

ENGINEERING
& SURVEY INC.



CHARLTON, MA

508-769-6659
508-341-2127

January 8, 2018

Town of Leicester

Zoning Board of Appeals

3 Washburn Square

Leicester, MA 01524

RE: Arthur Bloomquist, 20-22 Lake Drive

Variance request

Dear Members,

Please find the attached plans and variance application for property located at 20-22 Lake Drive, owned by Arthur Bloomquist.

Site Location: 20-22 Lake Drive – Assessors Map 27A, Block E, Parcel 4,5

Zoning: SA / Suburban Agricultural

Present Uses: Single Family

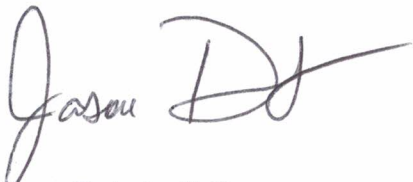
Proposed Use: Single Family

Finding of Facts: A literal enforcement of the provisions of the Zoning Bylaw would involve substantial hardship, financial or otherwise, to the petitioner for the reason that the existing dwellings on the house are uninhabitable and the reconstruction of a new dwelling would not allow the use of the property as it has been used in the past. The side of the lot combined with 40-ft building setbacks will not allow a building to be constructed without encroachment to the setbacks. The two buildings that are currently located on the site are more detrimental to than what is proposed whereas the buildings are closer to the property lines than the proposed building.

Desirable relief may be granted without detriment to the public good, or derogating from the intent or purpose of the Town of Leicester Zoning bylaw because the site design is a substantial improvement to what is currently in existence o the site.

If you have any additional questions or concerns, please contact me at the number above.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Jason Dubois". The signature is stylized, with the first name "Jason" written in a cursive script and the last name "Dubois" written in a more blocky, capital-letter style with a long horizontal stroke extending from the end.

Jason Dubois, P.E.

Leicester Zoning Board of Appeals

PERMIT TYPE: ☐ Special Permit ☒ Variance

Date: 1-8-18

Owner Information			
Owner Name:		ARTHUR BLOOMQUIST	
Owner Signature:		Joseph D. J., Agent for Owner	
Address:		96 LAKE ST. PLYMPTON, MA 02367	
Phone:	781-585-1992	Fax:	
Email:			
Applicant Information			
Applicant Name:		-SAME-	
Applicant Signature:			
Address:			
Phone:		Fax:	
Email:			
Project Information			
Project Address:		20/22 LAKE	
Zoning District:		SA	
Assessors Map & Parcel #	27A - E5 27A - E4	Deed Reference (Book & Page):	52,582 / 214 52582 / 211
Applicable Zoning Bylaw Section(s):		4.2 (SETBACKS)	
Brief Description of Application:			
A PROPERTY LOCATED IN SA DISTRICT WITH A SINGLE FAMILY RESIDENCE THAT DOES NOT MEET ZONING SETBACKS. A VARIANCE IS REQUESTED.			
State Briefly Reasons for Variance or Special Permit:			
SEE JANUARY 18, 2018 LETTER FROM BUILDING & ZONING ENFORCEMENT FOR REASONS OF A VARIANCE REQUIREMENT TO BUILDING SETBACKS			

Attach additional pages as necessary to fully describe the application.

Town of Leicester
ZONING BOARD OF APPEALS
Washburn Square
Leicester, Massachusetts 01524

VARIANCE

OR

SPECIAL PERMIT

Please use the following procedure when applying for a Variance or Special Permit. Items in *italics* are optional but recommended. Unless otherwise noted, each item applies to petitions for both Variances and Special Permits. Failure to complete any of the required items could result in delays in the decision process by the Board of Appeals..

I. Preparing your petition:

- 1) *Purchase a copy of the Town of Leicester Zoning By-Laws from the Town Clerk to use for reference in preparing your petition.*
- 2) See the Town Clerk to obtain the forms to petition the Board of Appeals for a public hearing. This includes the attached petition form and these instructions.
- 3) Prepare and/or assemble documents to be presented as part of your petition:
 - a) Complete the form that was obtained in step 2)
 - b) Document the Finding of Facts
 - c) List the hardships on the land or property (Variance only)
 - d) Document the reason(s) why the Variance or Special Permit should be granted
 - e) **Submit a Registered Plot Plan prepared by a licensed surveyor or civil engineer.** IMPORTANT: A tape survey is NOT ADEQUATE and will not be accepted. NOTE – The Registered Plot Plans must show:
 1. Existing and proposed lot lines and structures
 2. All relevant distances to the boundary lines which are not in compliance.
 - f) If the application is for a Variance involving alteration of the inside of an existing structure, a detailed blueprint showing the floor plan is required. The blueprint should show all exits and rooms.
 - g) *Letter of rejection from the Building Inspector along with a rejected building permit*
- 4) Bring the completed documents, including petition application, to the Town Clerk, along with the filing fee of ~~\$55.00~~. The filing fee should be paid via a check made payable to the Town of Leicester.

The ZBA voted to increase the fee to \$175 on 7/19/2017.

II. Notifying others of the hearing for your petition

- 1) Within a few weeks of filing your petition with the Town Clerk, you will receive instructions from the Secretary for the Board of Appeals outlining the steps that you need to take to notify others of the hearing for your petition. Included with the instructions is copy of the public notice describing the date, time, location, and reason for the hearing for your petition, as well as a copy of your petition application.

- 2) You must go to the Board of Assessors to pick up a list of people to notify. The Board of Assessors compiles this list at the request of the Secretary for the Board of Appeals. This list consists of the names and addresses of abutters and abutters to abutters within 300 feet of the property that is the subject of your petition. You, the petitioner, must pay the charge for this list when you pick it up. The charge is **\$10.00** for the first page, and **\$5.00** for each additional page.
- 3) At least **ten days prior** to the hearing, you must use **certified mail** to send one copy of the notice and petition application to everyone identified on the Board of Assessors list. Be sure to keep the white copies of the certified mail receipts for everyone to whom you sent notice and the green copies you receive back from the abutters after they have accepted receipt of your mailing.
- 4) The Secretary for the Board of Appeals will place an advertisement for the hearing in a local newspaper, one per week for two successive weeks beginning three weeks before the hearing date. The petitioner is responsible for the cost of this advertisement, which is to be paid by check at the hearing.

III. Attending the hearing

- 1) Be sure that you or your representative is present at the hearing at the scheduled time.
- 2) Give the secretary a check made payable to the newspaper for the cost of the advertisement.
- 3) When the hearing begins, the petitioner is given an opportunity to explain the reasons for the petition and why the Variance/Special Permit should be granted.
- 4) The Board of Appeals decides whether to grant the Variance/Special Permit and informs the petitioner of the decision.

IV. After the hearing

- 1) The Board of Appeals will file its decision with the Leicester Town Clerk within 14 days. A copy of the **Decision** will also be sent to the petitioner.
- 2) There is a **20-day** waiting period **after** the decision has been **filed** with the Town Clerk before the petitioner can **take any action** granted by the decision.
- 3) If no one appeals the decision within the 20-day period, the Town Clerk issues a letter called a **Zoning Appeal Certificate** indicating that no appeal has been received.
 - a) The petitioner must go to the Town Clerk's office to pick up a copy of the **Certificate**.
 - b) The **Certificate** and **Decision** must be brought to the County Registry of Deeds to be recorded. This is located at 90 Front Street-C201, Worcester (Court House building).
 - c) The petitioner shall provide the Zoning Board of Appeals with a copy of the **Decision** bearing the stamp of the Registry of Deeds or Land Court indicating the date and time of the recording or registration and the book and page number assigned the document.
- 4) At this point, the petitioner may make use of the Variance/Special Permit in his/her application to the Building Inspector for a Building Permit. Please note that the Town of Leicester Zoning By-laws require that rights authorized by a Special Permit or Variance shall lapse unless exercised within one year.

If you have any questions, you may contact the Chairman of the Board of Appeals:
David Kirwan. Phone: 508-892-1131.



Town Of Leicester

Plumbing & Gas Inspector

OFFICE OF THE INSPECTOR OF CODES

3 Washburn Square

Leicester, Massachusetts 01524-1333

Phone: (508) 892-7003 Fax: (508) 892-1163

Building & Zoning Enforcement

Jeff Taylor

John P. Dolen

Wiring Inspector

John Markley

Date: January 18, 2018

Arthur Bloomquist
96 Lake Street
Plympton, Ma. 02367

Re: 20 & 22 Lake Drive
Leicester, ma

Dear Mr. Bloomquist;

You have applied to demolish two buildings on two separate lots and combine the lots and build one new home at the aforementioned address. Your property plot plan shows the new home will be 32 feet on the right side, 26'1" on the water side and 32 feet on the left side of the property. Your property is in the Suburban Agricultural zoning district. In this district you need 40 feet to all property lines to be in compliance.

At this time I must deny your application based on the encroachment of the required setbacks to the property lines. You must apply to the zoning board of appeals for a Variance to the setback requirement to proceed.

Please see the town clerk for the application for a variance and follow the instructions. If you have any questions regarding this letter, please direct them to this office.

Note: Conservation and board of health will also need to be involved in this, so please see or call these boards for more information on the process and order of business.

Jeff Taylor, CBO
Inspector of Buildings
Zoning Enforcement Officer

Cc
Zoning Board of Appeals
Board of Health
Conservation