

March 23, 2017

Zoning Board of Appeals
7A Spofford Road
Boxford, MA 01921

Re: 45 Batchelder Road
Special Permit – Accessory Apartment
Owner/applicant: Robert & Patricia Sterner

Dear Board Members:

Please find enclosed a Special Permit application for an accessory apartment for the above referenced property. Also enclosed is the proposed site plan and architectural plans of the proposed addition. The Special Permit is being submitted in accordance with Section 196-13 (C) of the Boxford Zoning Bylaw.

The following points demonstrate compliance with Section 196-13 (C):

- The proposed accessory apartment will be occupied by Patricia Sterner's mother, Janet McGinley; Ms. McGinley is also a co-owner of the property. Robert & Patricia Sterner will reside in the remainder of the dwelling with their children.
- The existing gross floor area of the dwelling, which includes the enclosed porch at the rear of the dwelling, is 3,477 sf +/- . The proposed gross floor area of the accessory apartment is 805 sf +/- or 19% of the total gross floor area of the two dwelling units.
- By examining the architectural plans enclosed you can see that the single-family characteristic of the structure has been maintained.
- The proposed accessory apartment will comply to all local and State Building Code requirements.

We look forward to meeting with the Board at your regularly scheduled meeting on Thursday, April 27, to discuss this project.

If you have any questions prior to the meeting please do not hesitate to contact me.

Sincerely,

THE MORIN-CAMERON GROUP, INC.



John M. Morin, PE
Principal

JMM/kmm

Attachments

cc: Robert & Patricia Sterner



TOWN OF BOXFORD

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.

March 27, 2017. The meeting date for this deadline is April 27, 2017.
(deadline date) (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.

- Certified list of abutters (**300'**) (from Assessor's Office) **978-887-6000 (504)**
- Plan of land
- Copy of title or deed
- Full plan of proposed project (see ZBA regulations for more details)
- Check for postage with form for abutters, members & surrounding towns **\$164.34**
- Check for application fee in the amount of **\$200.00**
- Authorization form for public notice for hearing in Tri-Town Transcript
- n/a - Denial form from Inspector of Buildings (as applicable)
- n/a - Maintenance agreement and safety sign-off clearance form
(if filing for special permit for shared driveway)

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.



**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 Robert & Patricia Sterner and Janet McGinley
Street Address 45 Batchelder Road
Town/City Boxford State MA
Telephone Number 413-695-1929
Property Owner Name Robert & Patricia Sterner and Janet McGinley
Address 45 Batchelder Road
Town/City Boxford State MA
Telephone Number 413-695-1929

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 45 Batchelder Road Map24 Block 4 Lot 37
Deed to the Property Book 35453 Page 403 Date 11/18/2016 (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 Property owners wish to construct an addition for an accessory apartment which requires a Special Permit from the Zoning Board of Appeals.

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 Services Floodplain

5. Conformity of Site and Use

Date lot was created May 1980

Date structure was built 1986

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.

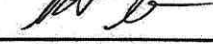
In addition, specify submittal requirements are identified in the Zoning Bylaw for the following applications:

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 Janet M. Shirley  Date 3/23/17 3/24/17

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 Janet M. Shirley  Date 3/23/17 3/24/17

TOWN OF BOXFORD
ABUTTER LIST

PARCEL #24-4-37 ~ 45 BATCHELDER ROAD ~ ZBA 300'

Map/Lot	Location	Owner	Owner 2	Owner Address	Owner City/Town	Owner State	Zip Code
(24-04-35)	43B BATCHELDER RD	AUBREY ARLENE F		43B BATCHELDER RD	BOXFORD	MA	01921
(19-02-15-10)	50 FOUR MILE VILLAGE	BOXFORD FRIENDSHIP FOUNDATION		50 FOUR MILE VILLAGE	BOXFORD	MA	01921
(19-02-18-E)	50 FOUR MILE VILLAGE	BOXFORD FRIENDSHIP FOUNDATION		50 FOUR MILE VILLAGE	BOXFORD	MA	01921
(19-02-18)	50 FOUR MILE VILLAGE	BOXFORD FRIENDSHIP FOUNDATION		50 FOUR MILE VILLAGE	BOXFORD	MA	01921
(24-04-09-37)	58 HIGH RIDGE RD	DICKINSON JEFFREY	DICKINSON KRISTIE	58 HIGH RIDGE RD	BOXFORD	MA	01921
(24-04-09)	54 HIGH RIDGE RD	FANNING ROBERT R & NANCY E TRS	THE HIGH RIDGE ROAD RE TRUST	54 HIGH RIDGE RD	BOXFORD	MA	01921
(24-04-01)	8 BATCHELDER RD	HARRIS, ROGER & KIMBERLY TRS	BATCHELDER RD R E TR	8 BATCHELDER RD	BOXFORD	MA	01921
(24-04-46)	HIGH RIDGE RD	HIGH RIDGE PROP OWNERS		PO BOX 54	BOXFORD	MA	01921
(24-04-09-40)	44 HIGH RIDGE RD	KINNEY KATHRYN S TR	KINNEY RAYMOND J JR TR	44 HIGH RIDGE RD	BOXFORD	MA	01921
(24-04)	44 BATCHELDER RD	KOSTAS CHRISTOPHER I	KOSTAS JOANNE	44 BATCHELDER RD	BOXFORD	MA	01921
(24-04-39)	36 BATCHELDER RD	O'BRIEN RICHARD F	O'BRIEN KATHRYN E	36 BATCHELDER RD	BOXFORD	MA	01921
(24-04-34)	37 BATCHELDER RD	SPIRO GREGG	SPIRO JANE B	37 BATCHELDER RD	BOXFORD	MA	01921
(24-04-37)	45 BATCHELDER RD	STERNER ROBERT & PATRICIA	MCGINLEY JANET M	45 BATCHELDER RD	BOXFORD	MA	01921
(24-04-02)	HIGH RIDGE RD	WALLS DAVID M	WALLS VALERIE C	66 HIGH RIDGE RD	BOXFORD	MA	01921
(24-04-09-39)	48 HIGH RIDGE RD	WALTER GLEN V TR	WALTER ELIZABETH G TR	48 HIGH RIDGE RD	BOXFORD	MA	01921
(24-04-36)	43A BATCHELDER RD	YEATON ROBERT P	JOLINE M YEATON	43A BATCHELDER RD	BOXFORD	MA	01921

CERTIFIED COPY

Jana Silva

MARCH 21, 2017

P.C.2

3

QUITCLAIM DEED

We, Robert Sterner and Janet McGinley, of Boxford, Essex County, Massachusetts,
for consideration paid of One Dollar, (\$1.00) hereby grant to

Robert Sterner and Patricia Sterner,
an undivided one-half interest, as Husband and Wife, Tenants by the Entirety; and to
45 BATCHELDER RD., BOXFORD

Janet M. McGinley, an undivided one-half interest, Individually,
45 BATCHELDER RD., BOXFORD

Between them as Joint Tenants With Right Of Survivorship, and not as Tenants In
Common,

with quitclaim covenants


The land with all buildings thereon on Batchelder Road in Boxford, Essex County,
Massachusetts, being shown as Lot 10A and Lot 10B on a plan entitled "Plan of Land in
Boxford, Ma prepared for Wild Meadow Trust", dated December 15, 1981 by Hancock
Survey Associates, Inc., which plan is recorded in Essex South District Registry of
Deeds in Plan Book 173, Plan 6. Lot 10A contains 6.05 acres of land, more or less,
according to said plan, and Lot 10B contains .20 acres of land, more or less, according to
said plan.

Being the same premises conveyed to the herein named grantor(s) by deed recorded with
Essex County Registry of Deeds herewith.

The Grantors hereby reserve and retain any and all rights of homestead in the property
conveyed herein.

PROPERTY ADDRESS: 45 Batchelder Road, Boxford, MA

Witness my hand and seal this 18 day of Nov., 2016.

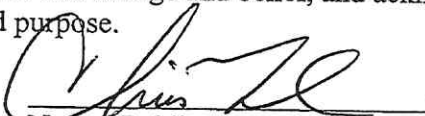


Robert Sterner

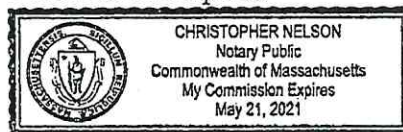
COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

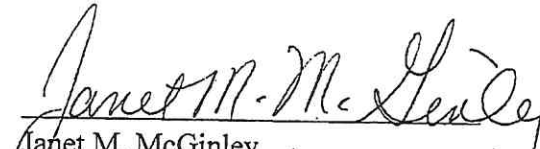
On this 18 day of ~~October~~ ^{Nov.}, 2016, before me, the undersigned notary public, personally appeared Robert Sterner, proved to me through satisfactory evidence of identification, which was MA DL, to be the person who signed the preceding or attached document in my presence, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his/her knowledge and belief, and acknowledged to me that he/she signed it voluntary for its stated purpose.



Notary Public
My Commission Expires:



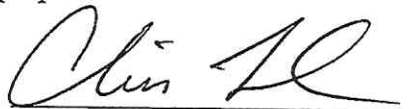
Witness my hand and seal this 18 day of Nov., 2016.


Janet M. McGinley

COMMONWEALTH OF MASSACHUSETTS

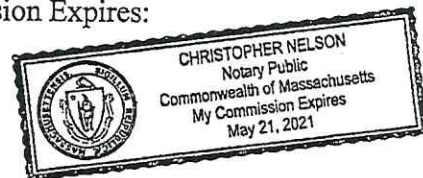
Middlesex, ss.

On this 18 day of ~~October~~ ^{Nov.}, 2016, before me, the undersigned notary public, personally appeared Janet McGinley, proved to me through satisfactory evidence of identification, which was MA DL, to be the person who signed the preceding or attached document in my presence, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his/her knowledge and belief, and acknowledged to me that he/she signed it voluntary for its stated purpose.



Notary Public

My Commission Expires:





ZONING BOARD OF APPEALS

APPLICANT'S INFORMATION

Name: Robert & Patricia Sterner

Address: 45 Batchelder Road

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

15 x 6.56 = \$98.40

Number of Surrounding Towns & MVPC

9 x \$6.56 = \$59.04

Number of Certified Abutters

(including applicant & representative)

Notice of Decision

15 x .46 = \$6.90

TOTAL AMOUNT OWED FOR POSTAGE FEE

\$ 164.34

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 & Patricia Sterner and Janet McGinley

Mailing Address 45 Batchelder Road

City/Town Boxford State MA Zip Code 01921

Daytime phone number 413-695-1929

Evening phone number _____

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.

Janet McGinley
Signature

Patricia Sterner
Robert Sterner

3/23/17
Date

3/23/17

3/24/17