



Boxford Zoning Board of Appeals
Public Hearing Application

(ZONING BOARD USE ONLY)
ZBA CASE # _____
PUBLIC HEARING DATE _____

(TOWN CLERK STAMP ONLY)

1. Information of Project Applicant and Property Owner

Applicant Name William Lord and Kerry Lord
Street Address 3 Pine Ridge Road
Town/City North Reading State MA
Telephone Number 978-828-4162
Property Owner Name 51 Valley Road, LLC
Address 32 Walden Terrace
Town/City Saugus State MA
Telephone Number 781-231-9059

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 51 Valley Road Map 14 Block 01 Lot 23
Deed to the Property Book 28552 Page 495 Date 4/30/09 (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 §V.A.11.b (1990); §196-13.B.(3); §196-6.B.

Reason for Request and Description of Project Special Permit was granted in 1994 under then §V.A.11.b. for keeping of horses. Subsequently, bylaw was amended to allow the use, without special permit, but only on lots having a minimum of five acres (§196-13.B.(3)). At the time of the Special Permit, ten horses were kept. In 1984 and 2000, building permits were issued for barns, and, since 2000, 20 horses have been kept. No additional construction or stalls are proposed. Applicant seeks a special permit under §196-6.B allowing expansion of the nonconforming use to the keeping of 20 horses, determining the expanded use to be not substantially more

SEE OTHER SIDE

SECTION 3 (Continued)

detrimental to the neighborhood than the prior nonconforming use. The applicant submits that the keeping of 20 horses for sixteen years, since the year 2000, has been no more detrimental to the neighborhood, as is evidenced by the lack of complaints about the property.

The applicant further notes that the keeping of twenty horses on the property would be allowed without a special permit under the current bylaw, if the property was five acres in size.

The pertinent bylaw in effect in 1994, §V.A.11.b, read as follows:

Section V - Use Regulations

A. R-A Residence-Agricultural District

11: Subject to the grant of a Special permit by the Board of Appeals as provided in Section X below, the following:

b. On parcel of under five acres, commercial greenhouses, the raising or keeping of horses, cattle, pigs, rabbits, fur bearing animals, or poultry for profit or other than for the use of occupants of the residence.

The current bylaw, §196-13.B.(3), reads as follows:

§ 196-13. R-A Residence-Agricultural District.

B. Permitted uses. The following shall be permitted uses in the R-A Residence-Agricultural District:

(3) Raising and keeping of farm animals and poultry for use of residents on the property and primarily not for profit, with barns, stables, chicken houses and similar buildings; on parcels of five acres or more, commercial greenhouses, the raising or keeping of horses, cattle, pigs, rabbits, fur-bearing animals or poultry for profit or other than for the use of the occupants of the residence.

The current bylaw, §196-6.B, regarding non-conforming uses, reads as follows:

§ 196-6. Change, extension or alteration.

A. [1] Editor's Note: Former Subsection A, which provided that in certain circumstances the Inspector of Buildings could require a special permit, was removed at the direction of the Town.

B. Other nonconforming structures or uses may be extended, altered or changed in use on special permit from the Board of Appeals in accordance with the provisions of Article X if the Board of Appeals finds that such extension, alteration or change will not be substantially more detrimental to the neighborhood than the existing nonconforming use.

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 9/16/1993

Date structure was built 1978/1984/2000

Property and Structures Conform. Use
by Special Permit dated 5/30/1995 no
longer conforms, due to lot size.

Does the property, structure and/or use conform to the current Boxford Zoning Bylaw? by Special Permit dated 5/30/1995 no longer conforms, due to lot size.

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

Raising or keeping of horses for profit or for use of other than the residents is allowed under §196-13.B.(3) on lots of five acres or more. Parcel has 4 acres. Raising or keeping of horses was allowed by Special Permit dated 5/30/1995 under §V.A.11.b (1990). At that time, it appears that ten horses were kept. Since 2000, twenty horses have been kept.

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 *William E. Lord* Date 11/22/16

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 11/22/16
11/22/16

TOWN OF BOXFORD
ABUTTER LIST

PARCEL # 14-01-23 ~ 51 VALLEY ROAD ~ BOARD OF HEALTH 500'

Map/Lot	Location	Owner	Owner 2	Owner Address
(14-01-23)	51 VALLEY RD	51 VALLEY ROAD, LLC		32 WALDEN TER
(14-01-21.7)	10 EAGLE'S NEST LN	ALBREN BRETT A	ALBREN STACEY P	10 EAGLE'S NEST LN
(14-01-06)	35 ADAMS RD	ARCHULETA LAURA C		35 ADAMS RD
(14-01-25)	57 VALLEY RD	BESSE BRIAN D		57 VALLEY RD
(14-01-27.A)	28 VALLEY RD	CARERI DENNIS TE	CARERI KAREN R	28 VALLEY RD
(14-01-29)	26 VALLEY RD	DONOVAN MATTHEW C	DONOVAN KELLY A	26 VALLEY RD
(14-01-21.2)	37 ADAMS RD	FALCINELLI MICHAEL T		37A ADAMS RD
(14-01-21.5)	4 EAGLE'S NEST LN	HEADRICK RONALD S	HEADRICK DIANA M	4 EAGLE'S NEST LN
(11-01-26.3)	LOT1 SADDLE HILL RD	ISON EILEEN		58 VALLEY RD
(14-01-26.2)	58 VALLEY RD	ISON EILEEN, COLLINS MATTHEW TR	58 VALLEY REALTY TRUST	58 VALLEY RD
(14-01-28)	44 VALLEY RD	JOYCE PAUL J		44 VALLEY RD
(10-01-26.3A)	24 SADDLE HILL RD	LEETE ERIC	LEETE PAULA	24 SADDLE HILL RD
(14-01-21.8)	11 EAGLE'S NEST LN	MCGILICUDDY MICHAEL S		11 EAGLE'S NEST LN
(14-01-03)	11 CHAPLIN CIR	MILLSTEIN ROBERT E	HELEN K MILLSTEIN	11 CHAPLIN CIRCLE
(14-01-26.1)	54 VALLEY RD	OLIVA DAVID A	OLIVA JANUARY S	54 VALLEY RD
(14-01-21)	7 EAGLE'S NEST LN	POWERS ERIC	BURKE ERIN E	7 EAGLE'S NEST LN
(14-01-21.6)	8 EAGLE'S NEST LN	SCHMIDT KEVIN G	SCHMIDT JANET P	8 EAGLE'S NEST LN
(14-01-05)	29 ADAMS RD	SLOCUM JEFFREY K TR	SLOCUM SUSAN F TR	PO BOX 226
(14-01-21.9)	3 EAGLE'S NEST LN	STEVENS RUSSELL M	STEVENS ANDREA B	3 EAGLE'S NEST LN
(14-01-29.1)	42 VALLEY RD	SYDOR DONALD R JT	K W SYDOR & B H WILL	P O BOX 307
(14-01-24)	55 VALLEY RD	TOSCH AMY		55 VALLEY RD
(14-01-29.2)	34 VALLEY RD	VILLANI PETER P JR	VILLANI STACEY S	34 VALLEY RD
(14-01-04)	10 CHAPLIN CIR	WALTON JAMES F	WALTON RITA C	10 CHAPLIN CIR

CERTIFIED COPY



November 21, 2016

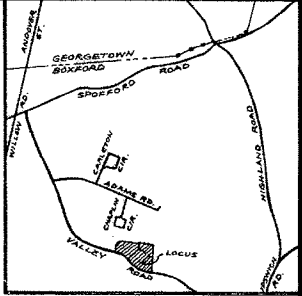
PLAN BOOK 286 PLAN 12

REGISTERED IN THE REGISTER OF DEEDS, 56 DIST. SOUTH, 11160.

Received November 12, 1993

Witness: *John O'Brien*
Register of Deeds

FOR REGISTRY USE ONLY



LOCUS MAP

N/F
DONALD L. & JOAN A JONES

N/F
PAUL M. & GERALDINE C. DUPUIS

N/F
GEORGE R. & CATHERINE C. COURAGE

PLAN BOOK 198
PLAN 46

DOROTHY E. McNATT
(LOT 1 ON PLAN 382 OF 1962)

LOT 1A
99,177± S.F.
(2.2768± AC)

PARCEL B
3,486± S.F.

LOT 2C
173,184± S.F.
(3.976 AC)
(AREA NOT INCLUDING PARCEL B)
CYNTHIA D. RODES
(LOT 2 ON PLAN 382 OF 1962)
(LOTS 2A & 2B ON PLAN 26 PLAN BOOK 186)

N/F
DOROTHY L. WOODBURY TRUST

PLAN REFERENCE:

PL. BK 186 PL. 26
PLAN #382 OF 1962

DEED REFERENCE:

BOOK 9008 PAGE 096 (McNATT)
BOOK 10846 PAGE 049 (RODES)

NOTE:

- 1) PARCEL B TO BE COMBINED WITH LOT 2C TO FORM ONE CONTINUOUS LOT CONTAINING 176,670± S.F. (4.0558± AC)
- 2) LOCUS IS SHOWN AS LOTS 23 & 29 ON ASSESSOR'S MAP 14.
- 3) ZONING DISTRICT (R-A = RESIDENTIAL AGRICULTURAL)

10/20/93 *Michael D. Brier*



APPROVAL UNDER SUBDIVISION CONTROL LAW NOT REQUIRED

Robert P. Woodbury
George J. Felt
Michael D. Brier
John O'Brien

BOXFORD PLANNING BOARD

DATE: Nov 3, 1993

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

10/20/93 *Michael D. Brier*
DATE PROFESSIONAL LAND SURVEYOR

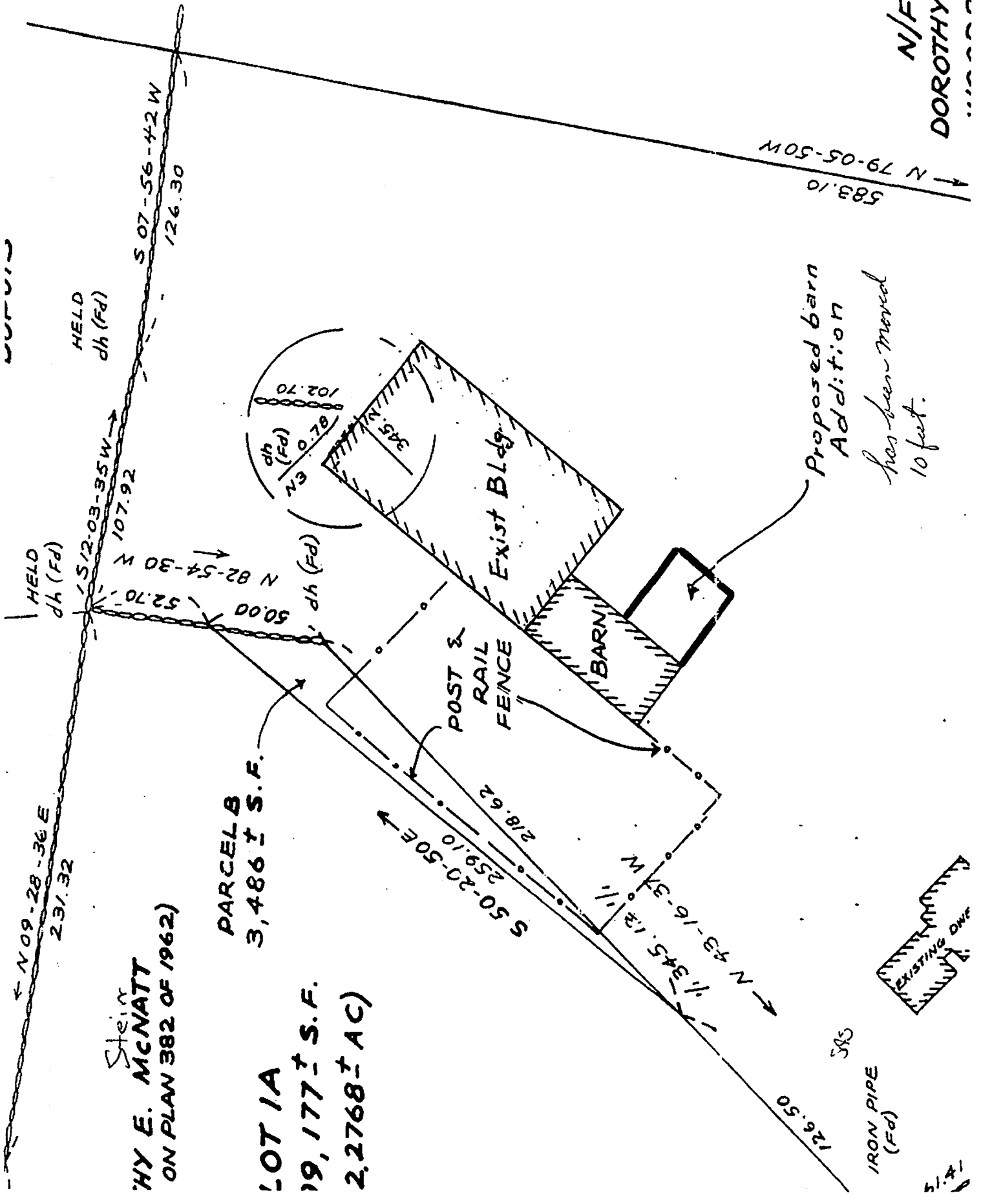


PLAN OF LAND IN BOXFORD, MA.

PREPARED FOR CYNTHIA D. RODES

SCALE 1" = 50' SEPTEMBER 16, 1993

COASTAL SURVEY
WADSWORTH VILLAGE - 130 CENTRE STREET
DANVERS, MASSACHUSETTS
(508) 774-9450



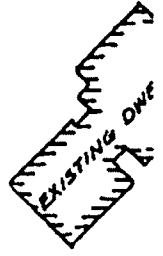
Stein
 HY E. McNATT
 ON PLAN 382 OF 1962)

PARCEL B
 3,486 ± S.F.

LOT 1A
 19,177 ± S.F.
 2,2768 ± AC

Proposed barn
 Addition
 has been moved
 10 feet.

N/F
 DOROTHY L.



IRON PIPE
 (Fd)

51.41

E
125

JT-6

QUITCLAIM DEED

Joetta N. Silva, of 32 Walden Terrace, Saugus, Massachusetts, **individually and as Chief Executive Manager of Hancock Gaston, LLC**, and **Daniel Silva**, also of 32 Walden Terrace, Saugus, Massachusetts, as **Chief Executive Manager of Hancock Gaston, LLC**, for consideration paid, and in full consideration of One Dollar (\$1.00), grant to 51 Valley Road, LLC, of Saugus, Massachusetts.

with *QUITCLAIM COVENANTS*

The land with the buildings thereon in Boxford, Essex County, Massachusetts, shown as Lot 2C and Parcel B on "Plan of Land in Boxford, MA, prepared for Cynthia D. Rodes, Scale 1" = 50', September 16, 1993 by Coastal Survey" recorded with the Essex South District Registry of Deeds in Plan Book 286, Plan 12.

For grantor's title, see deed from Silva Realty, LLC to Hancock Gaston, LLC with Joetta N. Silva retaining a life estate dated December 16, 2004 and recorded with Essex Registry of Deeds at Book 23761, Page 304.

Intended to extinguish the life estate granted to Joetta N. Silva in deed dated December 16, 2004 and recorded with Essex County Registry of Deeds, at Book 23761, Page 304.

Said transfer does not constitute the sale of all or substantially all of the assets of Hancock Gaston, LLC.

Grantee has requested no title examination and no title examination have been made.

51 Valley Rd
Boxford

Witness our hand and seal, this 30th day of April, 2009.

Joetta N. Silva
Joetta N. Silva, Individually and as Chief
Executive Manager of Hancock Gaston, LLC

Daniel Silva
Daniel Silva, as Chief Executive Manger of
Hancock Gaston, LLC

COMMONWEALTH OF MASSACHUSETTS

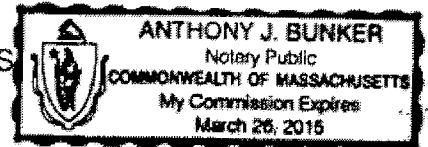
Essex, ss

On this 30th day of APRIL, 2009, before me, the undersigned notary public, personally appeared Joetta N. Silva, proved to me through satisfactory evidence of identification, which was/were Massachusetts Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

Anthony J. Bunker
NOTARY PUBLIC
My commission expires March 26, 2015

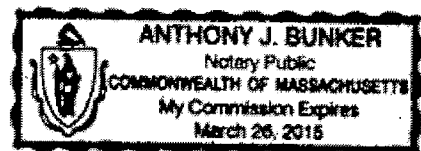
COMMONWEALTH OF MASSACHUSETTS

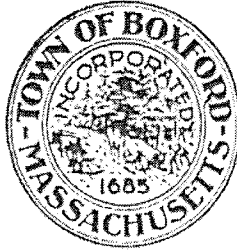
ESSEX, ss



On this 30th day of APRIL, 2009, before me, the undersigned notary public, personally appeared Daniel Silva, proved to me through satisfactory evidence of identification, which was/were Massachusetts Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Anthony J. Bunker
NOTARY PUBLIC
My commission expires March 26, 2015





ZONING BOARD OF APPEALS

APPLICANT'S INFORMATION

Name: William Lord

Address: 3 Pine Ridge Road

North Reading MA

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.

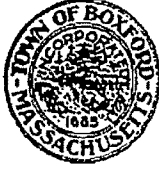
The following is the formula used for determining the postage costs for each application:

Number of Certified Abutters (including applicant & representative) Notice of Hearing	<u>23</u>	x	<u>6.47</u>	=	<u>148.81</u>
Number of Surrounding Towns & MVPC					9 x \$6.47 = \$58.23
Number of Certified Abutters (including applicant & representative) Notice of Decision	<u>23</u>	x	<u>.49^{.47}</u>	=	<u>10.81</u>
TOTAL AMOUNT OWED FOR POSTAGE FEE					\$ <u>217.85</u>

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 William Lord

Mailing Address 3 Pine Ridge Road

City/Town North Reading State MA Zip Code 01864

Daytime phone number 978-828-4162

Evening phone number 978-828-4162

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.

William Lord / Kerry E. Lord 11/28/16
Signature Date