAND.
LOT 2 DOES NOT MEET PEPPERELL ZONING FRONTAGE REQUIREMENTS BECAUSE IT IS 7.82' SHORT OF THE REQUIRED 200' FRONTAGE BUT HAS A LOT WIDTH OF 200.00' AT THE 50' SETBACK.
- 3) ALL LOTS SHOWN CONTAIN AT LEAST 30,000 CONTIGUOUS SQUARE FEET OF LAND EXCLUSIVE OF WETLAND AND FLOOD HAZARD AREAS.
- 4) ALL LOTS SHOWN HAVE PRACTICAL ACCESS THROUGH THEIR OWN FRONTAGE.
- 5) CURRENT OWNER OF LOCUS IS:
JOHN HARRISON TRUSTEE
122 SOUTH ROAD REALTY TRUST
186 ALBEE STREET
FITCHBURG, MA 01420
BK:71701-553

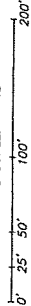
JOHN HARRISON TRUSTEE
122 SOUTH ROAD REALTY TRUST
186 ALBEE STREET
FITCHBURG, MA 01420
BK:71701-553

LOCUS



VARIANCE REQUEST
SECTION 4140 MINIMUM FRONTAGE=200.00'
REQUESTED FRONTAGE=192.18

ORIGINAL SCALE: 1"=40'



THE ENDORSEMENT OF THE PLANNING BOARD DOES NOT CONSTITUTE A FINDING THAT ZONING REQUIREMENTS HAS BEEN MET.

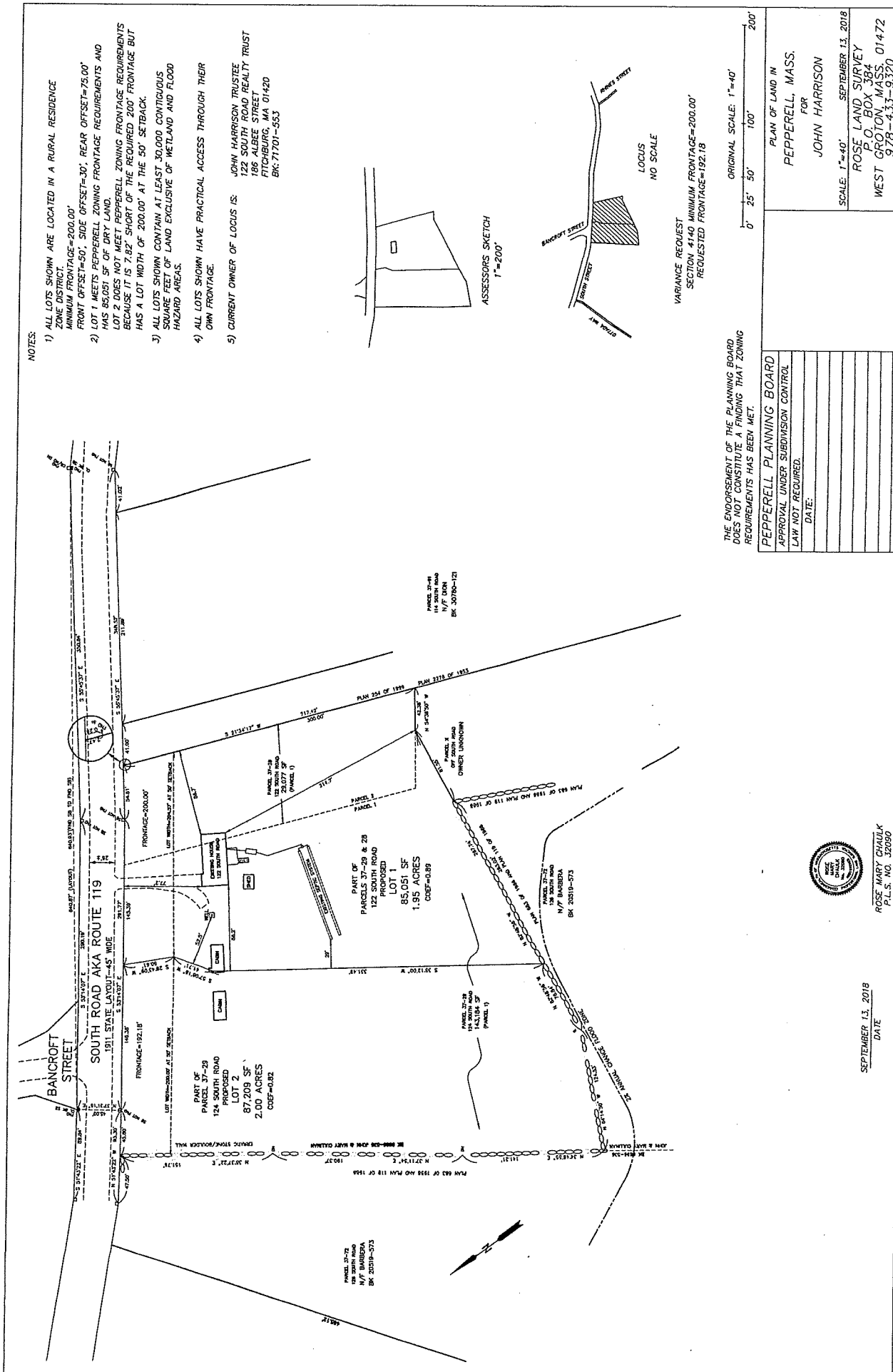
PEPPERELL PLANNING BOARD

APPROVAL UNDER SUBDIVISION CONTROL
LAW NOT REQUIRED.

DATE:

PLAN OF LAND IN
PEPPERELL, MASS.
FOR
JOHN HARRISON

SCALE: 1"=40' SEPTEMBER 13, 2018
ROSE LAND SURVEY
P.O. BOX 384
WEST GROTON, MASS. 01472
JOB NO. R-526 PLAN NO. M-926



SEPTEMBER 13, 2018
DATE

ROSE MARY CHARULK
P.L.S. NO. 58690

Unofficial Property Record Card - Pepperell, MA

General Property Data

Parcel ID 37-29-0
Prior Parcel ID --
Property Owner BONFIGLIO JOSEPH W

Account Number

Mailing Address 122 SOUTH ROAD

Property Location 124 SOUTH RD
Property Use ONE FAM
Most Recent Sale Date 3/27/1996
Legal Reference 26169-481

City PEPPERELL
Mailing State MA Zip 01463
ParcelZoning RUR

Grantor CULLINAN JOHN B + MARY A
Sale Price 0
Land Area 3.397 acres

Current Property Assessment

Card 1 Value Building Value 118,500

Xtra Features Value 1,400

Land Value 109,800

Total Value 229,700

Building Description

Building Style RANCH
of Living Units 1
Year Built 1954
Building Grade AVERAGE
Building Condition Average
Finished Area (SF) 960
Number Rooms 5
of 3/4 Baths 0

Foundation Type CONCRETE
Frame Type WOOD
Roof Structure GABLE
Roof Cover ASPHALT SH
Siding CLAPBOARD
Interior Walls DRYWALL
of Bedrooms 3
of 1/2 Baths 0

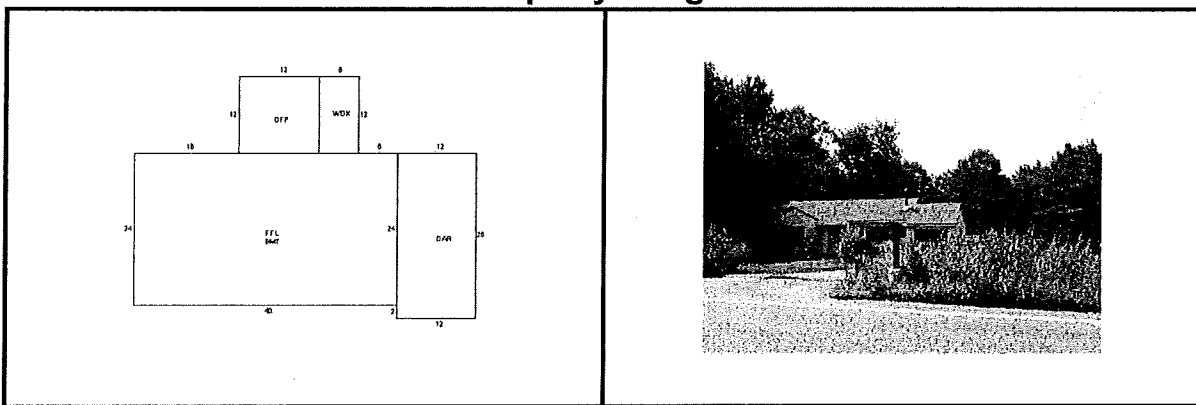
Flooring Type SOFTWOOD
Basement Floor N/A
Heating Type FORCED H/A
Heating Fuel OIL
Air Conditioning 0%
of Bsmt Garages 0
of Full Baths 1
of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 3.397 acres of land mainly classified as ONE FAM with a(n) RANCH style building, built about 1954 , having CLAPBOARD exterior and ASPHALT SH roof cover, with 1 unit(s), 5 room(s), 3 bedroom(s), 1 bath(s), 0 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Unofficial Property Record Card - Pepperell, MA

General Property Data

Parcel ID 37-28-0
Prior Parcel ID --
Property Owner BONFIGLIO JOSEPH W

Account Number

Mailing Address 122 SOUTH ROAD

Property Location 122 SOUTH RD
Property Use POTENTL
Most Recent Sale Date 3/27/1996

City PEPPERELL
Mailing State MA Zip 01463

Legal Reference 26169-481
Grantor CULLINAN JOHN B

ParcelZoning RUR

Sale Price 119,000

Land Area 0.689 acres

Current Property Assessment

Card 1 Value Building Value 0

Xtra Features Value 0

Land Value 42,300

Total Value 42,300

Building Description

Building Style N/A
of Living Units N/A
Year Built N/A
Building Grade N/A
Building Condition Average
Finished Area (SF) N/A
Number Rooms 0
of 3/4 Baths 0

Foundation Type N/A
Frame Type N/A
Roof Structure N/A
Roof Cover N/A
Siding N/A
Interior Walls N/A
of Bedrooms 0
of 1/2 Baths 0

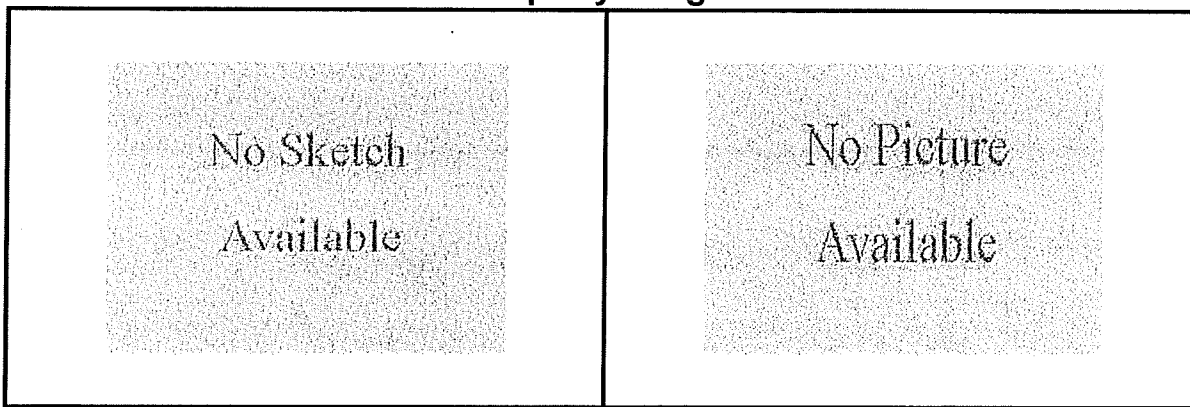
Flooring Type N/A
Basement Floor N/A
Heating Type N/A
Heating Fuel N/A
Air Conditioning 0%
of Bsmt Garages 0
of Full Baths 0
of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 0.689 acres of land mainly classified as POTENTL with a(n) N/A style building, built about N/A , having N/A exterior and N/A roof cover, with N/A unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.