



**Boxford Zoning Board of Appeals  
Public Hearing Application**

**(ZONING BOARD USE ONLY)**

ZBA CASE # 949  
PUBLIC HEARING DATE 6.25.15

**(TOWN CLERK STAMP ONLY)**

Received and filed at Town Clerk's  
Office, Boxford, Massachusetts  
on 5-21-15 by Adam Phelan

**1. Information of Project Applicant and Property Owner**

Applicant Name Gaye Kirshman  
Street Address 137 Herrick Rd  
Town/City Boxford State MA  
Telephone Number 978-887-8650  
Property Owner Name Gaye Kirshman  
Address 137 Herrick Rd  
Town/City Boxford State MA  
Telephone Number 978-887-8650

**FILING FEE**

- \$200.00 special permit/appeal
- \$250.00 variance

**40b COMPREHENSIVE**

- \$500.00 plus \$50.00 per individual unit
- \$250.00 plus \$25.00 per individual unit  
for Local Initiative Program

**2. Property Location of this Application**

Street Address 137 Herrick Rd Map 19 Block 2 Lot 12.0  
Deed to the Property Book 238 Page 381 Date 5-7-76 (or registered in Land Registry District)  
Certificate No. Book \_\_\_\_\_ Page \_\_\_\_\_ Date \_\_\_\_\_  
Land Court Plan No. Book \_\_\_\_\_ Page \_\_\_\_\_ Date \_\_\_\_\_

**3. Purpose of Applicant and Description of Project**

Purpose of Application:  Special Permit  Variance  Appeal of Building Inspector  Comprehensive

Applicable Section(s) of Boxford Zoning Bylaw 196-13C

Reason for Request and Description of Project Remodel existing structure for mother-in-law apartment. Total of 630 square feet.

**SEE OTHER SIDE**

**Boxford Zoning Board of Appeals**  
**Public Hearing Application**

**4. Zoning District**

Zoning Districts in which the property lies:  R-A  B-1  B-2  M  C  O  Historic  Elderly Housing  
 Pond Watershed Overlay  Wireless Communication

**5. Conformity of Site and Use**

Date lot was created 1976-77

Date structure was built 1976-1977

Does the property, structure and/or use conform to the current Boxford Zoning Bylaw? yes

If not, describe the non-conformity (ie; lot size, setbacks, use, etc.)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Additional Submittal Requirements**

All applications shall include the applications requirements identified in §382-3 (B)(2) Plans and Specifications, of the Boxford Zoning Board of Appeals Rules and Regulations.

Applications for a Comprehensive Permit shall also include the application requirements identified in §382-4 of the Boxford Zoning Board of Appeals Rules and Regulations.

In addition, specific submittal requirements are identified in the Zoning Bylaw for the following applications:

Section 196-22 - Wireless Communications Services District

Section 196-30 - Site Plans

Section 196-33 - Soil Stripping

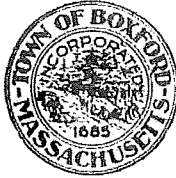
I hereby request a hearing before the Boxford Zoning Board of Appeals:

Applicant's Signature Gaye Kirshman Date 5/11/15

The following signature is needed if the property owner is not the applicant.

I am aware of the submittal of the application (not required if an appeal of a Building Inspector's decision):

Property Owner's Signature Gaye Kirshman Date 5/11/15



## Zoning Board of Appeals

Effective July 1, 1997, applicants of the Zoning Board of Appeals will be billed directly by the Community Newspaper Company for the publication of their legal notice. In order for the newspaper to bill you, please provide the following information:

### PLEASE PRINT

Name Gaye Kirshman

Mailing Address P.O. Box 22

City/Town Boxford State MA Zip Code 01921-0022

Daytime phone number 978-887-8650

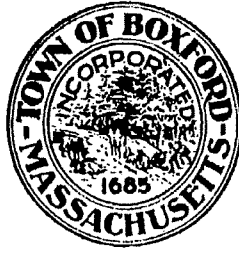
Evening phone number same

### AUTHORIZATION FOR PUBLICATION

I hereby authorize the Community Newspaper Company to bill me directly for the publication of my legal notice in the Tri Town Transcript.

Gaye Kirshman  
Signature

5/11/15  
Date



## ZONING BOARD OF APPEALS

### APPLICANT'S INFORMATION

Name: Gaye Kirshman

Address: 13.7 Herrick Rd  
Boxford, MA 01921

### POSTAGE FEE

In accordance with Article X, Section 196-49 of the Zoning by-law of the Town of Boxford, you are required to pay the postage costs for the abutter notification of your application and decision.

The following is the formula used for determining the postage costs for each application:

Number of Certified Abutters

(including applicant & representative)

Notice of Hearing

$$\underline{10} \times 6.49 = \underline{64.90}$$

Number of Surrounding Towns & MVPC

$$9 \times 6.49 = \$58.41$$

Number of Certified Abutters

(including applicant & representative)

Notice of Decision

$$\underline{10} \times .49 = \underline{4.90}$$

**TOTAL AMOUNT OWED FOR POSTAGE FEE**

$$\underline{\$ 128.21}$$

Please remit a check payable to the Town of Boxford, for the total amount owed for postage. Also, please be advised that your postage fee must be paid for, prior to a meeting date being scheduled. Thank you.

Sincerely,

Paula Lia Fitzsimmons,  
Chair

TOWN OF BOXFORD  
WILDCAT RESERVATION  
7A SPOFFORD RD  
BOXFORD, MA 01921

MWAMBURI MKAYA  
MKAYA CHRISTINE A  
166 HERRICK RD  
BOXFORD, MA 01921

SMITH JOSEPH W  
SMITH LISA A  
154 HERRICK RD  
BOXFORD, MA 01921

WITTLINGER III CARL  
CAROLYN A WITTLINGER  
130 HERRICK RD  
BOXFORD, MA 01921

PHELAN MICHAEL J  
7 GLEN FOREST DR  
BOXFORD, MA 01921

WEIZMAN EHUD TE  
WEIZMAN ZEHAVA  
5 MEAD CIRCLE  
LEXINGTON, MA 02420

KIRSHMAN GAYE  
137 HERRICK RD  
BOXFORD, MA 01921

HUDAK JR WILLIAM J T  
ANGELA Q HUDAK  
165 HERRICK RD  
BOXFORD, MA 01921

BTA/BOLT INC  
P O BOX 95  
BOXFORD, MA 01921

RODGERS RICHARD L  
REID HEATHER J  
146 HERRICK RD  
BOXFORD, MA 01921

KB  
10

### NOTICE OF TITLE FIVE DEED RESTRICTION 310 CMR 15.00

This notice of Title Five Deed Restriction is made this 19<sup>th</sup> day of May, 2015 by and between the Town of Boxford Board of Health (Board), Boxford, Essex County, Massachusetts and the property owners Gaye Kirshman in fee simple (Owners) pertaining to property, now commonly known as 137 Herrick Rd. Boxford, Essex County, Massachusetts and more specifically referenced in the Deed recorded at the Essex County south registry of Deeds at Book# 1038 Page# 381 (Property).

**WHEREAS**, the Owners seek to increase the number of rooms to the single family dwelling on the property without making a change in the sewage disposal system: and needs a permit subject to the approval of the Board: and

**WHEREAS**, the Board has on file one plan entitled Sanitary Disposal Design for Map 19 Block 2 Lot 12.0 Boxford, Massachusetts by, dated 5-11-10, which designed for 450 gallons per day (gpd) is adequate for a 3 bedroom dwelling as defined by the local Board of Health Regulations.

**NOW THEREOF**, the Board and the Owners agree the dwelling be limited to 3 bedrooms and remain so unless and until there is an approved upgrade filed with the Board. The Board agrees that upon completion of the upgrade this Deed Restriction shall become null and void.

This Notice of Deed restriction shall become effective upon its recordation with the Essex South registry of Deeds and filing with the Board.

Witness the execution hereof under this seal this 19<sup>th</sup> day of May, 2015.

[Signature]  
Board of Health

Gaye Kirshman  
Owner

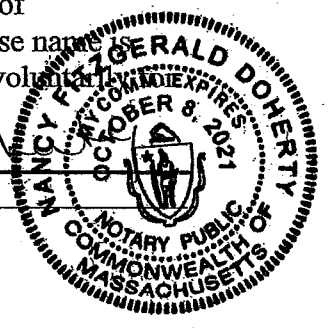
Owner

### COMMONWEALTH OF MASSACHUSETTS

ESSEX.SS

On this 19 day of May, 2015, before me, the undersigned notary public, personally appeared Gaye Kirshman, proved to me through satisfactory evidence of identification, which were MA license, to be the person whose name is signed on the document, and acknowledged to me that (he) (she) signed it voluntarily for its stated purpose as participants in this agreement.

Nancy Fitzgerald Doherty  
Notary Public My commission expires 10/8/2021



SEE PL. B. 137  
PL. 86

See  
B:6946  
p588

Edith Spacil Gilmore,  
of Exeter, New Hampshire

County: Massachusetts

being unmarried, for consideration paid, and in full consideration of Twenty-seven Thousand (27,000) Dollars,  
grants to Peter Kirshman and Gaye Kirshman, husband and wife, as tenants by the entirety, presently of 14 Geneva Road, Andover, Massachusetts, with quitclaim covenants the land in Boxford:

[Description and encumbrances, if any]

Beginning at the southwestern corner of the granted premises, on the northeasterly sideline of Herrick Road, thence running northwesterly on said Herrick Road on several courses 88.89 feet, 86.10 feet, 306.91 feet, 215.60 feet, 282.03 feet and 301.00 feet to the northwesterly corner at Lot A, thence turning and running:

- Northeasterly 132.31 feet by said Lot A to the northeasterly corner at land now or formerly of Moses Alpers, thence turning and running;
- Southeasterly by a stone wall on several courses, 1056.37 feet by land of said Alpers to the end of the wall, thence running;
- Southeasterly by land of said Alpers, 75 feet more or less, to Four Mile Pond, thence running;
- Southeasterly by said Four Mile Pond 235 feet more or less, to the southeasterly corner at land now or formerly of Arthur Gingrande, thence turning and running;
- Southwesterly by land of said Gingrande, 185.60 feet more or less, to Herrick Road and the point of beginning.

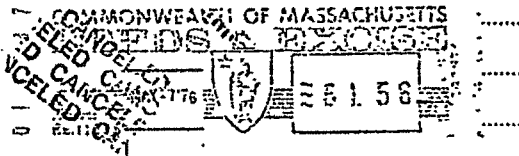
Said premises being shown as Lot B on a plan entitled "Plan of Land in Boxford, Property of Edith Spacil Gilmore" by Essex Survey Service, Inc., dated Jan. 30, 1976, to be recorded herewith, and containing 3.302 acres more or less.

For title reference, see deed from Elizabeth A. Condon to Edith Spacil Gilmore, dated July. 16, 1968, and recorded in Essex Deeds, Book 5543, Page 590.

Said premises being subject to a Right of Way, ten feet in width, along the northwesterly property line, adjacent to Lot A, as shown on said plan. Said Way shall run from Herrick Road to land now or formerly of Moses Alpers, and shall be for foot travel only.

Witness my hand and seal this sixth day of May, 1976.

Edith Spacil Gilmore



The Commonwealth of Massachusetts

Suffolk,

ss.

May 6,

1976

Then personally appeared the above named Edith Spacil Gilmore

and acknowledged the foregoing instrument to be her free act and deed, before me

Meyer H. Goldman  
Notary Public—Justice of the Peace  
My commission expires January 1 1982

(\*Individual—Joint Tenants—Tenants in Common—Tenants by the Entirety.)

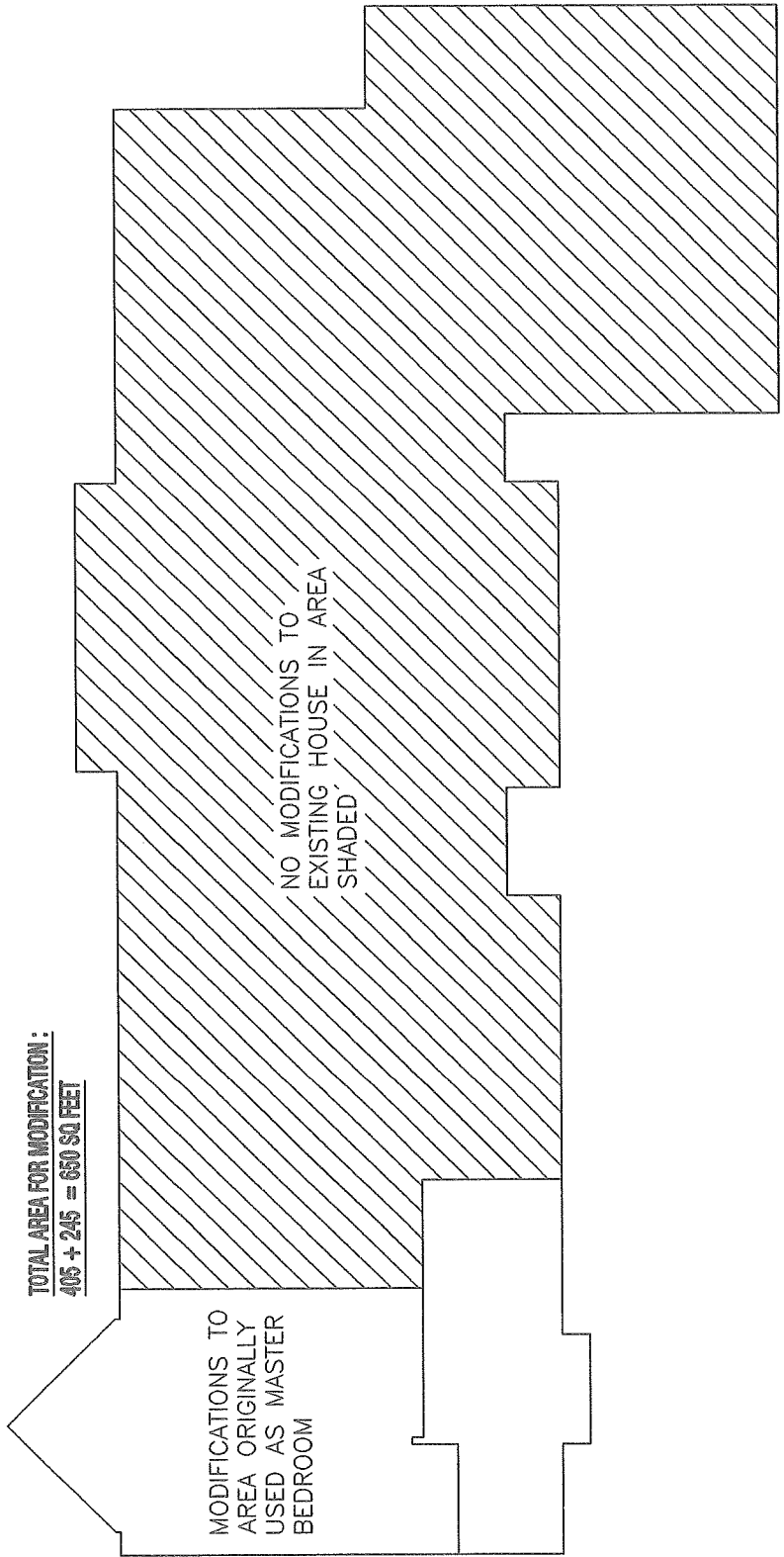
CHAPTER 183 SEC. 6 AS AMENDED BY CHAPTER 497 OF 1969

Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the grantee and a recital of the amount of the full consideration thereof in dollars or the nature of the other consideration therefor, if not delivered for a specific monetary sum. The full consideration shall mean the total price for the conveyance without deduction for any liens or encumbrances assumed by the grantee or remaining thereon. All such endorsements and recitals shall be recorded as part of the deed. Failure to comply with this section shall not affect the validity of any deed. No register of deeds shall accept a deed for recording unless

# LOCATION OF HOME MODIFICATIONS

## KEY MODIFICATION NOTES:

1. EXISTING MASTER BEDROOM IS CONVERTED TO KITCHEN AND LIVING ROOM AREA.
2. SPIRAL STAIR ADDED TO PROVIDE ACCESS TO EXISTING UNFINISHED UPSTAIRS ROOM.
3. UNFINISHED UPSTAIRS ROOM CONVERTED TO FINISHED BEDROOM.
4. TOTAL HOUSE BEFORE MODIFICATIONS HAS THREE BEDROOMS.
5. NET AMOUNT OF BEDROOMS AFTER MODIFICATIONS REMAINS UNCHANGED.



PROPOSED RENOVATIONS

137 HERRICK ROAD  
BOXFORD, MA

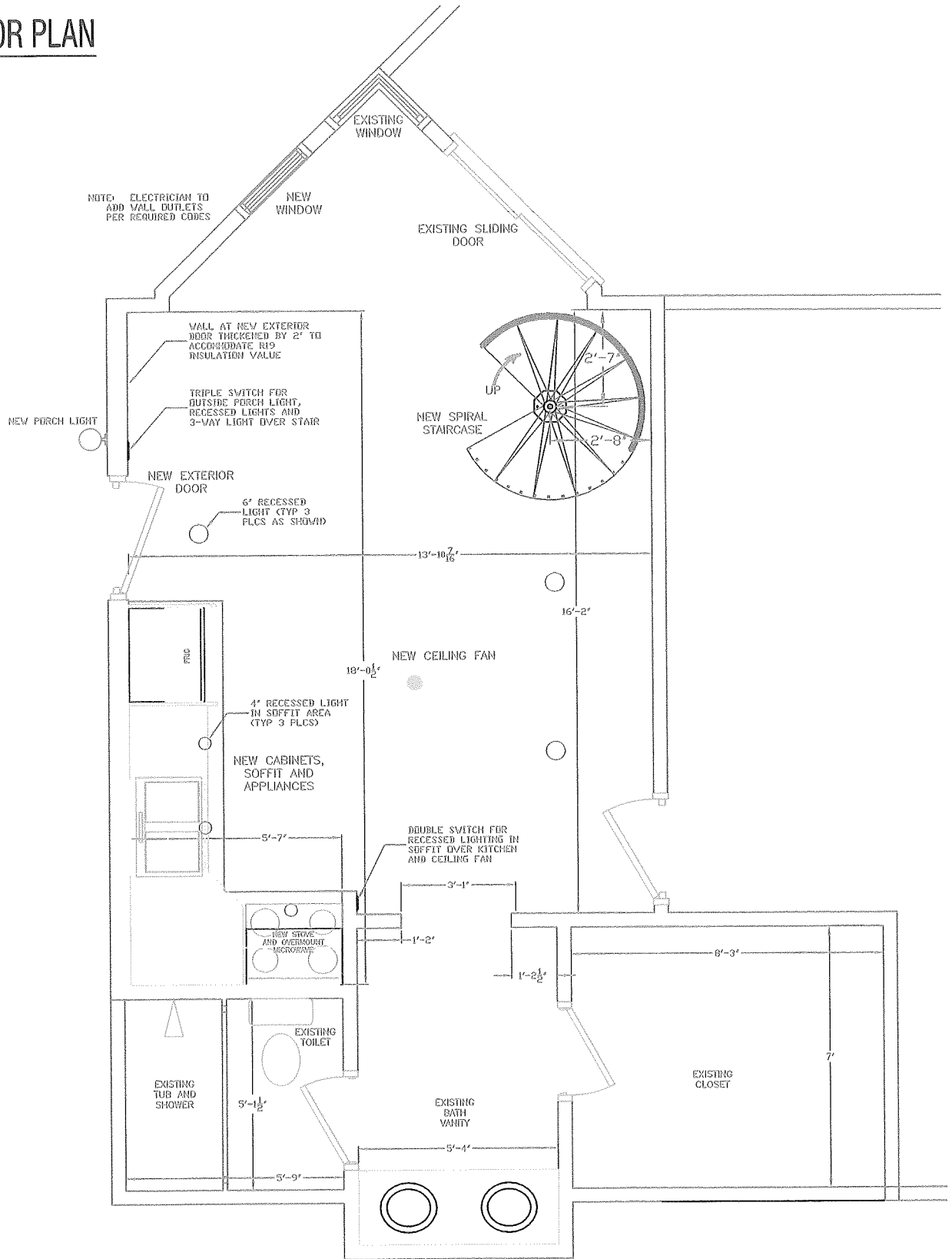
SCALE: 3/32" = 1'

DATE: 5-20-2015

DETAIL NO.: 1 OF 5



# FIRST FLOOR PLAN



PROPOSED RENOVATIONS

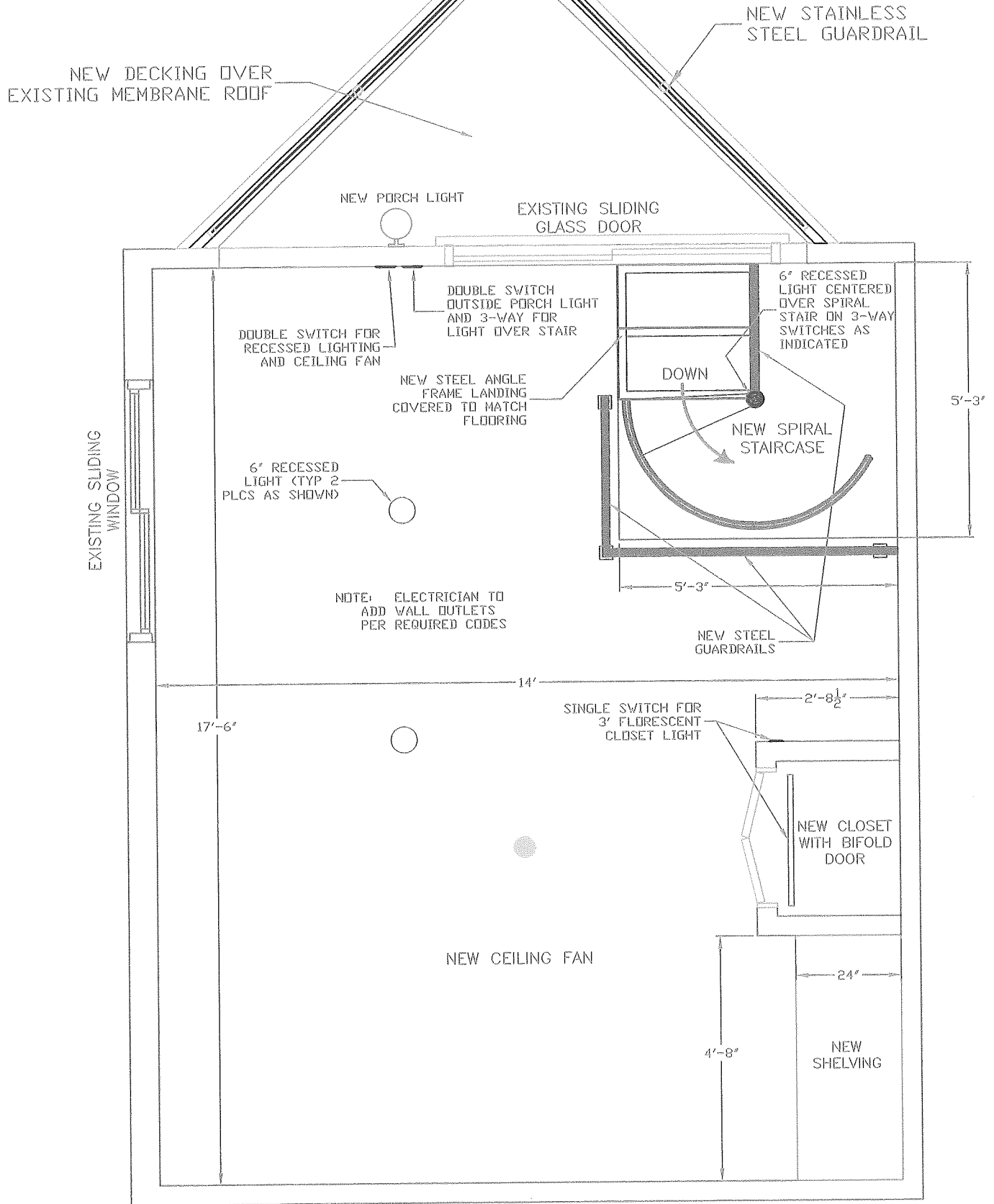
137 HERRICK ROAD  
BOXFORD, MA

SCALE: 1/4" = 1'

DATE: 5-20-2015

DETAIL NO.: 2 OF 5

# SECOND FLOOR PLAN



PROPOSED RENOVATIONS

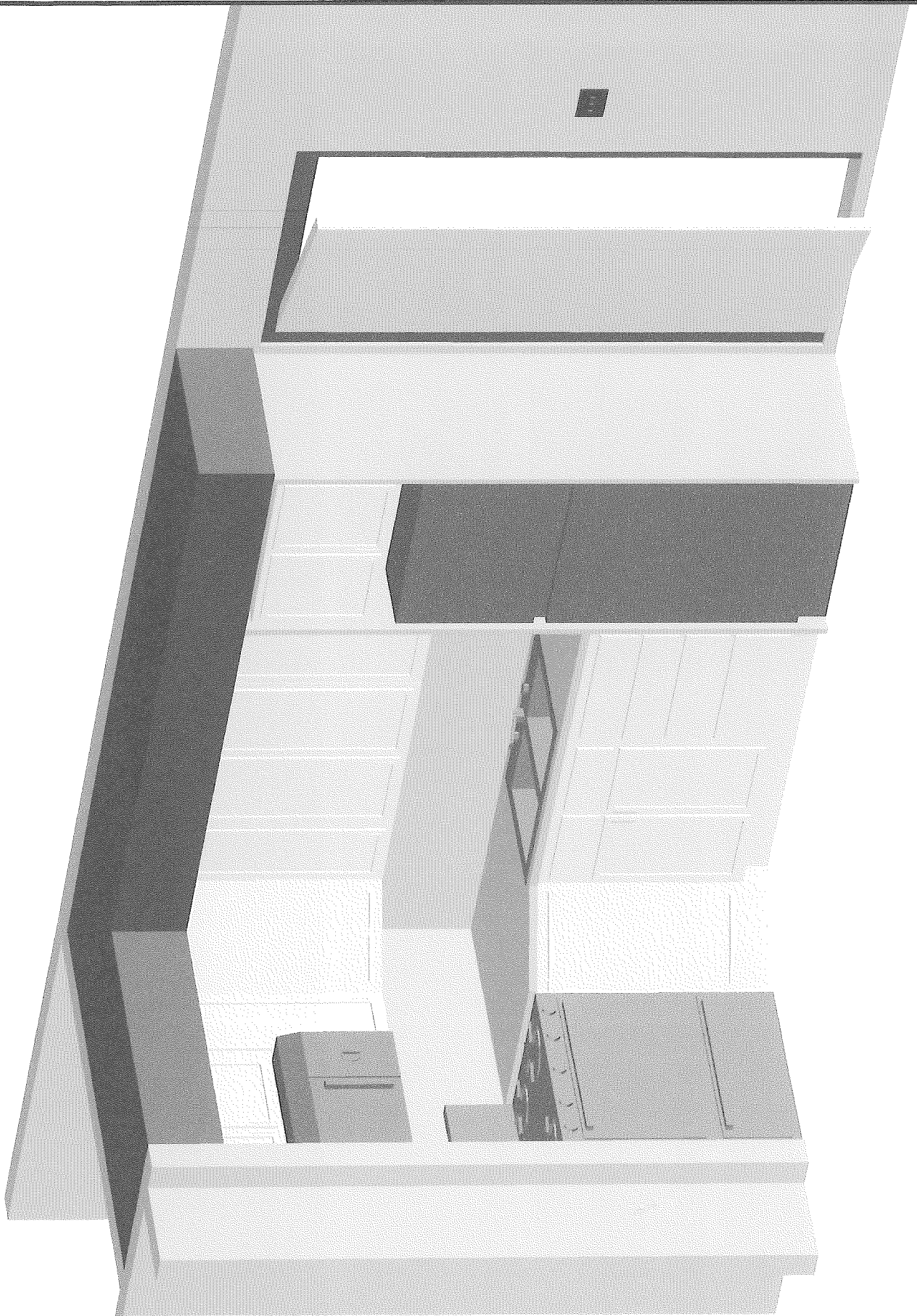
137 HERRICK ROAD  
BOXFORD, MA

SCALE: 3/8" = 1'

DATE: 5-20-2015

DETAIL NO.: 3 OF 5

PERSPECTIVE VIEW  
KITCHEN AREA

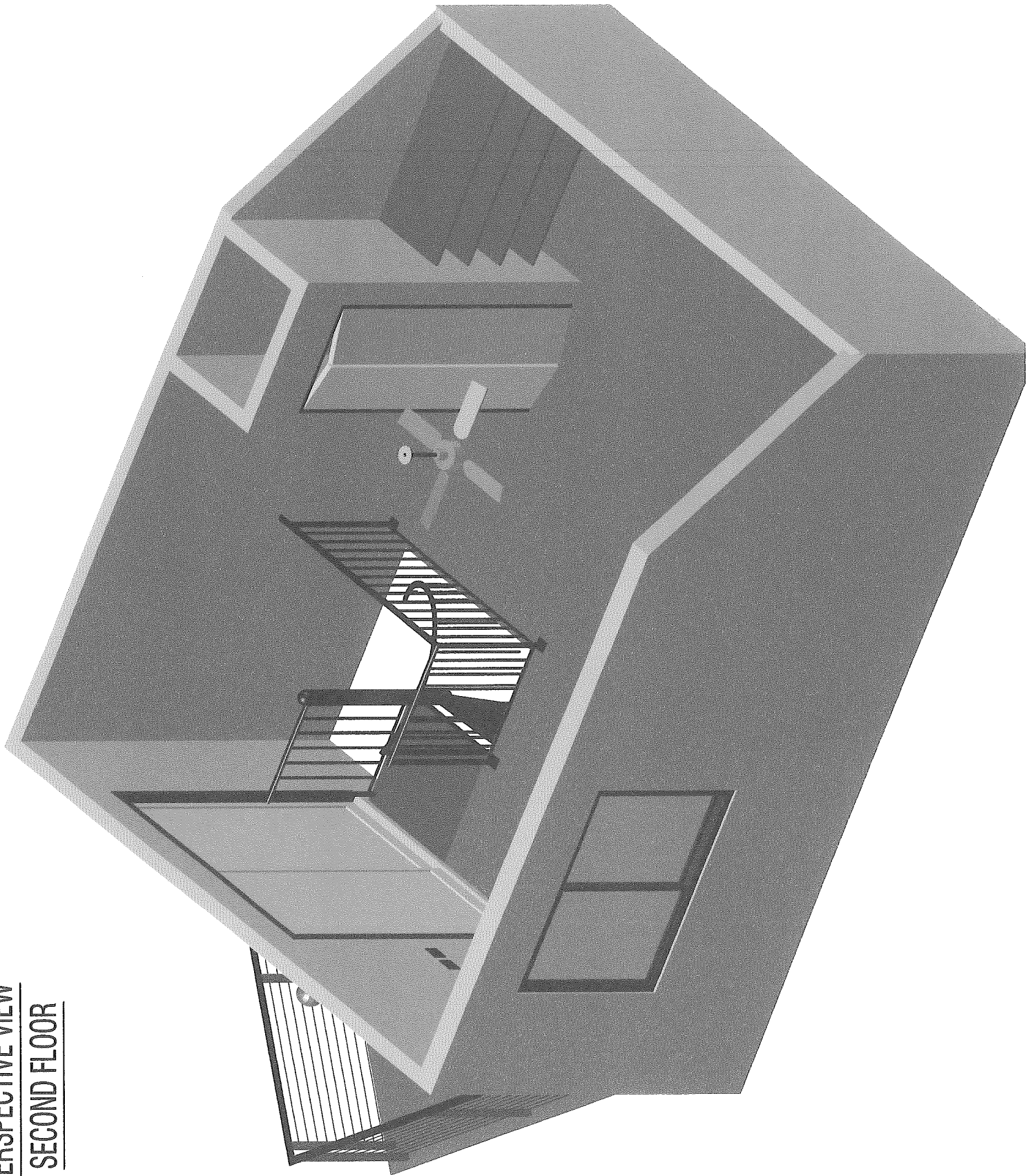


PROPOSED RENOVATIONS

137 HERRICK ROAD  
BOXFORD, MA

SCALE:	NONE
DATE:	5-20-2015
DETAIL NO.:	4 OF 5

PERSPECTIVE VIEW  
SECOND FLOOR



PROPOSED RENOVATIONS

137 HERRICK ROAD  
BOXFORD, MA

SCALE:	NONE
DATE:	5-20-2015
DETAIL NO.:	5 OF 5