

Leicester Zoning Board of Appeals

Special Permit & Variance Application Form

 PERMIT TYPE: ☐ Special Permit ☒ Variance

Date: _____

CONTACT INFORMATION

Property Owner:

Name:

Margaret R. Rondeau

Company Name:

N/A

Signature:

Margaret R. Rondeau

Address:

22 Pleasant St Leicester MA 01524

Phone:

508 340 7311

Email:

rpeg1041@yahoo.com

Applicant:

Name:

Margaret R. Rondeau

Company Name:

N/A

Signature:

Margaret R. Rondeau

Address:

22 Pleasant St Leicester MA 01524

Phone:

508 340 7311

Email:

rpeg1041@yahoo.com

Primary Contact Person: (The person that will be contacted by Town staff during the application process.)

Name:

Margaret R. Rondeau

Company Name:

N/A

Address:

22 Pleasant St Leicester MA 01524

Phone:

508 340 7311

Email:

rpeg1041@yahoo.com

PROJECT INFORMATION

Project Address:

41 Woodland Rd CV

Zoning District:

RA

Assessors Map & Parcel #

22 A B3

Deed Reference (Book/Page):

62588-160

Size of Proposed Structures:

N/A

Total Lot Area:

14,501

Water Source:

Private

Sewer Source:

Private

Applicable Zoning Bylaw Section(s):

Brief Project Description:

Please include a brief description on this form (i.e. do not write "see attached"). [Examples: construction of a 10' x 20' shed in the front yard of an existing home; installation of a 60s.f. freestanding sign (special permit required to exceed 50 s.f.)]

Revised July 2019

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Name:

Company Name:

Address:

Phone:

Email:

PROJECT INFORMATION

Project Address:

47 Woodland Rd CV 01611

Zoning District:

RA

Assessors Map & Parcel #

22A B2 0

Deed Reference (Book/Page):

40833-324

Size of Proposed Structures:

N/A

Total Lot Area:

29,002

Water Source:

Private

Sewer Source:

Private

Applicable Zoning Bylaw Section(s):

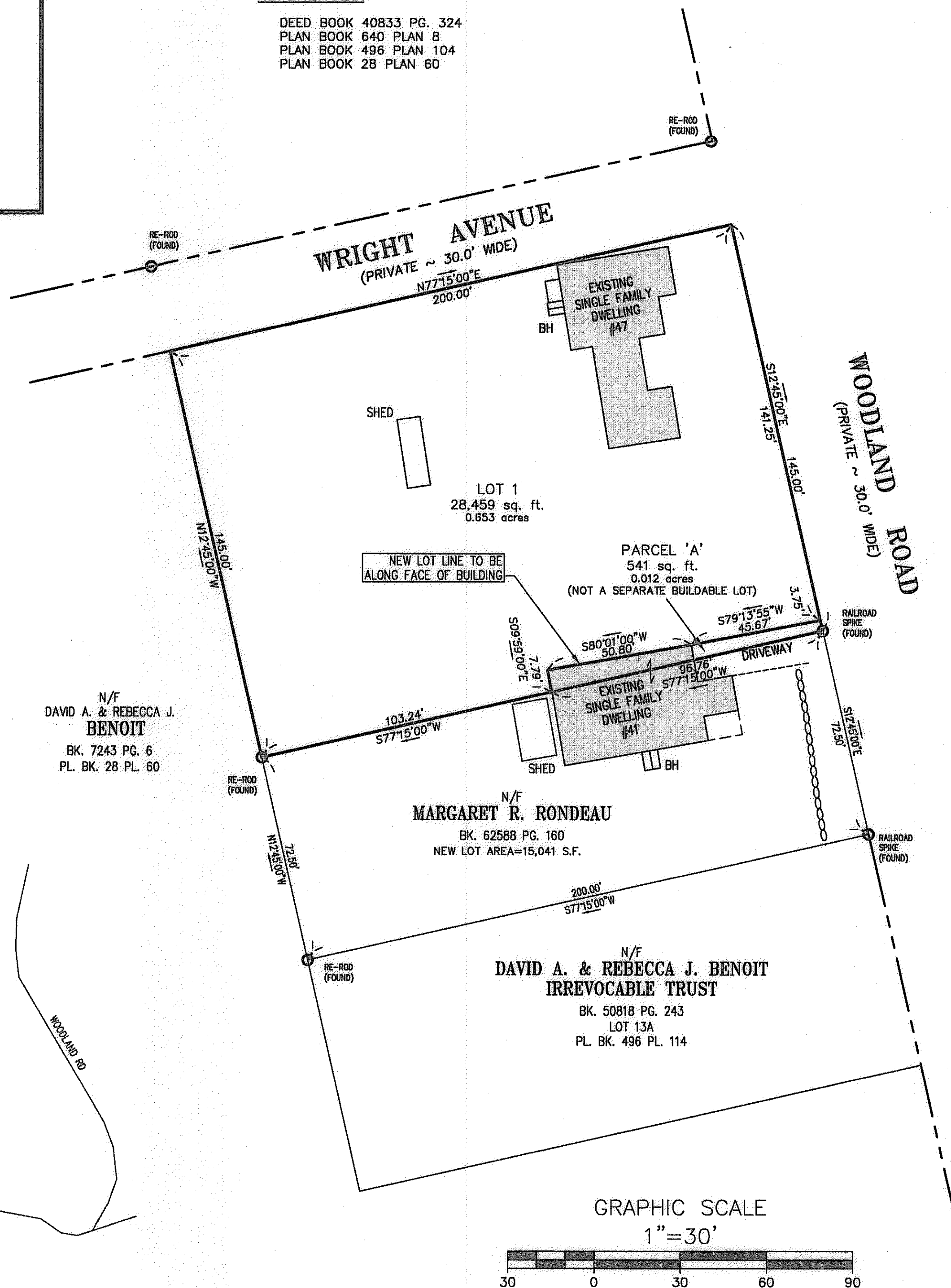
Brief Project Description:

Please include a brief description on this form (i.e. do not write "see attached"). [Examples: construction of a 10' x 20' shed in the front yard of an existing home; installation of a 60s.f. freestanding sign (special permit required to exceed 50 s.f.)]

REFERENCES:

DEED BOOK 40833 PG. 324
PLAN BOOK 640 PLAN 8
PLAN BOOK 496 PLAN 104
PLAN BOOK 28 PLAN 60

FOR REGISTRY USE ONLY



NOTES:

- * THIS PLAN WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO ANY FINDINGS SUCH A REPORT MIGHT DISCLOSE.
- * PARCEL 'A' IS NOT TO BE CONSIDERED A BUILDABLE LOT AND IS TO BE COMBINED WITH LAND OF RONDEAU TO FORM A SINGLE UNDIVIDED LOT.
- * THE PURPOSE OF THIS PLAN IS TO CORRECT A BUILDING AND DRIVEWAY ENCROACHMENT.

ZONING:

SA

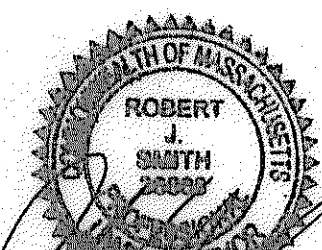
ALL ABOVE DEEDS AND PLANS ARE RECORDED WITH THE WORCESTER DISTRICT REGISTRY OF DEEDS.

APPROVAL NOT REQUIRED UNDER THE SUBDIVISION CONTROL LAW, LEICESTER PLANNING BOARD.

DATE: _____

THE ABOVE ENDORSEMENT IS NOT A DETERMINATION BY THE PLANNING BOARD AS TO CONFORMANCE WITH ZONING REQUIREMENTS.

"I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS."


REGISTERED LAND SURVEYOR
Aug 19, 2021
DATE

B&R SURVEY, INC.

100 GROVE STREET
WORCESTER, MA 01605
TEL 508-756-8579
FAX 508-421-4797

PLAN OF LAND

OWNED BY:
PAIGE FAMILY TRUST

WOODLAND ROAD
LEICESTER, MASSACHUSETTS

SCALE: 1"=30'

DATE: AUGUST 19, 2021

FIELD: RJS

CALC: RPB

CHECK: RJS

SHEET 1 OF 1

JOB #20-293

Lot 1

The land and building situated on the westerly side of Woodland Road and the southerly side of Wright Avenue, Leicester, Worcester County, Massachusetts being shown as Lot 1 on a plan of land owned by Paige Family Trust, drawn by B&R Survey, Inc. dated August 19, 2021 recorded in Worcester District Registry of Deeds in Plan Book ____ Plan ____ and more particularly bounded and described as follows:

Beginning at a point at the intersection of the westerly side of Woodland Road and the southerly side of Wright Avenue

Thence S 12°-45'-00" E by the westerly side of Woodland Road, a distance of 141.25 feet to a point at Parcel 'A', said point being northerly 3.75 feet from a railroad spike;

Thence S 79°-13'-55" W by Parcel 'A', a distance of 45.67 feet to a point at the existing building;

Thence S 80°-01'-00" W by Parcel 'A' and the face of the building, a distance of 50.80 feet to a point;

Thence S 09°-59'-00" E by Parcel 'A' and the face of the building, a distance of 7.79 feet to a point at land now or formerly of Margaret R. Rondeau;

Thence S 77°-15'-00" W by land now or formerly of said Rondeau, a distance of 103.24 feet to a re-rod found at land now or formerly of David A. & Rebecca J. Benoit;

Thence N 12°-45'-00" W by land now or formerly of said Benoit, a distance of 145.00 feet to a point on the southerly side of Wright Avenue;

Thence N 77°-15'-00" E by the southerly side of Wright Avenue, a distance of 200.00 feet the point of beginning.

Lot 1 contains 28,459 square feet of land

MARGARET R RONDEAU

22 PLEASANT ST

LEICESTER MA 01524

508.340.7311 E-MAIL rpeg1041@yahoo.com

SUBJECT PROPERTIES 41 BK62588 PG160 & 47 BK40833 PG324 Woodland Rd Cherry Valley Ma 01611

9/15/21
~~8/03/2021~~

TO WHOM IT MAY CONCERN:

TOWN OF LEICESTER MA

I MARGARET R RONDEAU PURCHASED A HOUSE AT 41 WOODLAND RD CHERRY VALLEY MA 01611 ON 6-15-2020 FROM THE BANK OF NEW YORK MELLON. AND PAID CASH. BK#62588 PG160

THERE WAS A WOMAN LIVING IN THE HOUSE AND IT WAS DURING THE PANDEMIC SO I HAD TO WAIT UNTIL THE MORATORIUM WAS OVER TO GET A COURT ORDER FOR HER TO LEAVE WHICH SHE LEFT ON APRIL 15TH 2021.

ONCE THE TENANT/WIDOW OF PREVIOUS OWNER LEFT I WAS ABLE TO START DOING WORK ON THE HOUSE AND ONE OF THE NEIGHBORS THAT WAS RELATED TO THE PREVIOUS OWNERS TOLD ME THAT THEY THOUGHT MY HOUSE & ATTACHED GARAGE AND DRIVEWAY WAS BUILT PARTLY ON THE NEIGHBORS LAND IN 1939 .

SO I HAD A SURVEY DONE BY B&R SURVEYORS AND THEY CONFIRMED THAT INDEED IT WAS 7 3/4 FEET ONTO THE ABUTTERS PROPERTY AND HAS BEEN LIKE THAT SINCE THE HOUSE WAS BUILT IN 1939

I SPOKE TO THE NEIGHBORS AT #47 WOODLAND WHICH IS THE ABUTTER AND THE WOMAN JEAN SHEA CONVERY WHO IS THE DAUGHTER AND THE TRUSTEE OF THE PROPERTY THAT MY HOUSE IS ENCROACHING UPON. AND SHE SAID SHE HEARD OR THOUGHT HER FATHER WAS THE ONE THAT ACTUALLY BUILT THE GARAGE ONTO MY HOUSE. BUT THEN TOLD ME HE DID NOT BUILD IT.

I WAS SELLING MY HOUSE AND THE BANK WOULD NOT GIVE A LOAN TO MY BUYERS WITH AN EASEMENT SO I OFFERED TO PAY THE NEIGHBOR FOR THE TINY PIECE OF LAND, I ASKED HER HOW MUCH SHE SAID \$4000.00 I SAID OK AND I THOUGHT THAT IT WAS ALL SET. MY BUYER WAS EXCITED BECAUSE HER ELDERLY MOTHER LIVES DOWN THE STREET AND SHE WANTS TO BE CLOSE TO HER.

WELL AT THE LAST MINUTE JEAN THE TRUSTEE AND DAUGHTER OF THE DECEASED ABUTTER SAID SHE HAD TO CONSULT WITH HER ATTY. I SAID FINE. HER ATTY SAID NOT TO SELL TO ME BECAUSE THEN SHE WOULD NOT BE ABLE TO SELL HER HOUSE BECAUSE IT IS CURRENTLY GRAND FATHERED AND WOULD NOT BE ONCE SHE SELLS A PIECE OF HER LAND.

I SPOKE TO MICHELLE BUCK THE TOWN PLANNER AND SHE SAID THAT THE

9-15-21

PROPERTY WILL NO LONGER BE GRAND FATHERED BUT IT WILL BE A DIFFERENT KIND OF LEGAL, BECAUSE THE ZONING BOARD MAY ISSUE A LEGAL VARIANCE BECAUSE THE PROPERTY HAS BEEN LIKE THIS SINCE IT WAS BUILT IN 1939.

AND THAT #47 WOODLAND AND #41 WOODLAND WOULD BOTH BE ABLE TO SELL THERE PROPERTIES BECAUSE THEY WOULD BOTH BE GRANTED A VARIANCE FOR LOT FRONTAGE.

I TOLD JEAN THIS AND SHE CALLED THE TOWN PLANNER AND MICHELLE EXPLAINED THIS TO JEAN AND SHE SEEMED SATISFIED.

I HAD THE SURVEYOR CHANGE TO PLAN FROM 15 FEET SO I COULD AT LEAST KEEP TRIMMING THE VINES AWAY FROM MY HOUSE ON THAT SIDE TO ONLY INCLUDE THE LAND UNDER THE HOUSE AND THE DRIVEWAY BECAUSE THAT IS WHAT JEAN WANTED AND ALL OF THIS KEEPS COSTING ME MONEY EVERY TIME I HAVE TO CHANGE SOMETHING. AND SHE KEEPS CHANGING THINGS.

JEAN SHEA CONVERY KEEPS TELLING ME THAT HER ATTORNEY EITHER HASN'T GOTTEN BACK TO HER OR SHE JUST DOESN'T WANT HER TO SELL ME THE 7 & 3/4 FEET. NOT SURE BECAUSE SHE HAS BEEN SO NICE, AND IT IS ONLY THE LAND UNDER THE HOUSE AND DRIVEWAY NOW NOT THE 15FT. AND THAT DOESN'T EVEN GIVE ME ENOUGH SPACE TO KEEP THE VINES FROM GROWING ONTO MY HOUSE AND DAMAGING THE SIDING. IT ONLY GIVES ME A LITTLE WALKWAY. BUT I AM HAPPY AS LONG AS I CAN SELL MY HOUSE.

JEAN TOLD ME THAT IF I WANT I COULD FILE FOR ADVERSE POSSESSION I DID NOT WANT TO DO THIS. I WANTED TO DO THIS THE FRIENDLY WAY AND PAY HER FOR THE SMALL PIECE OF LAND THAT THE HOUSE HAS ALWAYS BEEN ON. THE PIECE OF LAND IS FAR AWAY FROM THERE HOUSE.

I AM KNOW ASKING THE THE TOWN OF LEICESTER TO AWARD THE/VARIANCE IN QUESTION. DUE TO THE FACT THAT THE HOUSE GARAGE AND DRIVEWAY HAVE BEEN ON THIS LAND FOR 82 YEARS. I AM NOT USING AN ATTY FOR THIS AS THIS IS COSTING ME A LOT OF MONEY ALREADY.

THANK YOU MARGARET R RONDEAU

SIGNED Margaret R Rondeau

Parcel 'A'

The land and building situated on the westerly side of Woodland Road, Leicester, Worcester County, Massachusetts being shown as Parcel 'A' on a plan of land owned by Paige Family Trust, drawn by B&R Survey, Inc. dated August 19, 2021 recorded in Worcester District Registry of Deeds in Plan Book ____ Plan ____ and more particularly bounded and described as follows:

Beginning at a railroad spike found at the southeasterly corner of land of Paige Family Trust and the northeasterly corner of land of Margaret R. Rondeau;

Thence S 77°-15'-00" W by land now or formerly of said Rondeau, a distance of 96.76 feet to a point;

Thence N 09°-59'-00" W by Lot 1 and the face of the building, a distance of 7.79 feet to a point;

Thence N 80°-01'-00" E by Lot 1 and the face of the building, a distance of 50.80 feet to a point;

Thence N 79°-13'-55" E by Lot 1, a distance of 45.67 feet to a point on the westerly side of Woodland Road;

Thence S 12°-45'-00" E by the westerly side of Woodland Road, a distance of 3.75 feet to the point of beginning.

Parcel 'A' contains 541 square feet of land