



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

**(ZONING BOARD USE ONLY)**

ZBA CASE # 970  
PUBLIC HEARING DATE 11/17/2016

**(TOWN CLERK STAMP ONLY)**

Received and Filed at Town Clerk's  
Office, Boxford, Massachusetts  
on 10-25-16 by RP

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

Applicant Name Robert A. Was  
Street Address 57 Hickory Lane  
Town/City Boxford, Ma. State Ma  
Telephone Number 978/465-1666  
Property Owner Name Robert and Allison Wright  
Address 57 Hickory Ln  
Town/City Boxford State Ma  
Telephone Number 978/413/222-7625

**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 57 Hickory Ln Map 28 Block 1 Lot 9  
Deed to the Property Book 35023 Page 65 Date 6/24/16 (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 196.13 C  
Reason for Request and Description of Project Robert and BARBARA Was  
request a special permit at 57 Hickory lane  
for an accessory apartment at home owned by  
Robert and Allison Wright.

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 6/3/1991

Date structure was built 1998

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.)

N/A

**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 [Signature] Date Oct. 12, 2016

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 [Signature] Date Oct 12, 2016

TOWN OF BOXFORD  
 ABUTTER LIST  
 PARCEL #28-01-09 ~ 57 HICKORY LANE ~ ZBA 300'

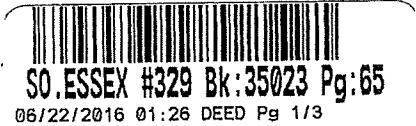
Map/Lot	Location	Owner	Owner 2	Owner Address	Owner City/Town	Owner State	Zip Code
(28-01-09)	57 HICKORY LN	WRIGHT ROBERT J	WRIGHT ALLISON N	57 HICKORY LN	BOXFORD	MA	01921
(28-01-34)	MAIN ST OFF	BTA/BOLT INC		P O BOX 95	BOXFORD	MA	01921
(28-01-04.3)	18 ASHLAND RD	BUCHAROWSKI DAVID C		18 ASHLAND RD	BOXFORD	MA	01921
(28-01-04.8)	52 HICKORY LN	CORMIER BERNARD J	CORMIER PATRICIA J	52 HICKORY LN	BOXFORD	MA	01921
(28-01-08)	135 MAIN ST	FRENCH ERICA L TR		5 STONE STREET	DANVERS	MA	01923
(28-01-04.2)	14 ASHLAND RD	GALLAGHER JR BRIAN M	GALLAGHER MARNI A	14 ASHLAND RD	BOXFORD	MA	01921
(28-01-04.10)	55 HICKORY LN	GLENDON ROBERT D	GLENDON JENNIFER P	55 HICKORY LN	BOXFORD	MA	01921
(28-01-04.1)	8 ASHLAND RD	GLENNON SCOTT E	GLENNON LAURA B	8 ASHLAND RD	BOXFORD	MA	01921
(28-01-21)	148 MAIN ST	HESELTINE PI		148 MAIN ST	BOXFORD	MA	01921
(28-01-04.5)	32 ASHLAND RD	JOHNSON CARL E	JOHNSON CATHY L	32 ASHLAND RD	BOXFORD	MA	01921
(28-01-11)	166 MAIN ST	LATTY ALEXANDER B	LATTY BONNIE A	166 MAIN ST	BOXFORD	MA	01921
(28-01-04.9)	56 HICKORY LN	LAUGHLIN ROBERT J	LAUGHLIN LINDA A	56 HICKORY LN	BOXFORD	MA	01921
(28-01-04.7)	44 HICKORY LN	MCALEER STEPHEN W	MCALEER CHATSAREE	44 HICKORY LN	BOXFORD	MA	01921
(28-01-15)	MAIN ST OFF	NOYES ALERSON E	C/O NOYES PROPERTY MANAGEMENT LLC	PO BOX 74	BOXFORD	MA	01921
(28-01-34.A)	MAIN ST (REAR)	NOYES ALERSON E	C/O NOYES PROPERTY MANAGEMENT	PO BOX 74	BOXFORD	MA	01921
(28-01-10)	147 MAIN ST	PERKINS HARRY W		147 MAIN ST	BOXFORD	MA	01921
(28-01-04.4)	30 ASHLAND RD	REID STEPHEN S	REYNOLDS KIM	30 ASHLAND RD	BOXFORD	MA	01921

**CERTIFIED COPY**

*Jan Selva*

AUGUST 22, 2016

NW  
11  
30



MASSACHUSETTS EXCISE TAX  
Southern Essex District ROD  
Date: 06/22/2016 01:26 PM  
ID: 1129708 Doc# 20160622003290  
Fee: \$4,332.00  
Cons: \$950,000.00

(Space Above this Line Reserved for Registry of Deeds)

### QUITCLAIM DEED

We, Anthony L. Brogna and Denise A. Brogna, husband and wife as tenants by the entirety, of  
Boxford, Essex County, Massachusetts

for consideration paid and in full consideration of Nine Hundred Fifty Thousand and 00/100  
dollars (\$950,000.00)

grant to Robert J. Wright and Allison N. Wright, Husband and Wife, as Tenants by the Entirety  
of 57 Hickory Lane, Boxford, MA 01921

#### *with Quitclaim Covenants*

The land, with the buildings thereon, at Hickory Lane, Boxford, Essex County, Massachusetts,  
being shown as Lot 1 on the plan entitled "Plan of Land in Boxford, Massachusetts, prepared for  
Peter J. Shulman", dated April 2, 1997, by Martinage Engineering Associates, Inc., Civil-  
Environmental Engineers and Land Surveyors, recorded in the Essex South District Registry of  
Deeds (said "Registry") in Plan Book 323, as Plan 88 (the "Plan").

Said premises are subject to the following encumbrances:


1. Matters disclosed on the above-referenced Plan include the following:
  - a. 100 foot wetlands buffer zone;
  - b. Trail Easement;
  - c. Existing Cart Path;
  - d. Limits of Town of Boxford Conservancy District; and
  - e. Limits of bordering vegetated wetlands.
2. Decision by the Town of Boxford Zoning Board of Appeals recorded with said Registry  
in Book 14630, Page 613;
3. Declaration of Restrictive Covenants dated April 2, 1997 recorded with said Registry in  
Book 14630, Page 602;

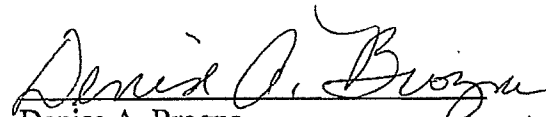
4. Matters disclosed in a plan "Trail Easement" set forth in a Grant to the Inhabitants of the Town of Boxford dated April 2, 1997 recorded with said Registry in Book 14630, Page 600;
5. Order of Conditions by the Boxford Conservation Commission recorded with said Registry in Book 14469, Page 206, as affected by Certificate of Compliance recorded with said Registry in Book 16695, Page 424;
6. Trail Easement set forth in an instrument dated July 15, 1997 recorded with said Registry in Book 14470, Page 436;
7. Order of Conditions by the Boxford Conservation Commission recorded with said Registry in Book 13100, Page 261 – affects Areas B and C only as shown on said Plan;
8. Easement to Massachusetts Electric Company dated September 1, 1994 recorded with said Registry in Book 12771, Page 351 – affects Areas B and C only as shown on said Plan;
9. Planning Board Covenant with the Town of Boxford Planning Board recorded with said Registry in Book 12618, Page 82, as affected by Release recorded with said Registry in Book 13119, Page 170 – affects Areas B and C only;
10. Planning Board Covenant with the Town of Boxford Planning Board recorded with said Registry in Book 12618, Page 82, as affected by Release recorded with said Registry in Book 13752, Page 558;
11. Planning Board Conditions set for in an Order recorded with said Registry in Book 12618, Page 83 – affects Areas B and C only as shown on said Plan;
12. Tripartite Agreement recorded with said Registry in Book 12619, Page 312 – affects Areas B and C only as shown on said Plan;
13. Easement set forth in Grant to Martin W. Hill et al, Trustees, dated June 9, 1995 recorded with said Registry in Book 13052, Page 350 – affects Areas B and C only as shown on said Plan;
14. Order of Restrictive Covenants recorded with said Registry in Book 13119, Page 65 and Book 13134, Page 446;
15. Grant from Martin W. Hill, Trustee, dated November 7, 1995 recorded with said Registry in Book 13273, Page 542 – affects Areas B and C only as shown on said Plan; and
16. Grant of Easements recorded with said Registry in Book 13660, Page 318 – affects Areas B and C only as shown on said Plan.

Any and all rights of homestead are hereby released. There are no other parties in whom rights of homestead are vested.

For Grantors' title see deed dated May 24, 2005 recorded with said Registry in Book 24464, Page 159.

Signed as a sealed instrument this 21st day of June, 2016.

  
\_\_\_\_\_  
Anthony L. Brogna

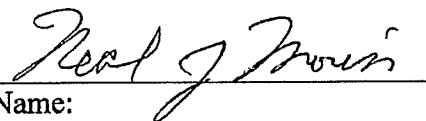
  
\_\_\_\_\_  
Denise A. Brogna

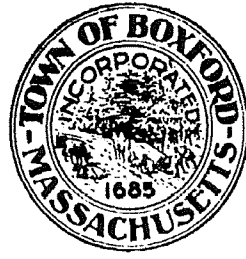
COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss.

On this 21st day of June, 2016, before me, the undersigned notary public, personally appeared Anthony L. Brogna and Denise A. Brogna, who proved to me through satisfactory evidence of identification, which was  photographic identification with signature issued by a federal or state governmental agency,  oath or affirmation of a credible witness,  personal knowledge of the undersigned, to be the person whose names are signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose and as their free act and deed.



  
\_\_\_\_\_  
Name:  
Notary Public  
My Commission Expires: 4/28/2017



**ZONING BOARD OF APPEALS**

**APPLICANT'S INFORMATION**

Name: Robert A. Was

Address: 57 Hickory Lane  
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) 17 x 6.47 = 109.99  
Notice of Hearing

Number of Surrounding Towns & MVPC 9 x \$6.47 = \$58.23

Number of Certified Abutters  
(including applicant & representative) 17 N/A x .49 = 7.99  
Notice of Decision

**TOTAL AMOUNT OWED FOR POSTAGE FEE** \$ 109.99  
176.21

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



**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 Robert A. Was

Mailing Address P.O. Box 201

City/Town Boylston State Ma Zip Code 01921

Daytime phone number 978/465-1666

Evening phone number 978/887-9651

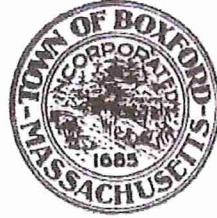
**AUTHORIZATION FOR PUBLICATION**

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

Robert Was  
Signature

Oct. 12, 2016  
Date





TOWN OF BOXFORD

59 Nickory Ln  
WAS

ZONING BOARD OF APPEALS

7 A Spofford Road  
Boxford, MA 01921

Tel 978-887-6000 Ext. 162 - Fax 978-887-1236

**INSTRUCTIONS FOR FILING SPECIAL PERMIT-VARIANCE-APPEAL**

Fill out forms completely and submit to Town Clerk by 12:00 noon on the deadline date.

Oct. 17, 2016 (deadline date) . The meeting date for this deadline is Nov. 17, 2016 (meeting date)

The following must be submitted along with original set for the Town Clerk.

ORIGINAL TO TOWN CLERK & NINE (9) SETS ADDITIONAL AS FOLLOWS- (1) FOR FILE (6) ZBA MEMBERS (1) PLANNING BOARD LIAISON MEMBER AND (1) PLANNING BOARD ADMINISTRATOR-[TOTAL FOR TOWN =10 SETS] (make an extra set for yourself) COPIES OF

ALL NECESSARY FORMS LISTED BELOW MUST BE SUBMITTED IN COMPLETE SETS.

\*5 copies  
plans  
1-24x36  
4 11x17  
1 electronic  
9x each

- Certified list of abutters (300') (from Assessor's Office) 978-887-6000 (504) 5x
- Plan of land\* 1-24x36 4 11x17
- Copy of title or deed 5x
- Full plan of proposed project (see ZBA regulations for more details) existing + proposed 9x each
- Check for postage with form for abutters, members & surrounding towns \$109.99
- Check for application fee in the amount of \$ 200.00
- Authorization form for public notice for hearing in Tri-Town Transcript 5x
- Denial form from Inspector of Buildings (as applicable)
- Maintenance agreement and safety sign-off clearance form (if filing for special permit for shared driveway)

N/A  
N/A

After filing application, your legal ad will be done and a copy mailed to you. Your public hearing will be located at the Boxford Town Hall- Meeting Rm #1 or as otherwise posted.

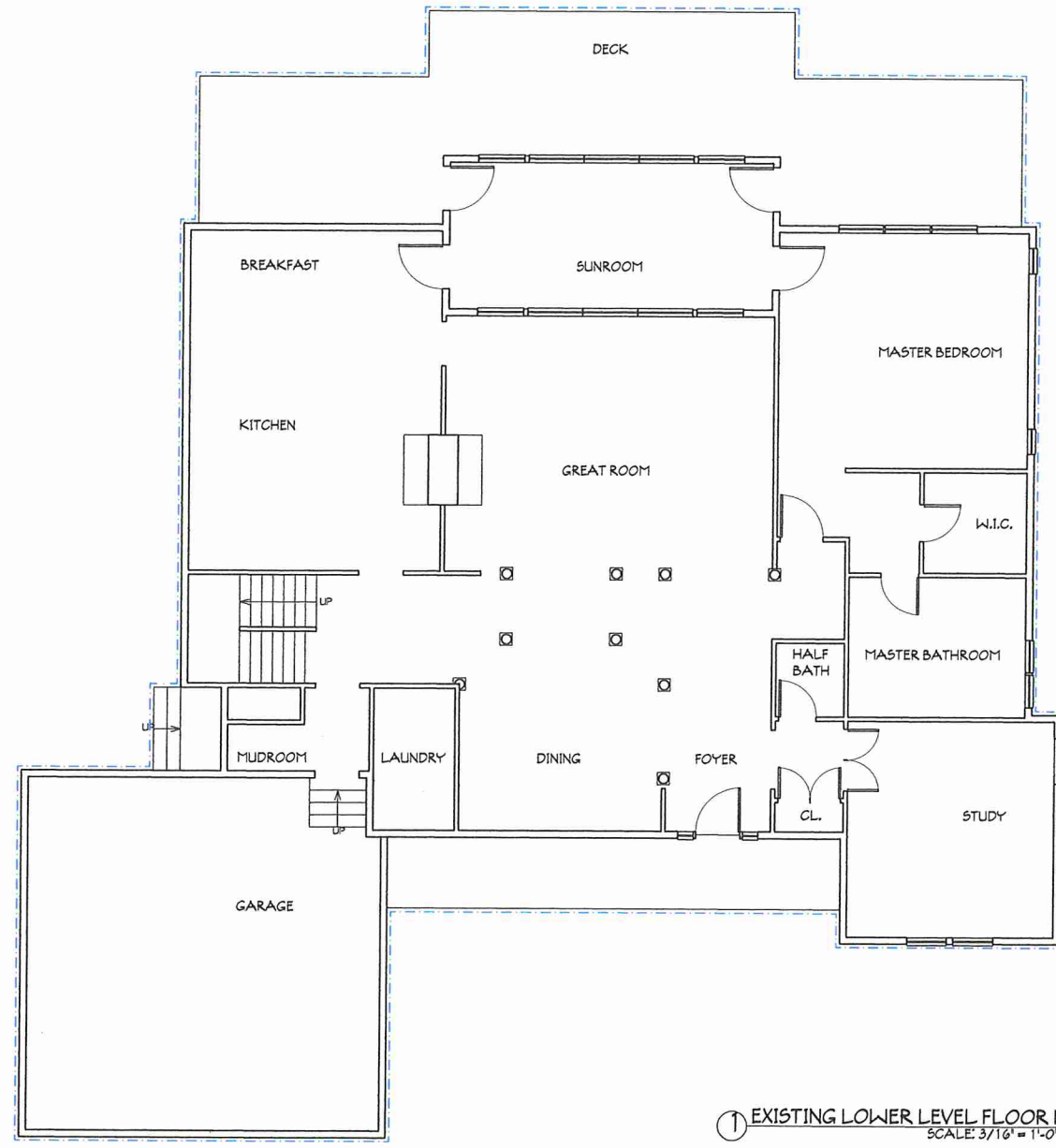
**Planning Board Recommendation:** All applicants are required to meet with the Planning Board to allow the Planning Board to prepare the required recommendation to the Zoning Board of Appeals. Applications pursuant to ZBL §196-13(B)(11)(h) [garage space for more than three (3) vehicles] and ZBL§196-13(C) [accessory apartments] may appear before the Planning Board prior to the first ZBA hearing so long as the legal ad has been published and abutters have received required notice. Please be aware that for matters other than garage space for more than three (3) vehicles and accessory apartments, you will need to schedule a meeting with the Planning Board after your first hearing so they can review your application for a recommendation to the Zoning Board of Appeals.

After all evidence is received and the hearing is closed the decision will be issued and filed with the Town Clerk. You will be notified by mail with a stamped copy. There is a twenty (20) day appeal period and then you may get the decision from Town Clerk's Office and bring to the Essex Registry of Deeds to be recorded. Copies of the recording from the Registry must be submitted to the Zoning Board of Appeals/Inspector of Buildings offices.

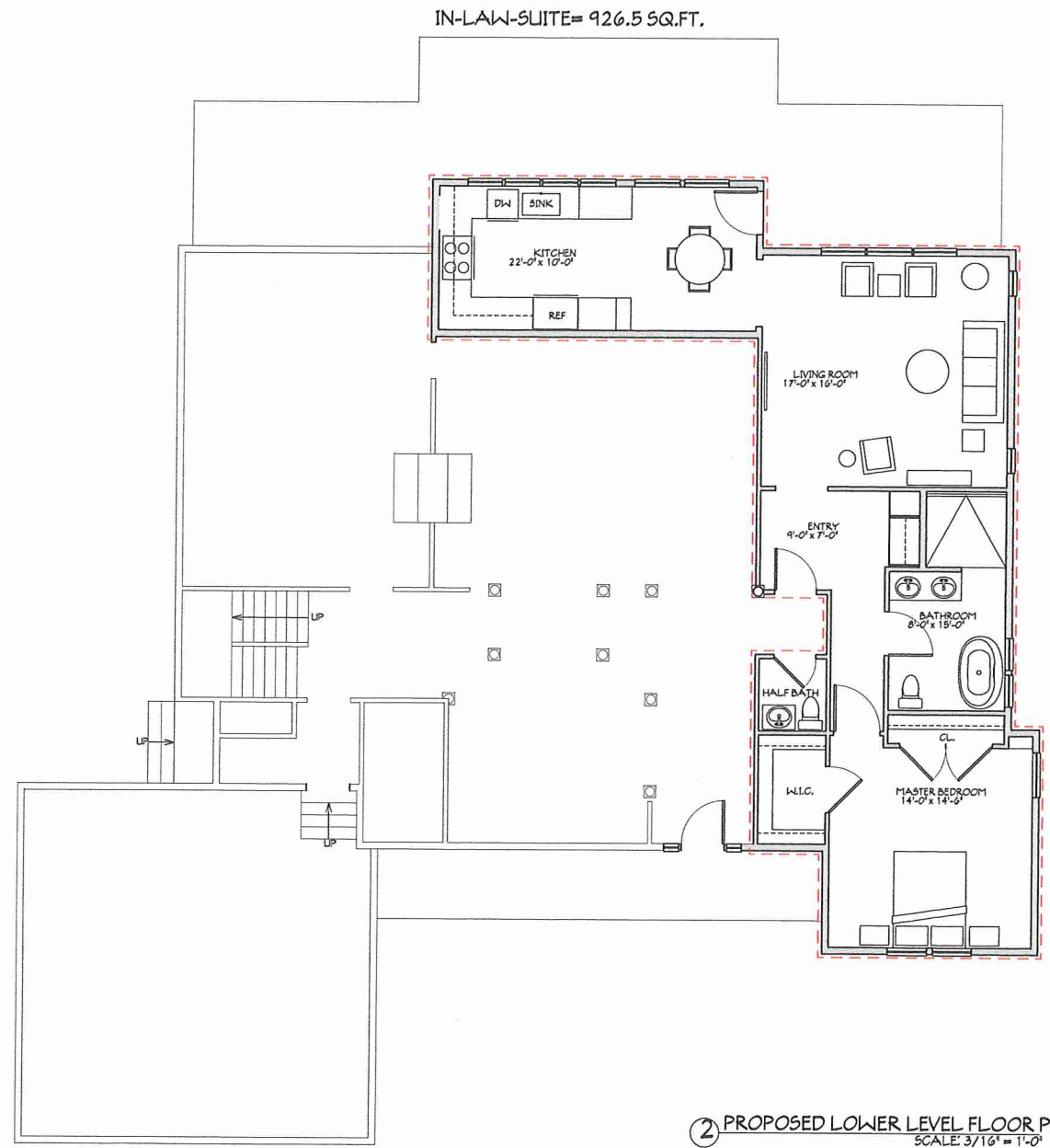
APPLICATION REVIEWED BY ZBA SECRETARY: \_\_\_\_\_

(signature with date)

**PLEASE NOTE: TOWN CLERK WILL NOT STAMP UNLESS FIRST REVIEWED BY ZBA OFFICE FOR FULL COMPLETION.**



① EXISTING LOWER LEVEL FLOOR PLAN  
SCALE: 3/16" = 1'-0"



② PROPOSED LOWER LEVEL FLOOR PLAN  
SCALE: 3/16" = 1'-0"

PROGRESS PRINTS  
FOR ZBA REVIEW ONLY  
NOT FOR CONSTRUCTION

IN-LAW RENOVATION  
**BOB & BARBARA WAS**  
57 HICKORY LANE  
BOXFORD, MA

**A1.1**

EXISTING VS. PROPOSED

SCALE: 3/16" = 1'-0"

PRINTS MADE: OCT 12, 2016

BID: PERMIT CONSTRUCTION

DRAWN BY: S HAGGERTY

BENJAMIN NUTTER ARCHITECTS, LLC

POST OFFICE BOX 254  
TOPSFIELD, MASSACHUSETTS 01963  
T: 978.887.9836 BENJAMINNUTTER.COM

**PLAN OF LAND**  
IN  
**BOXFORD, MASSACHUSETTS**

PREPARED FOR  
**STEPHEN S. REID & KIM REYNOLDS**  
**ANTHONY L. & DENISE A. BROGNA**

DATE: **SEPTEMBER 30, 2014**  
SCALE: **1"=80'**



**ZONING DISTRICT: RESIDENCE-AGRICULTURAL DISTRICT (R-A)**  
**CONSERVANCY DISTRICT**

**OWNERS OF RECORD:**

- LOT 1A - 30 ASHLAND ROAD (ASSESSOR'S MAP 28, BLOCK 1, LOT 4.4);  
ANTHONY L. & DENISE A. BROGNA (BOOK 24484, PAGE 155)
- LOT 1B - 57 HICKORY LANE (ASSESSOR'S MAP 28, BLOCK 1, LOT 9);  
ANTHONY L. & DENISE A. BROGNA (BOOK 24484, PAGE 155)

**NOTES:**

- THE PURPOSE OF THIS PLAN IS TO CHANGE THE BOUNDARY LINE BETWEEN LOT 1 AND LOT 4, THEREBY CREATING LOTS 1A AND 4A, SINGLES AND A BOUNDARY LINE AREA WITH THAT PORTION OF LOT 4, SINGLES AND A BOUNDARY LINE AREA WITH THAT PORTION OF LOT 1, SHOWN AS PARCEL B BECOMING PART OF LOT 4A. THIS PLAN ALSO ESTABLISHES A NEW LOCATION FOR A PORTION OF THE EXISTING HORSE TRAIL EASEMENT LOCATED ON LOT 4A, (FORMERLY LOT 4), TO RESERVE AREAS SHOWN COUPLED FROM:  
- TENTATIVE SUBDIVISION PLAN OF VILLAGE ESTATE SUBDIVISION IN BOXFORD, MASS. RECORDED AT THE SOUTHERN ESSEX REGISTRY OF DEEDS PLAN BOOK 280, PLAN 65.  
- PLAN OF LAND IN BOXFORD, MASSACHUSETTS PREPARED FOR PETER M. SHUMAY, RECORDED AT THE SOUTHERN ESSEX REGISTRY OF DEEDS PLAN BOOK 323, PLAN 88.  
- PROPOSED SWIMMING POOL FOR 30 ASHLAND ROAD, PREPARED BY APPLE ASSOCIATES, INC. ON FILE WITH THE BOXFORD CONSERVATION COMMISSION REVISED 4/10/07.  
- PLAN OF LAND IN BOXFORD, MASS. PROPOSED RIDING ARENA "BROGNA" BY DENISE A. BROGNA, PREPARED FOR DENISE & ANTHONY BROGNA, DATED FEBRUARY 14, 2008, PREPARED BY THE NEVE-MORIN GROUP, INC.

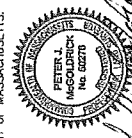
**PLAN REFERENCES:**

- ESSEX COUNTY (SOLID) REGISTRY OF DEEDS  
1. PLAN BOOK 290, PLAN 65
- PLAN BOOK 323, PLAN 88
- PLAN BOOK 321, PLAN 100

N/F  
Map 28 Block 1 Parcel 10  
Henry M. French  
(Bk. 12039 Pg. 164)

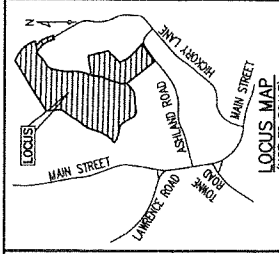
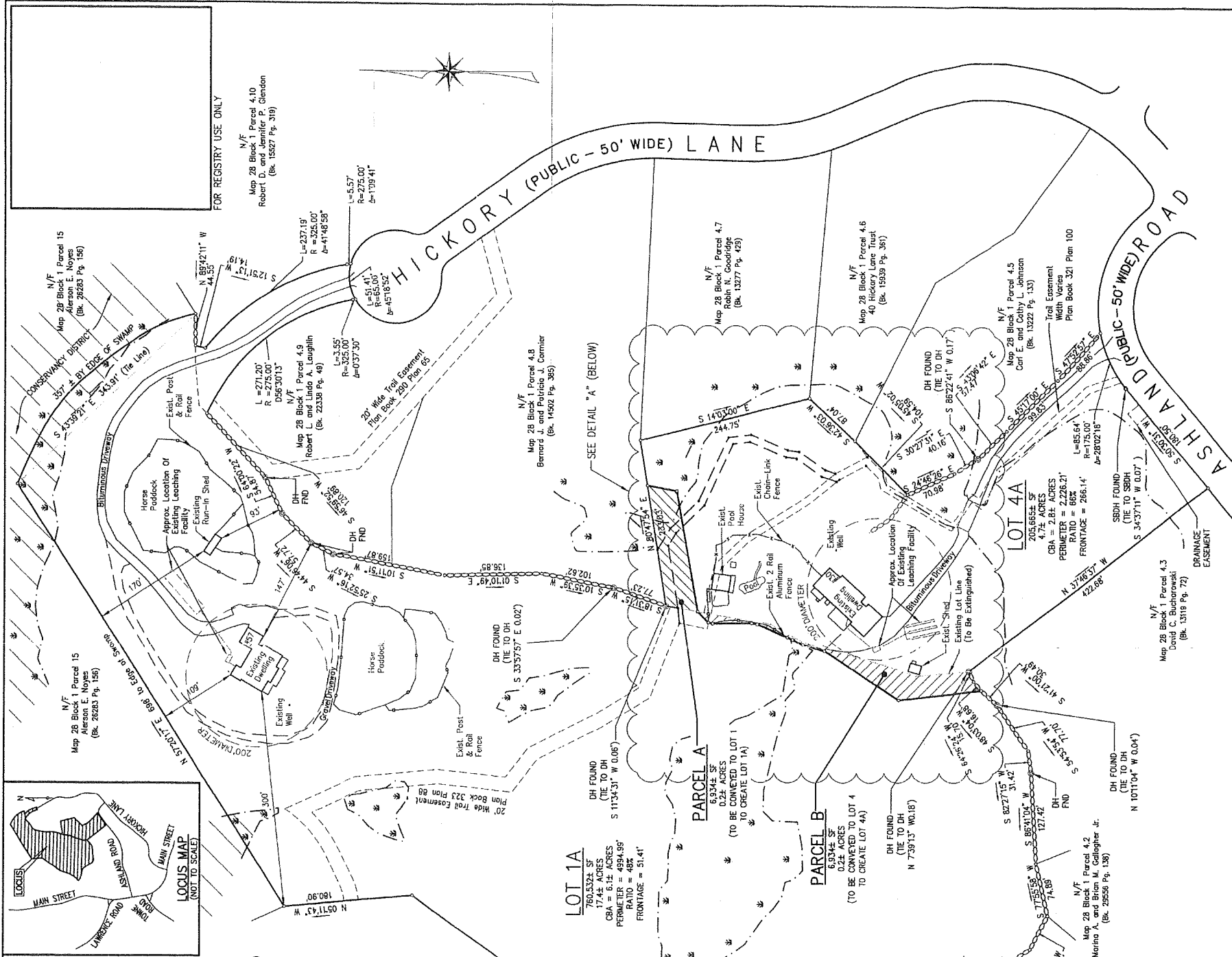
N/F  
Map 28 Block 1 Parcel 8  
Paul R. and Barbara L. French  
(Bk. 3884 Pg. 99)

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.



**PETER J. MCGOLDRICK, P.L.S.**  
DATE: **9/30/14**

MASSACHUSETTS REGISTERED PROFESSIONAL  
LAND SURVEYOR LICENSE #60276



FOR REGISTRY USE ONLY  
N/F  
Map 28 Block 1 Parcel 4.10  
Robert D. and Jennifer P. Glendon  
(Bk. 13287 Pg. 319)

N/F  
Map 28 Block 1 Parcel 4.9  
Robert L. and Linda A. Laughlin  
(Bk. 22338 Pg. 49)

N/F  
Map 28 Block 1 Parcel 4.8  
Bernard J. and Patricia J. Cormier  
(Bk. 14502 Pg. 385)

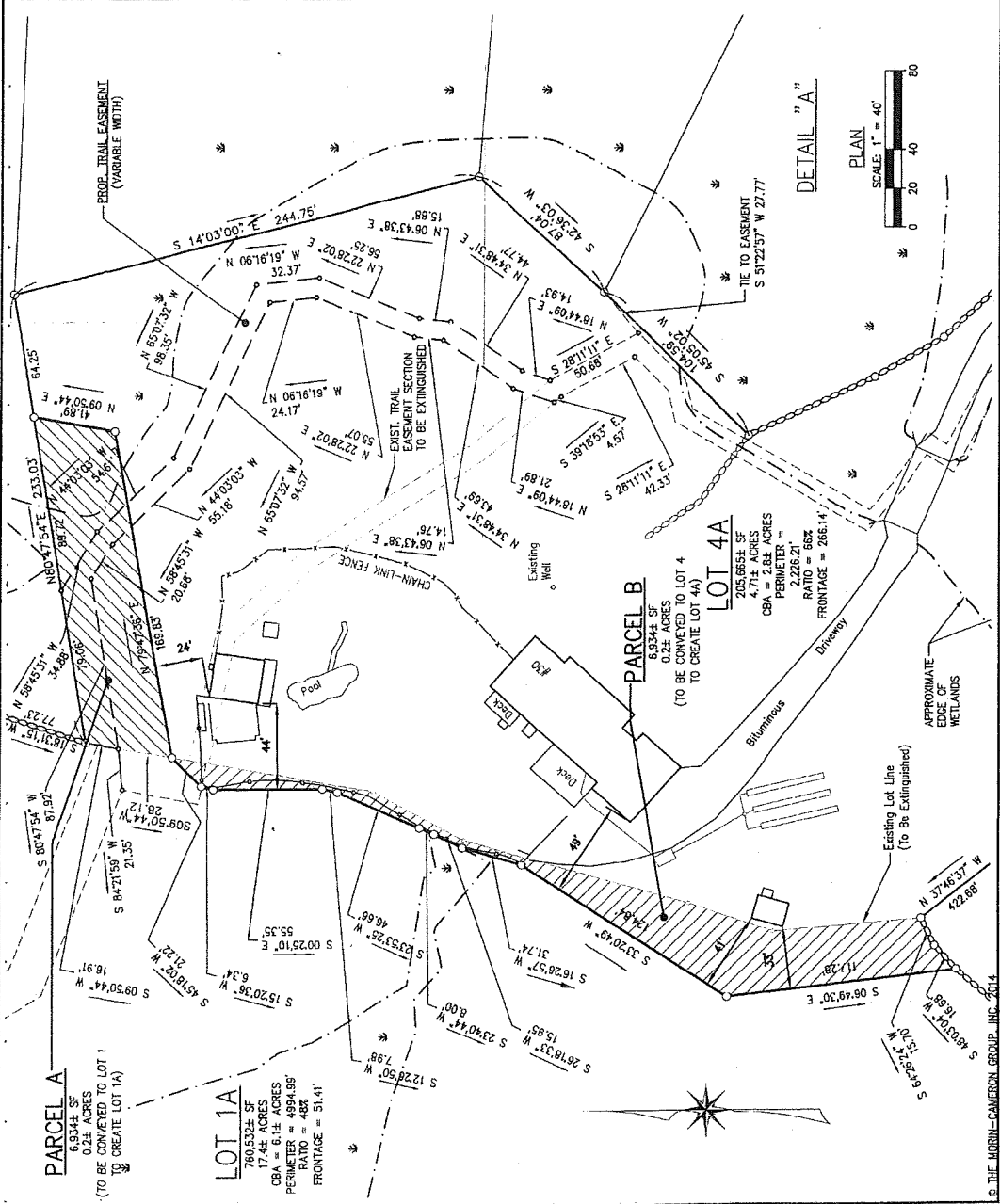
N/F  
Map 28 Block 1 Parcel 4.7  
Robin N. Goodridge  
(Bk. 13277 Pg. 425)

N/F  
Map 28 Block 1 Parcel 4.8  
40 Hickory Lane Trust  
(Bk. 15285 Pg. 387)

N/F  
Map 28 Block 1 Parcel 4.5  
Carl E. and Colby L. Johnson  
(Bk. 13222 Pg. 133)

N/F  
Map 28 Block 1 Parcel 4.3  
David C. Bichowski  
(Bk. 1019 Pg. 72)

N/F  
Map 28 Block 1 Parcel 4.2  
Marino A. and Brian M. Callagher Jr.  
(Bk. 29556 Pg. 136)



**ABBREVIATIONS:**

F	APPROX
+	PLUS OR MINUS
BR	BORROW
BTW	BORROWING VEGETATED WETLAND
CB	CONCRETE BOUND
C	CENTERLINE
D	DIAMETER
DI	DIAMETER
ED	EDGE OF PAVEMENT
END	FOUND
EXIST	EXISTING
IP	IRON PIPE
MEA	MEASURED
MEAS	MEASURED
N-S-E-W	NORTH-SOUTH-EAST-WEST
NTS	NOT TO SCALE
PC	PROPERTY LINE
REC	RECORD
SB	STONE BOUND
ST	STAKE
STY	STORY
W/F	WOOD FRAME

**BOXFORD PLANNING BOARD**  
APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED

DATE: \_\_\_\_\_  
PLANNING BOARD ENDORSEMENT OF THIS PLAN INDICATES ONLY THAT THE PLAN IS IN CONFORMANCE WITH THE SUBDIVISION CONTROL LAW AND DOES NOT INDICATE THAT THE LOT IS BUILDABLE OR THAT IT MEETS ZONING, HEALTH, CONSERVATION OR GENERAL BY-LAW REQUIREMENTS.

**The Morin-Cameron GROUP, INC.**  
CIVIL ENGINEERS | ENVIRONMENTAL CONSULTANTS  
SURVEYORS | LAND USE PLANNERS  
40 EAST STREET, SUITE 100, BOX 100  
P. 978-874-6888, F. 978-874-3484, W. WWW.MORINCAMERON.COM