

RECEIVED TOWN CLERK
GRAFTON, MA
2023 FEB 22 1 PM 3:4

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

DATE: January 11, 2023

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:

(Mark one)

 Review refusal of Selectman or others to grant a permit or enforce the zoning by-laws.

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

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

FOR LAND/BUILDINGS AT 59 Maple Street
TO ALLOW:

The applicant requests a special permit pursuant to Section 3.4.3.5 of the Zoning bylaw to allow an existing non-conforming restaurant to be replaced by a duplex residential structure. A sketch of the existing layout of the premises is attached as Exhibit A and a sketch of the proposed replacement is attached as Exhibit B.

Please complete this entire section:

Location of property: Tax Plan # 129 Plot # 12

Zoning District in which the property is located: R-2

Title of Property in name of: David Mason, Trustee of Hilltop Realty Trust

Whose address is: S. Grafton, MA 01560, 59 Maple Ave

Deed recorded in: Book # 33280, Page# 43

Plan Book # 807, Plan# 112

Signature of Petitioner: 

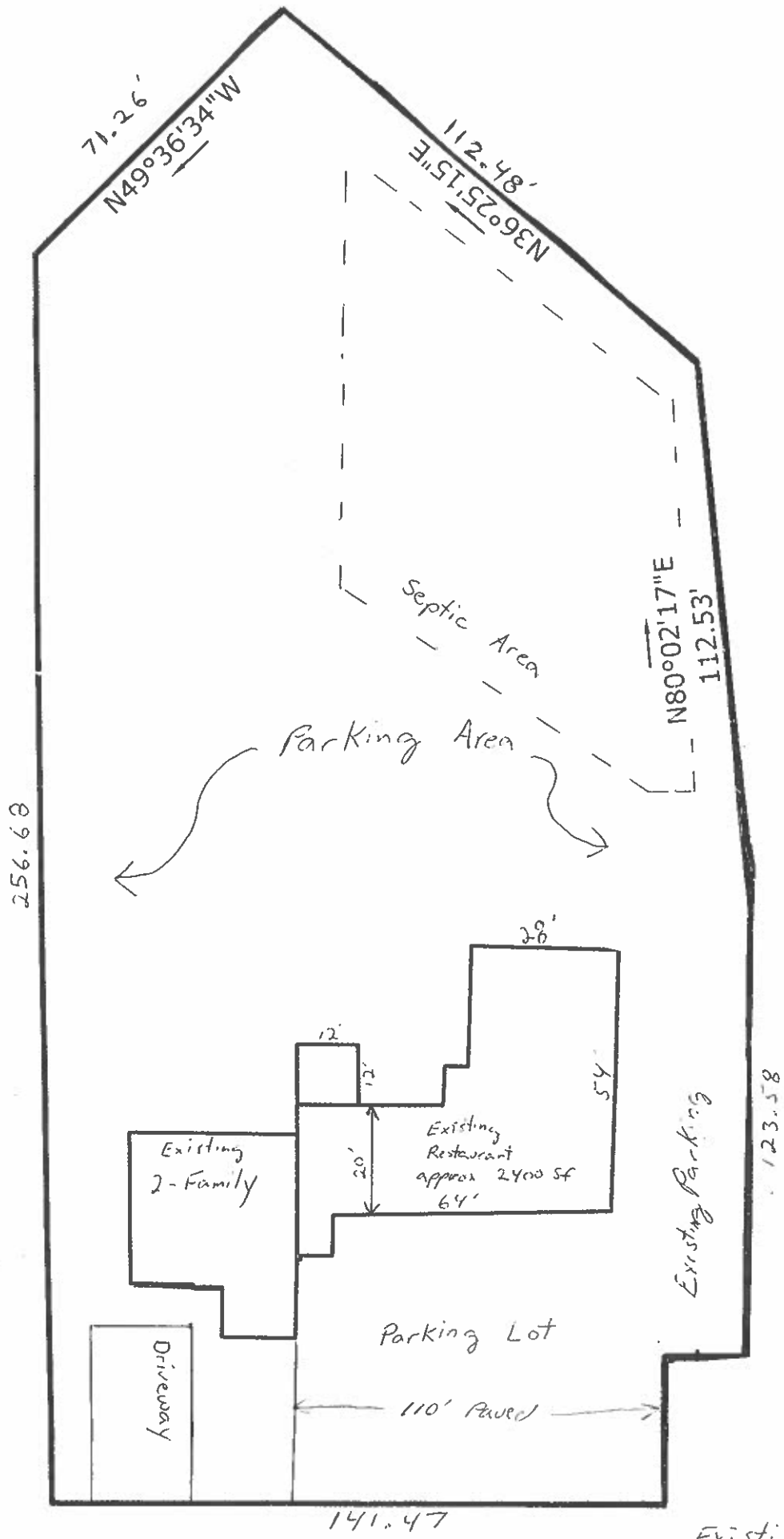
Print Name David Mason, Trustee

Address of Petitioner: 65 Depot Street, S. Grafton, MA 01560

Phone Number of Petitioner: 508-769-6767

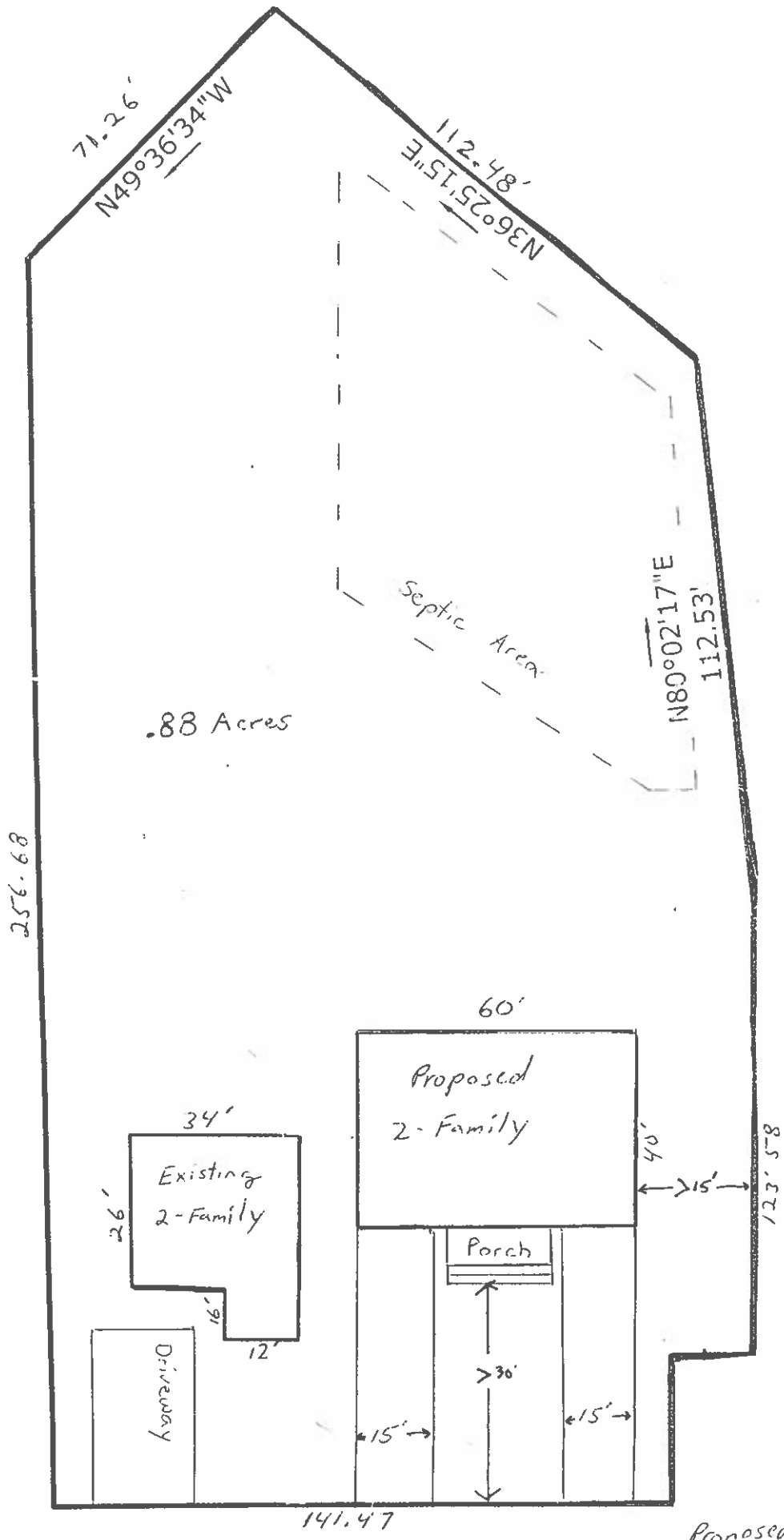
Email Address of Petitioner: kdmason@live.com

Notice to :
Henry J. Lane
hlane@laneandhamer.com
Lane and Hamer, PC
100 Main Street
Whitinsville, MA 01588
Tel: (508) 234-4400



#59 Maple Ave.

Existing Plan



#59

Maple Ave.

Proposed Plan

NOTES

- 1.) ASSASSORS REFERENCE: MAP 129 LOT 17 & 17
- 2.) DEED REFERENCE: BOOK 13184 PG 87
- 3.) PLAN REFERENCE: PLAN BOOK 145 PLAN 88
PLAN BOOK 427 PLAN 115
- 4.) PARCEL A NOT TO BE CONSIDERED A SUBDIVISION LOT
- 5.) PARCEL A TO BE CONSIDERED WITH THE MARANZO PROPERTY
- 6.) A REQUEST FOR DETERMINATION MUST BE FILLED WITH GRAFTON CONSERVATION COMMISSION TO VERIFY WETLAND DELINEATION.

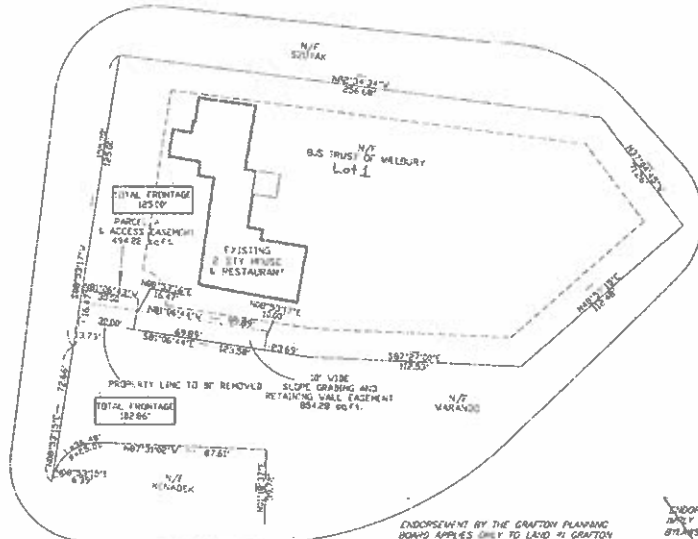
ZONING:
RESIDENTIAL R-20
MIN LOT SIZE 20,000 SQ. FT.
MIN FRONTAGE 125 FT.

SETBACKS:
FRONT 30'
SIDE 15'
REAR 25'

PROPERTY	EXISTING LOT AREA	LOT AREA ADDED BY SHOW'D (PARCEL A)	FINAL LOT AREA
BJS TRUST	38,747.584 SQ. FT.	- 494.228	38,253.356 SQ. FT.

WORCESTER DISTRICT REGISTER
G. B. 1785 - WORCESTER, MA
PLAN BOOK 827 PLAN 112
Received 7/11/04
9. 112 - 112
Sheet 1 of 1
Blk. Doc. #
to BOOK # PAGE
Plan # 75
WITNESS: *Anthony V. Vettese*
Notary Public
RESERVED FOR REGISTRY OF DEEDS USE ONLY

02-2143



DETAIL A 1"=30"

ENDORSEMENT BY THE GRAFTON PLANNING BOARD APPLIES ONLY TO LAND IN GRAFTON

APPROVAL UNDER THE SUBDIVISION CONTROL LAW, NOT REQUIRED GRAFTON PLANNING BOARD:

Walter P. Maloney

DATE: 1/12/04

COMPLIANCE WITH ZONING OR OTHER REGULATIONS IS NEITHER EXPRESSED NOR IMPLIED

I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN IN THE TOWN OF NORTHBRIDGE ARE THE LINES SHOWN IN THE RECORDS AND THE TAP LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW TAP LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN IN THE TOWN OF NORTHBRIDGE.

I CERTIFY THAT THE PREPARATION OF THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS, AS REVISED THROUGH JANUARY 12, 1998.



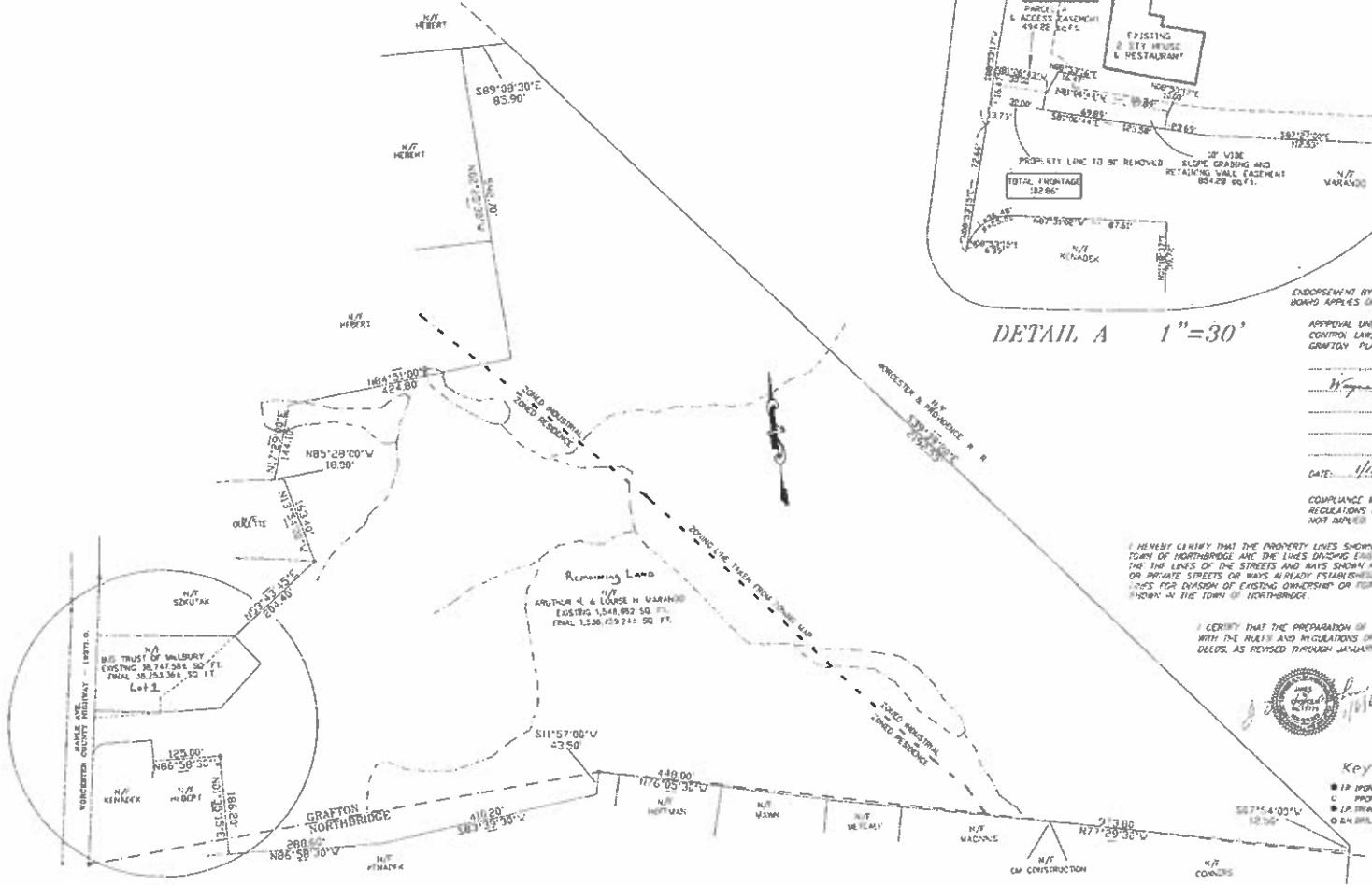
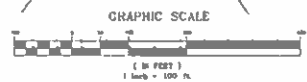
- Key**
- 12" ASPHALT DRIVEWAY
 - PROPOSED GRANITE CURB
 - 12" CONCRETE DRIVEWAY
 - 6" x 6" WOOD POSTS

ENDORSEMENT OF THIS PLAN DOES NOT IMPLY THE PLAN COMPLES WITH THE PLANNING BYLAWS OF THE TOWN OF NORTHBRIDGE

APPROVAL UNDER THE SUBDIVISION CONTROL LAW, NOT REQUIRED NORTHBRIDGE PLANNING BOARD:

DATE:

NO DETERMINATION AS TO COMPLIANCE WITH ZONING REQUIREMENTS HAS BEEN MADE OR INTENDED.



SEE DETAIL A

Plan of Land
IN
Grafton, Massachusetts
(Worcester County)

Applicant: Rick Jenettech, SR.
Owner: BJS Trust of Milbury
50 Maple Ave.
Grafton, MA 01519

Arthur Maranzo
61 Maple Ave.
Grafton, MA 0519
Date: Dec 18 2003

Scale: 1" = 100'

MARK SANTORA P.E., Inc.
P.O. BOX 309
GRAFTON, MASS. 01517
(508) - 839 - 5117

Sheet No. 1 of 1 | Project No. 02-2143



**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.

Geometry updated 3/23/2021
Data updated 3/23/2021

Print map scale is approximate.
Critical layout or measurement
activities should not be done using
this resource.

59 MAPLE AVENUE

Location 59 MAPLE AVENUE

Mblu 129.0/ 0000/ 0012.0/ /

Acct# 1101290000000120

Owner MASON DAVID TRUSTEE

PBN

Assessment \$551,900

Appraisal \$551,900

PID 6781

Building Count 2

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2022	\$402,500	\$149,400	\$551,900

Assessment			
Valuation Year	Improvements	Land	Total
2022	\$402,500	\$149,400	\$551,900

Owner of Record

Owner MASON DAVID TRUSTEE
Co-Owner HILLTOP REALTY TRUST
Address 65 DEPOT STREET
S GRAFTON, MA 01560

Sale Price \$180,000
Certificate
Book & Page 33280/43
Sale Date 04/12/2004
Instrument 1N

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
MASON DAVID TRUSTEE	\$180,000		33280/43	1N	04/12/2004

Building Information

Building 1 : Section 1

Year Built: 1920
Living Area: 1,739
Replacement Cost: \$226,199
Building Percent Good: 68

Replacement Cost

Less Depreciation: \$153,800

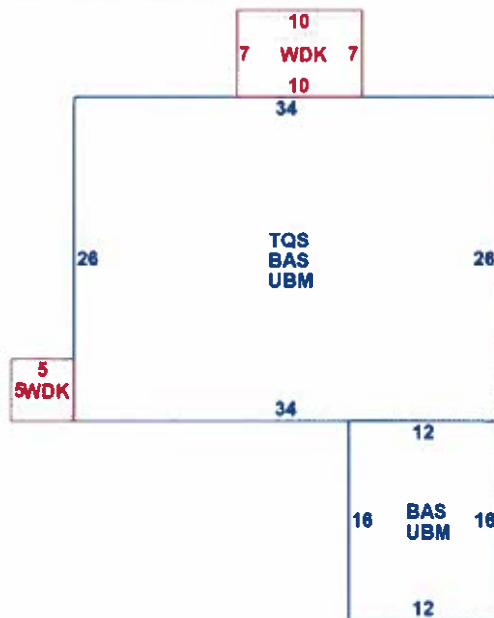
Building Attributes	
Field	Description
Style	Two Family
Model	Residential
Grade	Average
Stories	1.80
Occupancy	2
Exterior Wall 1	Vinyl Siding
Exterior Wall 2	
Roof Type	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Floor 1	Inlaid Sht Gds
Interior Floor 2	Carpet
Heat Fuel	Oil
Heat Type	Forced Air-Duc
AC Type	None
Bedroom(s)	2
Full Bath(s)	2
Half Bath(s)	2
Extra Fixture(s)	1
Total Rooms	9
Bathroom Quality	Modern
Kitchen Quality	Modern
Extra Kitchen(s)	0
Interior Condition	Average / Good
Exterior Condition	Average
Foundation	Stone
Bsmnt Garage Cap	0
Gas Fireplaces	0
Stacks	
Fireplaces	
Basement Area	1076.00
Fin Bsmt Area	0
Fin Bsmt Grade	
Basement Type	Full
Fndtn Cndtn	
Basement	

Building Photo



(<https://images.vgsi.com/photos/GraftonMAPhotos//default.jpg>)

Building Layout



(ParcelSketch.ashx?pid=6781&bid=6781)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	1,076	1,076
TQS	Three Qtr Sty	884	663
UBM	Unfin Bsmnt	1,076	0
WDK	Wood Deck	95	0
		3,131	1,739

Building 2 : Section 1

Year Built: 1930
Living Area: 2,462
Replacement Cost: \$470,843
Building Percent Good: 51
Replacement Cost Less Depreciation: \$240,100

Building Attributes : Bldg 2 of 2

Field	Description
Style	Restaurant
Model	Commercial
Grade	Below Average
Stories	1.0
Num Units	1.00
Exterior Wall 1	Vinyl Siding
Exterior Wall 2	
Roof Structure	Gable/Hip
Roof Cover	Asph/F GlS/Cmp
Interior Wall 1	Typical
Interior Wall 2	
Interior Floor 1	Carpet
Interior Floor 2	
Heating Fuel	Typical
Heating Type	Package
AC Type	00
Use Type	Retail Store
Primary Bldg Use	Predom Comm C
Total Rooms	0
Placeholder	0
Lighting	Average
Bldg Class	D
Fir1 Occ	
Heat/AC	Typical
% Heated	100
Plumbing	Average
Ceilings	Paint
Rooms/Prtns	Average
Wall Height	8.00
Base Floor	1.00
# Overhead Doors	
Load Dock SF	

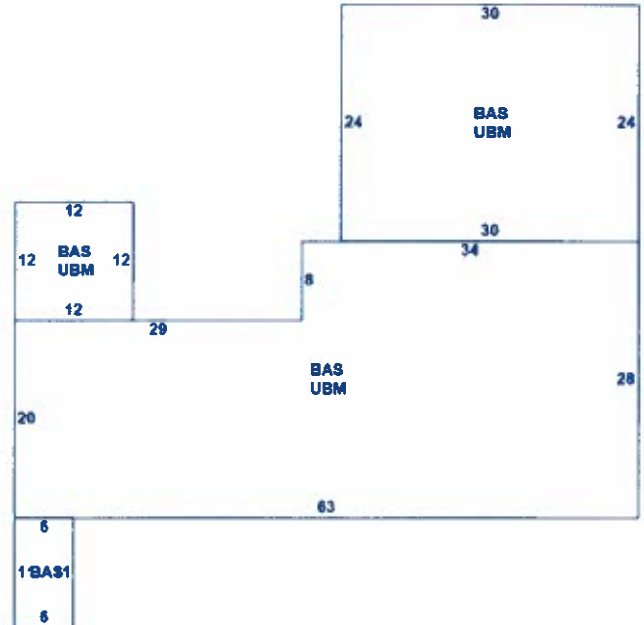
Building Photo



59 MAPLE AVENUE

(<https://images.vgsi.com/photos/GraftonMAPhotos/IMG0009V00090926.J>)

Building Layout



(ParcelSketch.ashx?pid=6781&bid=107671)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	2,462	2,462
UBM	Unfin Bsmnt	2,396	0
		4,858	2,462

Extra Features

Extra Features				Legend
Code	Description	Size	Value	Bldg #
WDK	WOOD DECK	169.00 SF	\$2,000	2

Land

Land Use

Use Code 0311
Description Predom Comm R
Zone R2
Neighborhood 24
Alt Land Appr No
Category

Land Line Valuation

Size (Acres) 0.88
Frontage
Depth
Assessed Value \$149,400
Appraised Value \$149,400

Outbuildings

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
PAV1	PAVING-ASPHALT			4466.00 S.F.	\$6,400	1
SGN3	W/INT LIGHTS			4.00 S.F.&HGT	\$200	1

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2021	\$390,900	\$135,700	\$526,600
2020	\$368,500	\$135,700	\$504,200
2019	\$330,700	\$135,700	\$466,400

Assessment			
Valuation Year	Improvements	Land	Total
2021	\$390,900	\$135,700	\$526,600
2020	\$368,500	\$135,700	\$504,200
2019	\$330,700	\$135,700	\$466,400



MEGAN LAVOIE, ASSESSOR ASSISTANT

PARCEL ID	LOCATION	OWNER 1	OWNER 2	ADDRESS 1	ADDRESS 2	CITY	ST	ZIP	BK	PG
129.0-0000-0011.0	55 MAPLE AVENUE	STABACK, TYLER FREDERICK		55 MAPLE AVENUE		S GRAFTON	MA	01560	64035	202
129.0-0000-0013.0	67 MAPLE AVENUE	KENADEK, CLARA M	BLANDING, CLAUDIA A	175 NORTH MAIN STREET		UXBRIDGE	MA	01569	66697	9
129.0-0000-0014.0	71 MAPLE AVENUE	GREENE, SONIA NERISSE	STEVENS, DANIEL PATRICK	71 MAPLE AVENUE		S GRAFTON	MA	01560	66079	106
129.0-0000-0001.0	64 MAPLE AVENUE	MAYOR RAMNIK	MAYOR PRAGATI	60 ASPEN AVENUE		S GRAFTON	MA	01560	58394	182
129.0-0000-0003.0	60 MAPLE AVENUE	GAUTHIER LISSA L		60 MAPLE AVENUE		S GRAFTON	MA	01560	57957	109
129.0-0000-0004.0	58 MAPLE AVENUE	LAFRANCE MELISSA C		58 MAPLE AVENUE		S GRAFTON	MA	01560	54872	184
129.0-0000-0017.0	61 MAPLE AVENUE	CHUNG HEE CHUN	PAK TO HYONG	701 HAMMOND STREET APT 2		CHESTNUT HILL	MA	02467	47223	111
129.0-0000-0006.0	50 MAPLE AVENUE	MARANDA MARK R		50 MAPLE AVENUE		S GRAFTON	MA	01560	51378	131
129.0-0000-0012.A	57 MAPLE AVENUE	COTE DEBORAH J		57 MAPLE AVENUE		S GRAFTON	MA	01560	47296	336
129.0-0000-0025.0	49 MAPLE AVENUE	PADGETT TRACY A		49 MAPLE AVENUE		S GRAFTON	MA	01560	50204	84
129.0-0000-0005.0	56 MAPLE AVENUE	LORENTZEN PAUL R	LORENTZEN TIFFANY L	56 MAPLE AVENUE		S GRAFTON	MA	01560	45254	235
129.0-0000-0016.0	58 MAPLE AVENUE REAR	VE PROPERTIES XI LLC		ONE MEMORIAL SQUARE		WHITINSVILLE	MA	01588	45227	8
129.0-0000-0002.0	62 MAPLE AVENUE	SLIWOWSKI THOMAS M		62 MAPLE AVENUE		S GRAFTON	MA	01560	20985	313
129.0-0000-0012.0	59 MAPLE AVENUE	MASON DAVID TRUSTEE	HILLTOP REALTY TRUST	65 DEPOT STREET		S GRAFTON	MA	01560	33280	43