

Leicester Zoning Board of Appeals

Special Permit & Variance Application Form

 PERMIT TYPE: ☐ Special Permit ☒ Variance

 Date: 9-16-2021

CONTACT INFORMATION			
Property Owner:			
Name:	<u>Tean M Shea</u>		
Company Name:			
Signature:	<u>(SA) Tean M Shea</u>		
Address:	<u>47 Woodland Rd Cherry Valley MA</u>		
Phone:	<u>508 847 6630</u>	Email:	<u>Tean4000@msh.com</u>
Applicant:			
Name:	<u>Tean M Shea</u>		
Company Name:	<u>N/A</u>		
Signature:	<u>Tean M Shea</u>		
Address:	<u>47 Woodland Rd Cherry Valley MA</u>		
Phone:	<u>508 847 6630</u>	Email:	<u>tean4000@msh.com</u>
Primary Contact Person: (The person that will be contacted by Town staff during the application process.)			
Name:	<u>Margaret R Rondeau</u>		
Company Name:	<u>N/A</u>		
Address:	<u>22 Pleasant St Leicester MA</u>		
Phone:	<u>508 340 7311</u>	Email:	<u>rpeg1041@yahoo.com</u>
PROJECT INFORMATION			
Project Address:	<u>47 Woodland Rd CV</u>	Zoning District:	<u>SA</u>
Assessors Map & Parcel #	<u>22 A B 2</u>		
Deed Reference (Book/Page):	<u>40833/324</u>		
Size of Proposed Structures:	<u>0</u>	Total Lot Area:	<u>29,002</u>
Water Source:	<u>Private</u>	Sewer Source:	<u>Private</u>
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.)]			
<p><u>To Apply For a Lot Frontage Variance, See 2nd Page. For 47 Woodland Rd</u></p> <p><u>Alter lot line To Correct a building encroachment + Driveway encroachment, that has been like this for over 50 yrs</u></p>			

PROJECT INFORMATION, Continued**State Briefly Reasons for Variance or Special Permit:**

See Zoning Board of Appeals Instructions for Variance and Special Permit Applications. You may use the space below and/or attach additional pages as necessary to fully describe the application and reasons for the variance or special permit.

house at 41 Woodland Rd has been encroaching on 47 Woodland Rd by almost 4' on street side of property for almost 82 years. Owner of 41 Woodland is trying to sell house and cannot unless they purchase the slice of land from owner of 47 Woodland Rd. but due to neither property meeting frontage requirements. property at 47 Woodland needs a variance in order to change her frontage even if it is only by 4'. she is concerned she will not be able to sell her house once it is no longer grandfathered. so property at 47 Woodland needs a variance in order to remain in compliance with the zoning regulations. And still be able to sell her house if she ever does.

APPLICATION CHECKLIST:

Use this checklist to ensure you have provided all required information.

Three (3) copies of all paper submittals are required except where noted.

<input checked="" type="checkbox"/> Application Form	<input checked="" type="checkbox"/> Any supplemental information where applicable (letters, detailed project information, etc.)	<input checked="" type="checkbox"/> Plans (1-full-size & 2 11"x17")
<input checked="" type="checkbox"/> Certified Abutters List (1 copy)	<input type="checkbox"/> Fee (\$175) - check payable to the Town of Leicester	<input checked="" type="checkbox"/> .pdf copy of all submitted documents (CD or USB Drive)

Submit the full application to the Town Clerk's Office

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REMODELING		RES BREAKDOWN	
Exterior:		No Unit	RMS BRs FL
Interior:		1	0 4 4

General:			
Heating:			
Electric:			
Plumbing:			
Baths:			
Kitchen:			
Additions:			
Totals	1	8	4

COMPARABLE SALES				
Parcel ID	Typ	Date	Sale Price	
SSQ:		AvRate:	Ind Val	
Tris. Factor:				
Features: 0				
Val/Su Fin:				
Val/Su Net:				
Val/Su G-A:				
Partial Total:				
Total Total:				

PARCEL ID			
D/S	Dep	LUC	Fact NB Fa Appr Value
9/7	60	101	300
18 T	55	101	1,100

SUB AREA DETAIL					
Code	Description	Area - SQ	Rate - /V	Under Value	
FEL	1ST FLOOR	784	122.190	95,797	
TOS	3/4 STORY	588	122.190	71,848	
GAR	GARAGE	364	41.410	15,901	
OPF	OPEN PORCH	96	36.660	3,519	
Net Sketched Area:		1,852			
Gross Area:		1372			
Total:				187,065	
Fin Area:		2048			
				1372	

22A B3 0	
Code	Juris. Value
300	
1,100	
Total: 1,400	

AssessPro Patriot Properties, Inc



PROPERTY LOCATION

No	All No	Direction/Street/City
41		WOODLAND RD, LEICESTER

OWNERSHIP

Owner 1:	RONDEAU MARGARET R
Owner 2:	
Owner 3:	
Street 1:	22 PLEASANT ST
Street 2:	

Town/City:	LEICESTER
State:	MA
County:	Chitry
Postal:	01524
Own Occ:	Y
Type:	

PREVIOUS OWNER

Owner 1:	BANK OF NEW YORK MELLON -
Owner 2:	60 SHELLPOINT -
Street 1:	55 BEATTIE PLACE
Town/City:	GREENVILLE
State:	NC
County:	Chitry
Postal:	29601

NARRATIVE DESCRIPTION

This Parcel contains .333 ACRES of land mainly classified as ONE FAM with a(n) OLD STYLE Building Built about 1934, Having Primarily VINYL Exterior and ASPHALT SH Roof Cover, with 1 Units, 2 Baths, 0 HalfBaths, 0 3/4 Baths, 8 Rooms, and 4 Batms.

OTHER ASSESSMENTS

Code	Description	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Descip	%	Item	Code	Descip
Z	SA	SUB-AG	100	U	1	TYPL
O				I		
n						
Census:				Exmpt		
Flood Haz:						
D	CS	CS	100	Topo	1	LEVEL
S				Street	1	PAVED
t				Traffic	1	NONE

LAND SECTION (First 7 lines only)

Use Code	Description	LUC	No of Units	Depth/ Price/Units	Unit Type	Land Type
101	ONE FAM		14500		SQUARE FESITE	

IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value	Legal Description
101	152,000	1,400	0.333	60,400	213,800	
Total Card	152,000	1,400	0.333	60,400	213,800	Entered Lot Size
Total Parcel	152,000	1,400	0.333	60,400	213,800	Total Land:
Source:	Market Adj Cost	Total Value per Sq Unit /Card:	155.83	/Parcel:	155.83	Land Unit Type:

Parcel ID 22A B3 0

06/28/21

USER DEFINED

Prior Id # 1:

Prior Id # 2:

Prior Id # 3:

Prior Id # 1:

Prior Id # 2:

Prior Id # 3:

Prior Id # 1:

Prior Id # 2:

Prior Id # 3:

Prior Id # 1:

Prior Id # 2:

Prior Id # 3:

Prior Id # 1:

Prior Id # 2:

Prior Id # 3:

ASR Map:

Fed Dist:

Reval Dist:

Year:

Land Reason:

Blg Reason:

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value	Notes
BANK OF NEW YOR	62588-160		6/17/2020	REPO OR SALE	55650	No	No			
BENOIT ALFRED F	57298-17		6/22/2017	REPO OR SALE	124000	No	No			
TOWN OF LEICEST	37723-122		11/2/2005	INVOLVED GOV		No	No			
BENOIT ALFRED	0000-0000		6/20/2005	INVOLVED GOV		1	No			
BENOIT ALFRED	27998-352		11/5/2002	FAMILY	100	No	No			
	10880-304		10/20/1987		100	No	No			

TAX DISTRICT

PAT ACCT.

BUILDING PERMITS

Date	Number	Descip	Amount	C/O	Last Visit	Fed Code	F. Descip	Comment
10/24/2016	SI6-017	wd stove		0				
5/10/2001	01-071	MANUAL						siding

ACTIVITY INFORMATION

Date	Result	By	Name
6/28/2021	MEAS+INSPCTD	114	SANDY GENNA
9/6/2005	CYCICAL VIS	107	JOHN PRESCOT
9/18/1997	MEAS+INSPCTD	107	JOHN PRESCOT
1/8/1992	MEAS+INSPCTD	129	SYLVIA COTIEE

Sign:

VERIFICATION OF VISIT NOT DATA

1/1/

Exhibit A

The land in Leicester on the westerly side of Woodland Road, bounded and described as follows:

BEGINNING at a point on the westerly line of Woodland Road, said point being 145 feet southerly of the point of intersection of the southerly line of Wright Avenue and the westerly line of Woodland Road;

THENCE S 87 15' W., by other land now or formerly of the grantor 200 feet;

THENCE S 2 45' E., by lot 216 on plan recorded in Worcester District Registry of Deeds, Plan Book 28, Plan 60, 72.5 feet;

THENCE N 87 15' E., by other land now or formerly of the grantor 200 feet to the westerly line of Woodland Road;

THENCE N 2 45' W., by the westerly line of Woodland Road 72.5 feet to the point of beginning.

Containing 14,500 square feet.

WRIGHT AVENUE
(PRIVATE ~ 30.0' WIDE)

N/F
PAIGE FAMILY TRUST

BK. 40833 PG. 324
PL. BK. 28 PL. 60

WELL LOCATION
(INSIDE GARAGE)

DRIVEWAY

EXISTING
SINGLE FAMILY
DWELLING
#41

SHED

BH

14,500 sq. ft.
0.333 acres

WOODLAND ROAD
(PRIVATE ~ 30.0' WIDE)

RAILROAD SPIKE
(FOUND)

N12°45'00"W
72.50'

RAILROAD SPIKE
(FOUND)

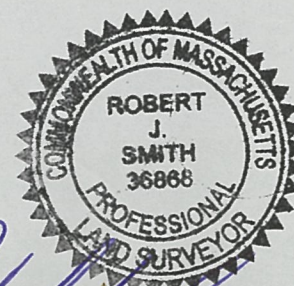
200.00'
N77°15'00"E

N/F
DAVID A. & REBECCA J.
BENOIT

BK. 7243 PG. 6
PL. BK. 28 PL. 60

N/F
DAVID A. & REBECCA J. BENOIT
IRREVOCABLE TRUST

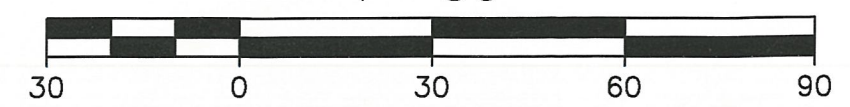
BK. 50818 PG. 243
LOT 13A
PL. BK. 496 PL. 114



ROBERT J. SMITH, R.P.L.S.

June 4, 2021
DATE

GRAPHIC SCALE
1"=30'



DEED REF: 62588/160
PLAN REF: 28/60
ZONED: SA
ASSESSORS REF: 22A-B3



INSTRUMENT SURVEY PLAN

PREPARED FOR:
MARGARET R. RONDEAU
41 WOODLAND ROAD
LEICESTER, MASSACHUSETTS

SCALE: 1"=30' DATE: JUNE 4, 2021

B&R SURVEY, INC.
PROFESSIONAL LAND SURVEYORS

100 GROVE STREET
WORCESTER, MA 01605

TEL. 508.756.8579
FAX. 508.421.4797

DRAWN BY: RPB

PROJECT NO. 20-293

47 Woodland Rd

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 $77^{\circ}-15'-00''$ W by land now or formerly of said Rondeau, a distance of 96.76 feet to a point;

Thence N $09^{\circ}-59'-00''$ W by Lot 1 and the face of the building, a distance of 7.79 feet to a point;

Thence N $80^{\circ}-01'-00''$ E by Lot 1 and the face of the building, a distance of 50.80 feet to a point;

Thence N $79^{\circ}-13'-55''$ E by Lot 1, a distance of 45.67 feet to a point on the westerly side of Woodland Road;

Thence S $12^{\circ}-45'-00''$ 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

This is The Slice of land
in Question That 41 Woodland Rd
is Encroaching ~~ON~~ 47 Woodland
- For Almost 82 yrs

47 Woodland Rd.

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 $12^{\circ}-45'-00''$ 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 $79^{\circ}-13'-55''$ W by Parcel 'A', a distance of 45.67 feet to a point at the existing building;

Thence S $80^{\circ}-01'-00''$ W by Parcel 'A' and the face of the building, a distance of 50.80 feet to a point;

Thence S $09^{\circ}-59'-00''$ 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 $77^{\circ}-15'-00''$ 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 $12^{\circ}-45'-00''$ 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 $77^{\circ}-15'-00''$ 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

This is the legal description
After the lot change is approved

Unofficial Property Record Card - Leicester, MA

General Property Data

Parcel ID	22A B2 0	Account Number	
Prior Parcel ID	--		
Property Owner	CONVERY JEAN, TRUSTEE PAIGE FAMILY TRUST	Property Location	47 WOODLAND RD
Mailing Address	47 WOODLAND RD	Property Use	ONE FAM
		Most Recent Sale Date	3/19/2007
		Legal Reference	40833-324
City	CHERRY VALLEY	Grantor	PAIGE ,JOHN J
Mailing State	MA	Zip	01611
ParcelZoning	SA	Sale Price	100
		Land Area	0.666 acres

Current Property Assessment

Card 1 Value	Building Value	Xtra Features Value	Land Value	Total Value
	107,100	800	58,900	166,800

Building Description

Building Style	RANCH	Foundation Type	CRAWL	Flooring Type	LINO/VINYL
# of Living Units	1	Frame Type	WOOD	Basement Floor	N/A
Year Built	1925	Roof Structure	GABLE	Heating Type	FORCED H/W
Building Grade	AVG. (-)	Roof Cover	ASPHALT SH	Heating Fuel	OIL
Building Condition	Average	Siding	WOOD SHING	Air Conditioning	0%
Finished Area (SF)	1047	Interior Walls	DRYWALL	# of Bsmt Garages	0
Number Rooms	5	# of Bedrooms	3	# of Full Baths	0
# of 3/4 Baths	1	# of 1/2 Baths	0	# of Other Fixtures	0

Legal Description

Narrative Description of Property

This property contains 0.666 acres of land mainly classified as ONE FAM with a(n) RANCH style building, built about 1925 , having WOOD SHING exterior and ASPHALT SH roof cover, with 1 unit(s), 5 room(s), 3 bedroom(s), 0 bath(s), 0 half bath(s).

Property Images







John M. Paige

of 47 Woodland Road, Cherry Valley, Worcester County, Massachusetts,

for consideration paid, and in full consideration of less than One Hundred and 00/100 (\$100.00) Dollars

grants to Jean M. Convery, as Trustee of the Paige Family Trust under Declaration of Trust dated February 27th, 2007. Said Trust instrument is not of record. See Trustee Certificate recorded herewith in Worcester District Registry of Deeds in Book 40833, Page 322.

of 47 Woodland Road, Cherry Valley, MA 01611

with **quitclaim covenants**

A certain parcel of land situated in said Leicester on the Southerly side of Wright Avenue and the Westerly side of Woodland Road, bounded and described as follows:

BEGINNING at the point of intersection of the southerly line of Wright Avenue and the Westerly line of Woodland Road;

THENCE South 87° 15' West by the Southerly line of Wright Avenue, two hundred (200.00) feet to Lot #16 on a plan recorded in Worcester District Registry of Deeds, Plan Book 28, Plan 60;

THENCE South 2° 45' East by Lot #16, ^{one} hundred forty-five (145.00) feet;

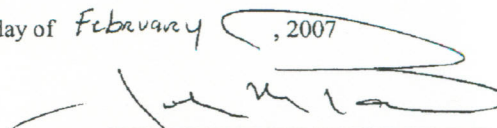
THENCE North 87° 15' East by land now or formerly of one Benoit, two hundred (200.00) feet to the Westerly line of Woodland Road;

THENCE North 2° 45' West by the Westerly line of Woodland Road, one hundred forty-five (145.0) feet to the point of beginning.

BEING the same premises conveyed to John M. Paige by deed dated February 20, 2003 and recorded in Worcester District Registry of Deeds Book 29147, Page 264.

No title examination has been done by the preparer of this Deed.

Witness my hand and seal this 28th day of February, 2007

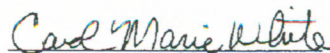

John M. Paige

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

February 28, 2007

On this 28th day of February, 2007, before me, the undersigned notary public, then personally appeared John M. Paige, personally known to me or provided satisfactory evidence of identification, and acknowledged to be the person whose name is signed on the proceeding or attached document in my presence, and acknowledged the foregoing as his free act and deed.


Notary Public
My Commission Expires: 5/21/2010

PLEASE RETURN TO:

Durbin & Veglia
275 Main Street
Oxford, MA 01540

 **CAROL MARIE WHITE**
NOTARY PUBLIC
Commonwealth of Massachusetts
My Commission Expires May 21, 2010

1 page

ATTEST: WORC. Anthony J. Viallotti, Register

47 Woodland Road
Cherry Valley, MA 01611

51190

BK 29147PG264

45/2013

MASSACHUSETTS QUITCLAIM DEED SHORT FORM (INDIVIDUAL) 881

John J. Paige and Loretta M. Paige

of 47 Woodland Road, Cherry Valley, Worcester County, Massachusetts,

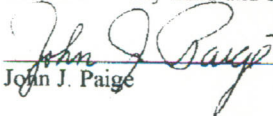
for consideration paid, and in full consideration of less than One Hundred and 00/100 (\$100.00) Dollars

grants to John M. Paige

of 47 Woodland Road, Cherry Valley, MA

with **quitclaim covenants**

A certain parcel of land situated in said Leicester on the Southerly side of Wright Avenue and the Westerly side of Woodland Road, bounded and described as follows:

BEGINNING at the point of intersection of the southerly line of Wright Avenue and the Westerly line of Woodland Road;**THENCE** South 87 degrees 15' West by the Southerly line of Wright Avenue, two hundred (200.00) feet to Lot #16 on a plan recorded in Worcester District Registry of Deeds, Plan Book 28, Plan 60;**THENCE** South 2 degrees 45' East by Lot #16, on hundred forty-five (145.00) feet;**THENCE** North 87 degrees 15' East by land now or formerly of one Benoit, two hundred (200.00) feet to the Westerly line of Woodland Road;**THENCE** North 2 degrees 45' West by the Westerly line of Woodland Road, one hundred forty-five (145.0) feet to the point of beginning.**BEING** the same premises conveyed to Grantors by deed dated October 29, 1964 and recorded in Worcester District Registry of Deeds Book 4514, Page 269.***GRANTORS RESERVE A LIFE ESTATE IN SAID PREMISES.****Witness** my hand and seal this th20 day of February, 2003


John J. Paige



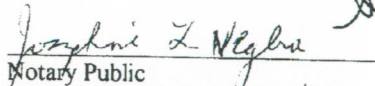
Loretta M. Paige

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

February th20, 2003

Then personally appeared the above named John J. Paige and Loretta M. Paige and acknowledged the foregoing instrument to be their free act and deed before me,

PLEASE RETURN TO:Josephine L. Veglia
Durbin & Veglia
275 Main Street
Oxford MA 01540
(508) 987-3981


Notary Public

My commission expires: 3/18/2005

03 FEB 26 PM 12:20

ATTEST: WORC. Anthony J. Vigliotti, Register

47 Woodland Road, Cherry Valley, MA 01611

N. OR F. DOHERTY

N. OR F. HALEY

WORCESTER DISTRICT REGISTRY
OF DEEDS-WORCESTER, MA

PLAN BOOK 496 PLAN 114
Recorded June 3, 1981

Sheet 1 of 1 PM
ATTEST:

Anthony J. Smith
Register

N. OR F. HARRIS



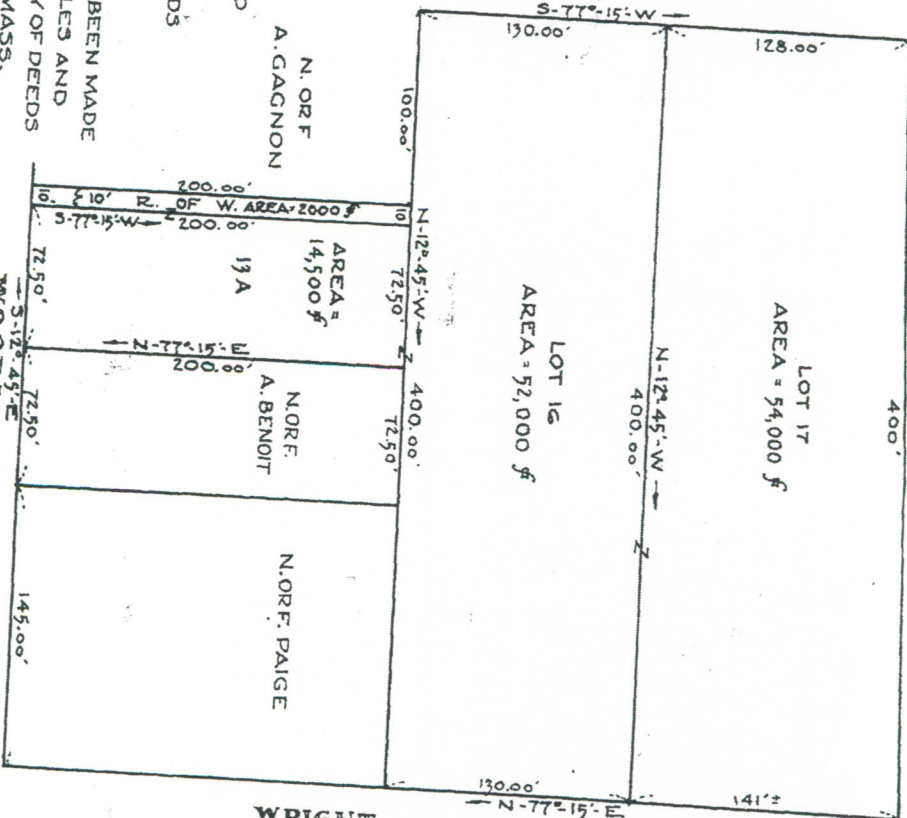
- 1) APPROVED BY ZONING BOARD
OF APPEALS 10/19/81
- 2) THIS PLAN MADE FROM DEEDS
AND OTHER PLANS

I CERTIFY THAT THIS PLAN HAS BEEN MADE
IN CONFORMITY WITH THE RULES AND
REGULATIONS OF THE REGISTRY OF DEEDS
OF THE COMMONWEALTH OF MASS.

George E. Smith Jr.

NOTE:

LOT 13 A, LOT 16 & LOT 17 TO BE DEEDED TO
DAVID A. & REBECCA J. BENOIT AND BECOME
A UNDIVIDED PART THEREOF.



WRIGHT AVENUE

WOODLAND ROAD



MASSACHUSETTS
DEPARTMENT OF STATE
OFFICE OF THE REGISTER OF DEEDS
RECORDED
JUNE 3 1981 PM 02
PAGE
ATTEST

PLANNING BOARD APPROVAL UNDER THE
SUB-DIVISION CONTROL LAW NOT REQUIRED

John A. Smith 10/30/81

BEING A MAJORITY LEICESTER PLANNING BOARD
DATE:

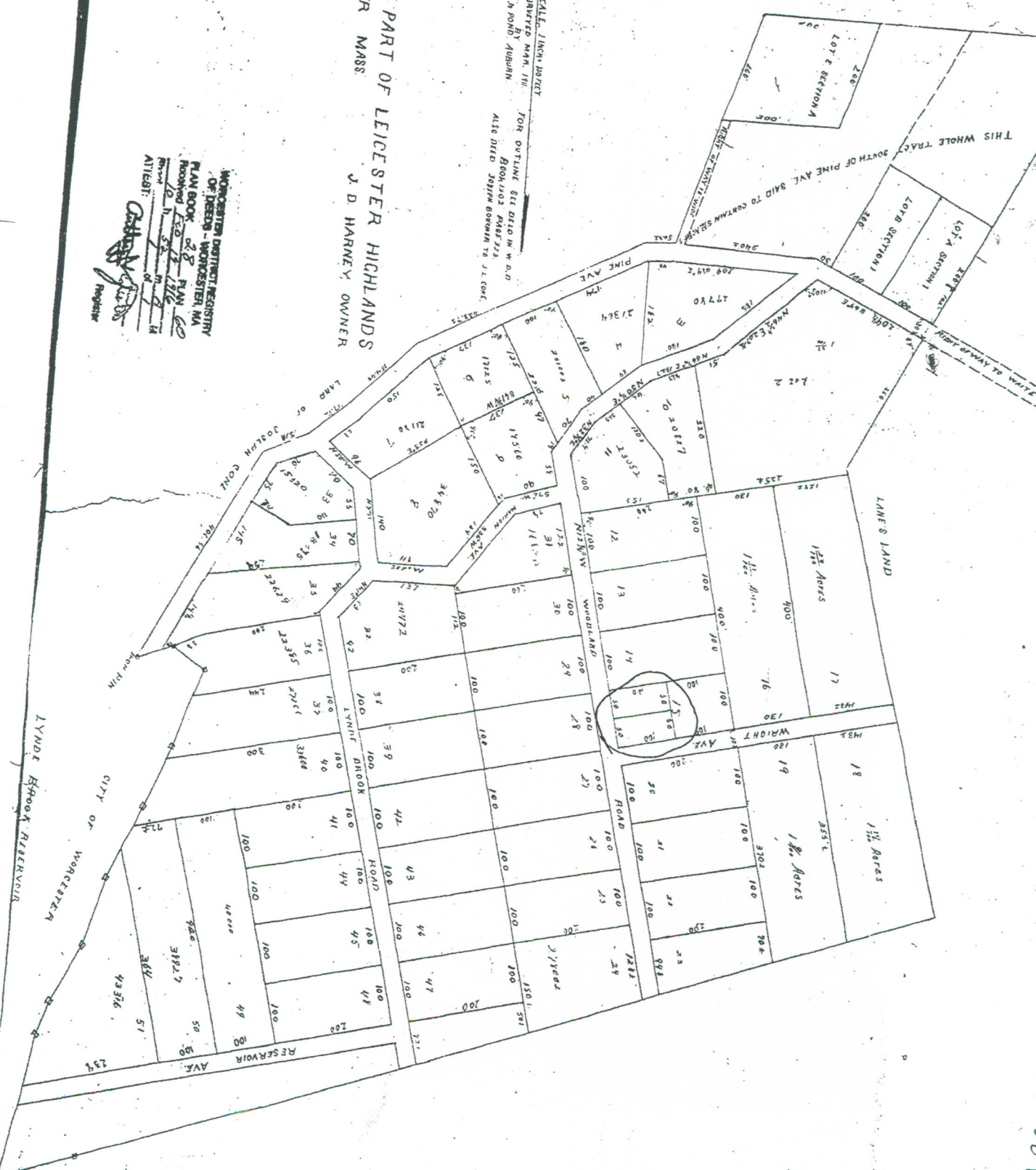
PLAN OF LAND
LEICESTER MASS.
TO BE CONVEYED TO
DAVID A. BENOIT &
REBECCA J. BENOIT
OCT. 24, 1981



Dead 3894. Pg 87
296

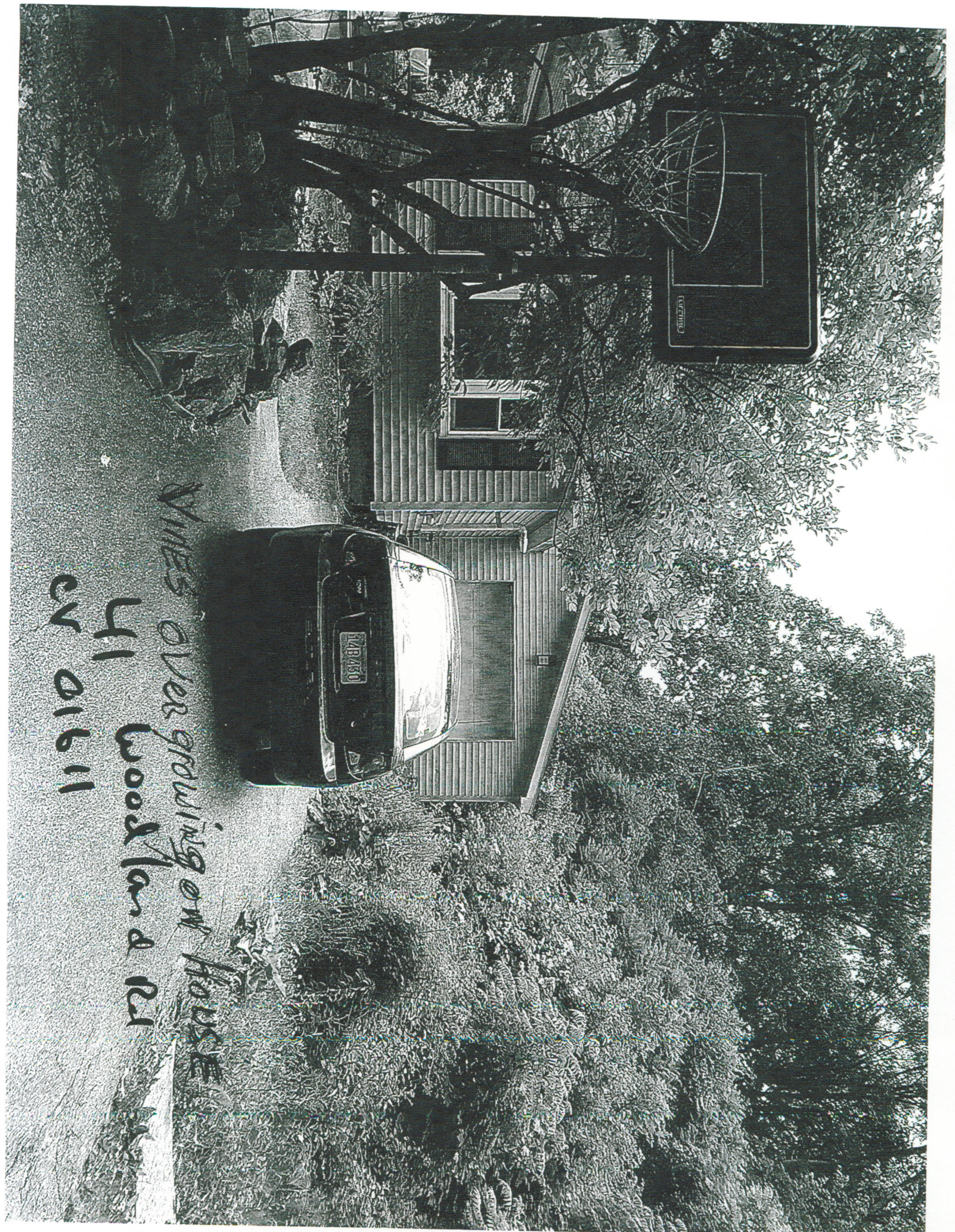
J. D. HARNLEY, OWNER

WORCESTER DISTRICT REGISTRY
OF DEEDS - WORCESTER, MA
PLAN BOOK 28 PLAN 60
Recorded Feb 19 1916
10 h 52 m 8 s
Book 1
Page 1
ATTEST:
C. J. ...

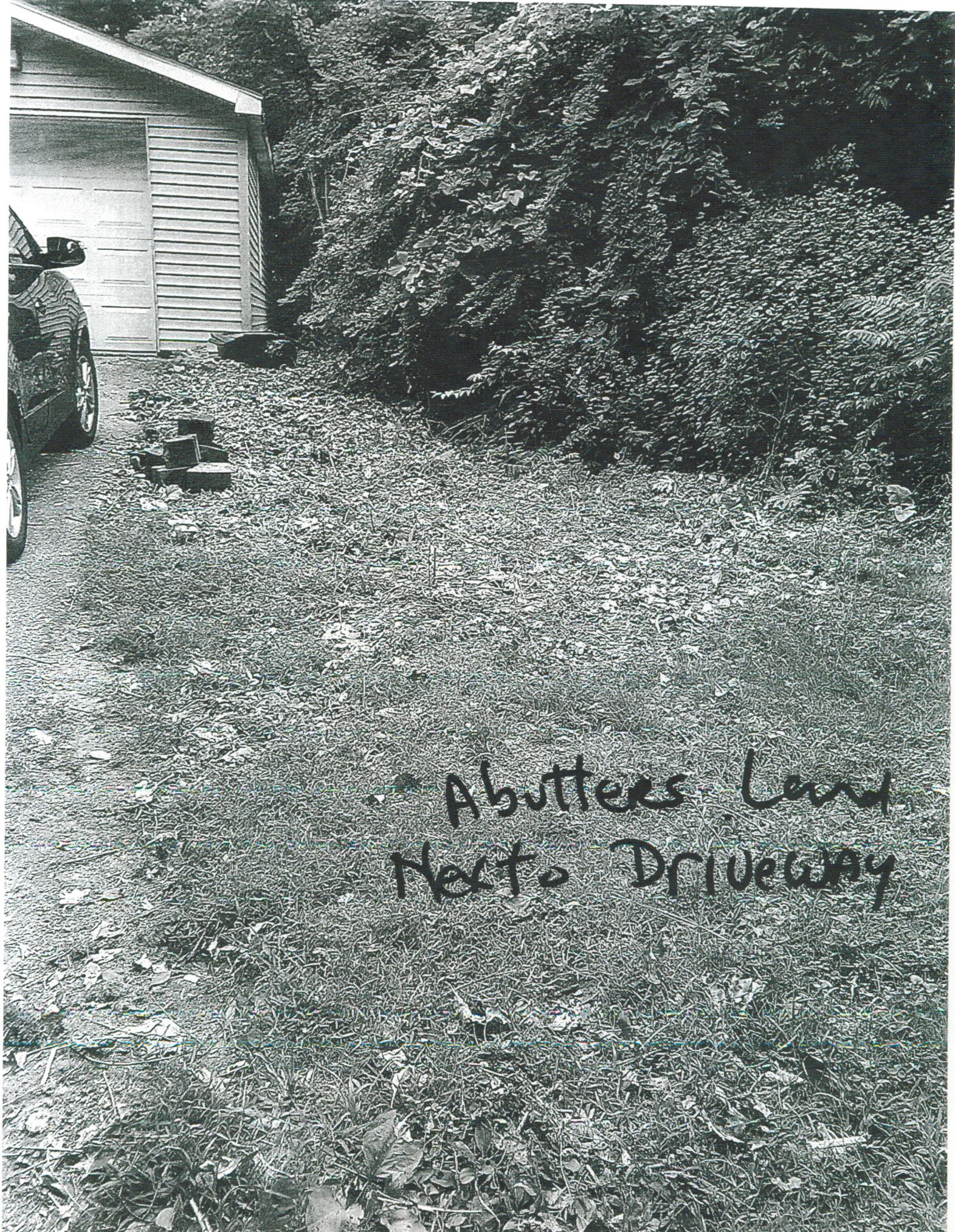








VINES overgrowing on house
41 Woodland Rd
CV 01611



Abutters Land
Next to Driveway

Woodland ST.

Abutters
Property

I cleaned
this up

Cleaned
UP vines
Climbing UP
my house

2



















