



**Town of Grafton
Zoning Board of Appeals
30 Providence Road
Grafton, MA. 01519**

**508-839-5335 x 1154 - Fax: 508-839-4602
E-mail: koshivosk@graffton-ma.gov
Website: www.graffton-ma.gov**

Zoning Board of Appeals

New Case Notice

Case Number #

2018 / 856

The Grafton Board of Appeals has received a petition from **RALPH DEADY**
for **121 NORTH STREET** requesting that the Zoning Board of Appeals grant a

Variance

to allow: A VARIANCE OF SECTION 3.2.3.2 OF THE ZONING BY-LAW TO ALLOW THE CREATION OF
A 2ND LOT THAT DOES NOT COMPLY WITH THE MINIMUM STANDARDS, THE LOT IS
SHORT BY 2,505.5 SQ. FT. DUE TO WETLANDS.

Map: 38 Lot: 11 Block: 000

The Board will conduct a Public Hearing on _____ at 7:00 PM in Conference
Room A, at the Municipal Center, 30 Providence Road, Grafton, MA 01519 to consider this request.

ZONING BOARD OF APPEALS

William McCusker, Chairman

William Yeomans, Vice Chairman

Kay Reed, Clerk

Elias Hanna, Member #1

Karl Chapin, Member #2

Marianne Desrosiers, Alternate #1

Brian Waller, Alternate #2

RECEIVED TOWN CLERK
GRAFTON, MA

2018 NOV 29 AM 10:46

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**PETITION TO THE ZONING BOARD OF APPEALS
TOWN OF GRAFTON, MASSACHUSETTS**

DATE: NOV. 29, 2018

I/We hereby petition your Board to conduct a public hearing and consider the granting of relief from under hardship resulting from literal enforcement of the protective Zoning Bylaw, by exercising your power to:

RECEIVED

NOV 29 2018

Zoning Board of Appeals

(Mark one)

Review refusal of Selectman or others to grant a permit

Grant a **VARIANCE** from the terms of the Zoning Bylaw, SECTION 3.2.3.2.

Grant a **SPECIAL PERMIT** for a specific use which is subject to the approval of your Board.

FOR LAND/BUILDINGS AT 121 North St.

TO ALLOW:

ASKING FOR AREA VARIANCE TO ALLOW CREATION FOR A 2ND LOT THAT DOES NOT COMPLY WITH MINIMUM STANDARDS IN ZONING BY LAW 3.2.3.2. ARE START BY 2,515.5 SQ FT.

Please complete this entire section:

Location of property: _____ Tax Plan # 38 Plot # 11

Zoning District in which the property is located: R-40

Title of Property in name of: Ralph Deady

Whose address is: 121 North St - Grafton, MA

Deed recorded in Book # 53147, Page # 151

Plan Book # _____, Plan # _____

Signature of Petitioner: _____

Print Name Ralph Deady

Address of Petitioner: 23 Farm St. Bellingham, MA 02019

Phone Number of Petitioner: _____

Burnie.

508-320-9206

BNC60@verizon.net

4.) FORM OF APPEALS:

All appeals must be in writing, in duplicate, and signed by the applicant or his attorney. These documents shall be filed in the Office of the Town Clerk of Grafton. One copy is to be sent to the Building Inspector and one copy to the Clerk of the Board of Appeals. A form for Appeal is attached hereto. A site plan of the property involved in the appeal must accompany the appeal.

5.) CONDITIONS TO BE MET FOR GRANTING A VARIANCE/SPECIAL PERMIT:

Before making formal application for a variance/special permit from the Town of Grafton Zoning Bylaws, you, the applicant, must be aware of the conditions that must be met before the Zoning Board of Appeals may act favorably upon your request.

- I. A hardship exists upon your land that requires you to apply for a variance.
Example: A ledge or rock condition exists upon your property which does not allow you to construct within the conformity of the bylaw. Financial hardship, by itself is not a reason for granting a variance.
- II. The condition affecting your property is incidental to that property and not generally affecting other parcels within your zoning district.
- III. A variance may be granted without substantial detriment to the public good. This is to say, for example, that excess traffic would not result by the granting of the variance, or that the rights of your neighbors would not be infringed upon.
- IV. A variance cannot substantially derogate from the intent and purpose of the bylaw. Varying a front yard setback from 30 – 10 ft. would be, in most instances, substantial derogation from the intent and purpose of the Town of Grafton Zoning Bylaws.

Your presentation before the Board should specifically relate to all four above prerequisites. If in doubt, contact an attorney before filing your appeal. If your appeal were denied then you would have to wait two (2) years before reapplying. It is best to be fully prepared at the time of the hearing.

6.) HEARINGS:

Legal Notices of the hearing will be published in the Grafton News 2 weeks prior to the hearing date. Legal notices will also be sent to the applicant, abutters and to such other persons as the Board deems to be interested parties. The applicant may appear in person or be represented by an attorney. The applicant will be given an opportunity to present witnesses, evidence, and persons appearing in opposition will also be given an opportunity to be heard. No cross-examination of the witnesses will be allowed except at the discretion of the Board. The Board may in its discretion permit arguments at the close of the evidence.

7.) Representation and Appearance before the Board

Applicants for relief must appear at the hearing either in person or by way of an "Authorized Representative". An Authorized Representative means the following:

For Applicants who are Individual Property Owners

Applicants who are individual property owners may allow an engineer, architect, contractor or other person to appear before the Board on their behalf provided that the Individual Property Owner has sent a letter to the Board in advance of the hearing identifying the engineer, architect, contractor or other person as their authorized representative.

For Applicants who are Corporate Property Owners (e.g. corporations and LLCs)

An applicant that is a corporate entity may appear before the Board if it is represented by any of the following:

- 1.) An attorney licensed to practice law in the Commonwealth of Massachusetts.
- 2.) A corporate officer (e.g. President, Treasurer or Clerk) provided that the person purporting to be a corporate officer produces evidence of such executive status in the form of a corporate vote of the board of directors or a copy of corporation's annual report on file with the Massachusetts Secretary of the Commonwealth.
- 3.) A non-executive employee or an engineer, architect, contractor or other person provided that the corporate entity sends a letter to the Board in advance of the hearing designating such non-executive employee, engineer, architect, contractor or other person as the corporate entity's designated agent authorized to act on behalf of the corporate entity. However, all letters from corporate entities must be signed by a corporate officer (e.g. President, Treasurer or Clerk in the case of a corporation or the Manager in the case of a limited liability company).

8.) DECISION:

The applicant will be notified, in writing, of the decision of the Board. The decision will also be mailed to all abutters and interested parties.

Condo Property Record Card

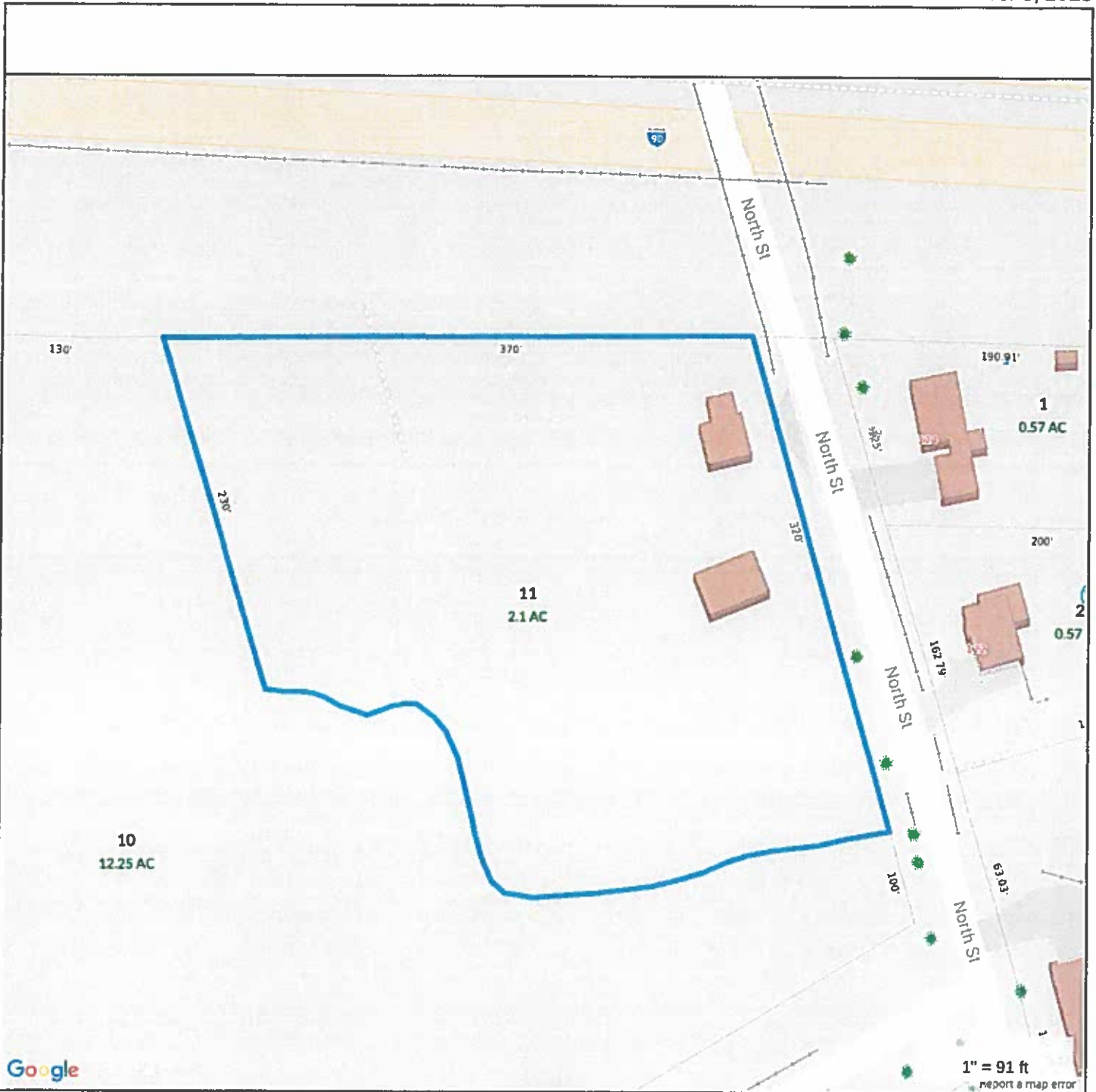
Parcel ID: 110/038.0-0000-0011.0 MAP: 038.0 BLOCK: 0000 LOT: 0011.0 Parcel Address: 121 NORTH STREET FY: 2018

PARCEL INFORMATION		Use-Code: 101	Sale Price: 70,000	Book: 53147	Road Type: T	Inspect Date: 0:
Owner: DEADY RALPH J	Tax Class: T	Sale Date: 12/12/2014	Page: 151	Rd Condition: P	Meas Date: 0:	
Address: 23 FARM STREET BELLINGHAM MA 02019	Tot Fin Area:	Sale Type: P	Cert/Doc:	Traffic: L	Entrance: C	
	Tot Land Area: 2.099	Sale Valid: U		Water: IW	Collect Id: M	
	Sewer:	Grantor:		Sewer: SP	Inspect Reas: A	
	Exempt-B/L%	Resid-B/L% 100/100	Comm-B/L% 0/0	Indust-B/L% 0/0	Open Sp-B/L% 0/0	

RESIDENCE INFORMATION				LAND INFORMATION								
Style: CP	Tot Rooms: 7	Main Fn Area: 988	Attic: N	NBHD CODE: 4	NBHD CLASS: 3	ZONE: R4						
Story Height: 1.70	Bedrooms: 3	Up Fn Area: 473	Bsmt Area: 676	Seg	Type	Code	Method	Sq-Ft	Acres	Influ-Y/N	Value	Class
Roof: G	Full Baths: 1	Add Fn Area:	Fn Bsmt Area: 0	1	P	101	S	40000		N	138,320	
Ext Wall: WS	Half Baths:	Unfin Area:	Bsmt Grade:	2	S	131	S	40000		N	46,390	
Masonry Trim:	Ext Bath Fix:	Tot Fin Area: 1461	Foundation: ST	3	R	131	S	11476		N	2,065	
Bath Qual: T	RCNLD: 43241	Kitch Qual: T	Eff Yr Built: 1938	DETACHED STRUCTURE INFORMATION								
Mkt Adj:	Heat Type: FA	Ext Kitch:	Year Built: 1938	Str	Unit	Msr-1	Msr-2	E-YR-Blt	Grade	Cond	%Good P/F/E/R	Cost
Sound Value:	Fuel Type: 0	Grade: PF	Cost Bldg: 43,200	G1	S	576		1980	U	U	25///25	3,500
Fireplace:	Bsmt Gar Cap:	Condition: P	Att Str Val1:	VALUATION INFORMATION								
Central AC: N	Bsmt Gar SF:	Pct Complete:	Att Str Val2:	Current Total:	233,500	Bldg:	46,700	Land:	186,800	MktLnd:	186,800	
Att Gar SF:	%Good P/F/E/R:	/60//29		Prior Total:	277,300	Bldg:	96,900	Land:	180,400	MktLnd:	180,400	
Porch Type	<u>Porch Area</u>	<u>Porch Grade Factor</u>										
P	25											
E	36											

CONDO INFORMATION			
Style:	Tot Rooms:	Fn Liv Area:	Bsmt Area:
Apt Unit#:	Full Bed:	Unf Liv Area:	Fin Bsmt SF:
Unit Desc:	Den/Part Bed:	Load Dock SF:	Fn Bsmt Grd:
Res Unit Type:	Full Baths:	Bldg Escaltrs:	Parking Class:
C/ Unt Type:	Half Baths:	Bldg Elevatrs:	Parking Rstr:
Comp.Name:	Bath Quality:	No Ovrhd Dr:	Parking Open:
Comp.Code:	Kitchen Type:		Parking Covrd:
Comp.Class:	Kitchen Qual:	Atypical:	Parking Gar:
Condo Type:	Wall Height:	Eff Yr Built:	Pct Com.Int:
Value Method:	Flooring:	Year Built:	Pct Int Ownd:
Base Floor:	Ceillings:	Grade:	Int Adj Fctr:
Nm Floors:	Fire Alarm:	Condition:	Val Adj Pct:
	Pct Sprinklrs:	Pct Complete:	Val Adj Amt:
Heat Type:			View Quality:
Heat Control:			View Adj:
AC Control:			Unit Loc Adj:
Fireplaces:			Market Adj:
Stacks:			Condo Val:
Hearths:			Sound Val:
			Misc Struc:
			Misc Str Val:

Sketch Photo



Google

1" = 91 ft
report a map error

Property Information

Property ID 110/038.0-0000-0011.0
 Location 121 NORTH STREET
 Owner DEADY RALPH J



**MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT**

Town of Grafton, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 4/1/2018
 Properties updated 4/1/2018



TOWN OF GRAFTON
 GRAFTON MEMORIAL MUNICIPAL CENTER
 30 PROVIDENCE ROAD
 GRAFTON, MASSACHUSETTS 01519
 (508) 839-5335 ext 1170 • FAX: (508) 839-4602
 www.grafton-ma.gov



TREASURER / COLLECTOR

Certificate of Good Standing

Applicants seeking permits with the Town of Grafton must submit this completed form at the time of application. When all obligations are paid to date, you must attach this "Certificate of Good Standing," with your application. Delinquent bills must be paid in full before the appropriate department accepts your application. Please make arrangements to pay these outstanding bills at the Collector's Office.

Please note: it can take up to three (3) business days to process each request.

Please check all that apply and indicate if permit(s) have been issued.

	Permit Issued?		Permit Issued?	
	Yes	No	Yes	No
<input type="checkbox"/> Building - Inspection(s)	_____	_____	<input type="checkbox"/> Septic System	_____
<input type="checkbox"/> Building - Electric	_____	_____	<input type="checkbox"/> Conservation	_____
<input type="checkbox"/> Building - Plumbing	_____	_____	<input type="checkbox"/> Planning	_____
<input type="checkbox"/> Board of Health	_____	_____	<input type="checkbox"/> Other	_____

Other Permit: ZBA

Same
 Petitioner Name

Ralph Deady
 Property Owner / Applicant

Petitioner Address

121 North St.
 Property Address

City, State, Zip

Grafton, MA
 City, State, Zip

Phone

Date:	Current	Delinquent	N/A
Real Estate	✓		
Personal Property			✓
Motor Vehicle Excise			✓
Disposal			✓
General Billing			✓

[Signature]
 Treasurer / Collector Signature

11/9/18
 Date

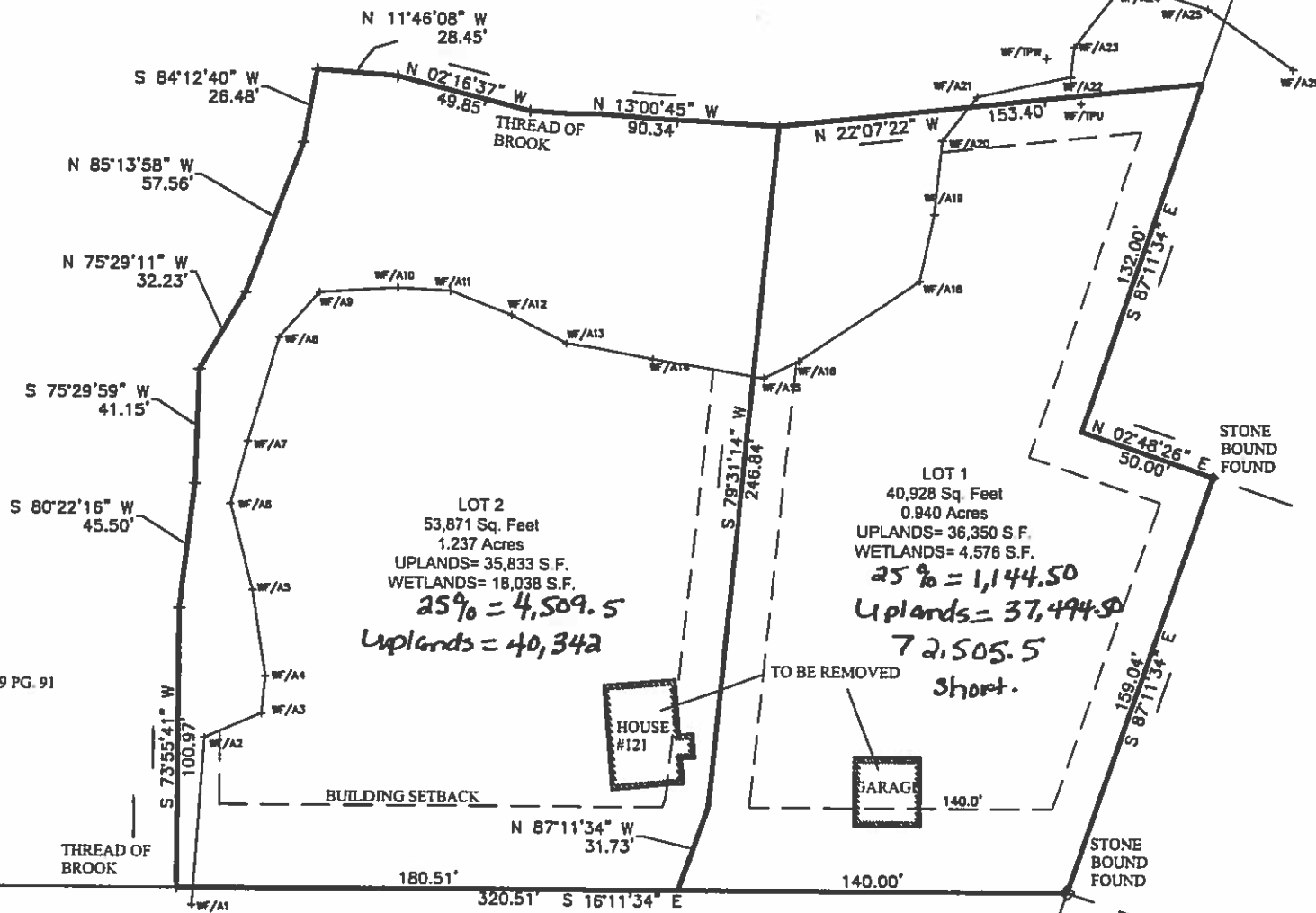


N/F
KEYES
DEED BK. 12679 PG. 91

BICKNELL ROAD

**MASSACHUSETTS
TURNPIKE**

N/F
KEYES
DEED BK. 12679 PG. 91



LOT 2
53,871 Sq. Feet
1.237 Acres
UPLANDS= 35,833 S.F.
WETLANDS= 18,038 S.F.
25% = 4,509.5
Uplands = 40,342

LOT 1
40,928 Sq. Feet
0.940 Acres
UPLANDS= 36,350 S.F.
WETLANDS= 4,578 S.F.
25% = 1,144.5
Uplands = 37,494.5
72,505.5
Short.

ZONING DATA:

R-40
LOT AREA = 40,000 S.F.
LOT FRONTAGE = 140'
FRONT YARD SETBACK = 30'
SIDE YARD SETBACK = 15'
REAR YARD SETBACK = 15'

PLAN REFERENCE:

PLAN BOOK 203 PLAN 82
PLAN BOOK 209 PLAN 63
PLAN BOOK 217 PLAN 63
PLAN BOOK 295 PLAN 17
PLAN BOOK 758 PLAN 68
PLAN BOOK 770 PLAN 10

OWNER OF RECORD:

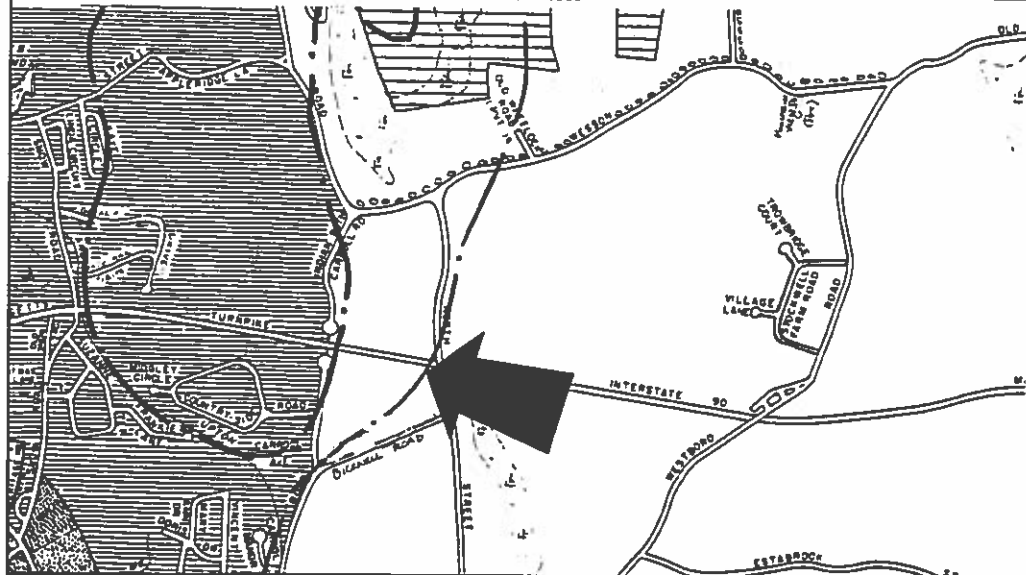
RALPH J. DEADY
DEED BOOK 53147 PAGE 151
ASSESSORS MAP 38 LOT 11

JAMES KEYES
DEED BOOK 12679 PAGE 91
ASSESSORS MAP 38 LOT 10

LOCATION:

NORTH STREET, BICKNELL ROAD &
MASSACHUSETTS TURNPIKE

LOCUS MAP
1" = 1000'



PLANNING BOARD ENDORSEMENT IS NOT A
DETERMINATION AS TO CONFORMANCE WITH
THE ZONING BYLAWS.

Approval under the subdivision
control law not required.
Planning Board of GRAFTON.

DATE: _____

JARVIS LAND SURVEY, INC

29 Grafton Circle
Shrewsbury, MA 01545
Tel. (508) 842-8087 - Fax. (508) 842-0661

THIS PLAN HAS BEEN PREPARED IN
CONFORMANCE WITH THE RULES AND
REGULATIONS OF THE REGISTERED
DEEDS IN THE COMMONWEALTH OF
MASSACHUSETTS AND IN COMPLIANCE
WITH THE RULES AND REGULATIONS
FOR THE PRACTICE OF LAND SURVEYING
IN THE COMMONWEALTH OF MASSACHUSETTS.
THIS CERTIFICATION IS INTENDED TO MEET
THE REQUIREMENTS OF THE REGISTRY OF
DEEDS AND IS NOT A CERTIFICATION OF THE
TITLE OR OWNERSHIP OF THE LAND SHOWN
HEREON.



PLAN OF PROPERTY
SURVEYED FOR
RALPH J. DEADY
121 NORTH STREET
GRAFTON, MASSACHUSETTS

DATE	CHECK	CALC.	FIELD	N.B.#	PLAN
6-28-17	K.J.J.	K.J.J.	CS/PM	285-28	15-013

0' 30' 60' 90'

SCALE: 1 INCH = 30 FEET