

**Leicester Zoning Board of Appeals**  
**Special Permit & Variance Application Form**

OCT 24 2023

Permit Number \_\_\_\_\_ - \_\_\_\_ -20\_\_\_\_\_

 Town of Leicester  
 Planning Department

 PERMIT TYPE: ☐ Special Permit ☒ Variance

Date: 10/11/2023

**CONTACT INFORMATION**

Property Owner:

Name: TIM &amp; DENISE WELLS

Company Name:

Signature:

Address: 69 BURNCOAT LANE

Phone: 508 579 7211

Email: TIM.WELLS@BROADCOM.COM

Applicant:

Name: SAME

Company Name:

Signature:

Address:

Phone:

Email:

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

Name: TIM WELLS

Company Name:

Address:

Phone: 508 579 7211

Email: TIM.WELLS@BROADCOM.COM

**PROJECT INFORMATION**

Project Address: SAME

Zoning District: SA

Assessors Map &amp; Parcel #: 27A E34, E35

Deed Reference (Book/Page): BOOK 128 PAGE 27

Size of Proposed Structures: 1,519 SQFT ADDITION

Total Lot Area: 16,245

Water Source: ON SITE

Sewer Source: ON SITE

Applicable Zoning Bylaw Section(s): 6.4.03 D

**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.)]

ADDITION TO ADD OFFICE, DEN, BATH, LAUNDRY AND 2 CAR GARAGE.

**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.

SEE ATTACHED

**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 checked="" type="checkbox"/> Fee (\$175) - check payable to the Town of Leicester	<input type="checkbox"/> .pdf copy of <u>all</u> submitted documents (CD or USB Drive)

***Submit the full application to the Town Clerk's Office***

## **Reasons for Variance**

To the Zoning Board of Appeals,

The proposed addition is situated on a pre-existing non-conforming lot. The non-conformity of the lot is due to the overall size as it is zoned Suburban-Agricultural (SA) and has a requirement of a minimum 80,000 square feet in size and a 200' frontage. The existing lot is less than 20,000 square feet (less than 25% the size required by the SA zoning.) with a 100' frontage. The required setbacks for this district are 40'-0" for Front, Side, and Rear. This information is according to Section 4.2 Schedule of Dimensional Requirements Table 1. The existing property and neighboring properties do not meet the minimum lot square footage requirements nor some setback requirements due to the smaller sized lots. Due to the smaller lots in this section of the zoned district, the setbacks are not able to be met for a proposed addition. This lot also has a septic system and well which limits the location of an addition to the location proposed. The Conservation Committee has approved the location of the proposed addition because it's siting keeps it away from the pond. Additionally the Board of Health has approved the proposed addition's size and location in relation to the septic tank and leaching field.

Per Section 4.3: A Variance is sought to allow the proposed addition to exceed the 40' minimum setbacks of both the front and side yard. The Hardship of meeting the setback requirements due to the topography, size, and shape of the lot as currently zoned is not possible. A relief from the side and front setbacks allowing an encroachment as shown on the plot plan from 40.0' in the front to 37.7', on the left side from 40.0' to 33.2' and on the right side from 40.0' to 18.0'.

This request keeps with the setbacks currently in this neighborhood and does not detract nor impede on the neighboring properties.

Respectfully,

Timothy and Denise Wells



**TOWN OF LEICESTER**  
**Office of Building and Code Enforcement**  
3 Washburn Square, Leicester MA 01524  
Phone: 508-892-7003 Fax: 508-892-1163  
[www.leicesterma.org](http://www.leicesterma.org)

Timothy Wells

69 Burncoat Lane

Leicester MA

RE; 69 Burncoat Lane

Map # 27A Parcel # E34 and E35

In accordance with the provisions set forth in MGL Chapter 143.3 and 780 CMR

This letter is to inform you that your plans submitted on 10/12/23 plans for a addition and attached garage are rejected for the following reason(s)

Leicester Zoning By-Laws Section 4 "dimensional Requirements" and Section 4 Table 1 Suburban Agriculture

Side-Set back requirements are 40 feet on both sides. Your submitted plans show the northeasterly side shows 33.2'.

You have the option to seek relief from the Leicester Zoning Board of Appeals.

Please contact my office with any comments or concerns.

Harold P. Leaming

Building Commissioner/Zoning Enforcement Officer

Town of Leicester

(508) 892 7003



# ABUTTERS LIST REQUEST



## TOWN OF LEICESTER

*Harvey  
11/9 schedule  
Nov 29<sup>th</sup>*

ASSESSORS HAVE TEN DAYS TO PROCESS YOUR REQUEST, PLEASE PLAN AHEAD!  
~~\$10.00 PREPAID~~ AT TIME OF REQUEST FOR FIRST THREE PAGES, \$5.00 PER PAGE AT

TIME OF PICKUP FOR EACH ADDITIONAL PAGE.

*pd  
10/16/23  
ay*

### Subject Information

Parcel	Assessors Map: 27A Parcel: E34, E35 <sup>✓</sup> Deed Ref#: 128-27 68119-522
Owner(s)	TIMOTHY AND DENISE WELLS
Street Address	69 BURNCOAT LANE

### Requestor Information

Name	TIM WELLS	
Telephone	508 579 7211	Email TIM.WELLS@BROADCOM.COM

	Board/Department	Description of Required Abutters List
	Conservation Commission RDA	Direct abutters, including abutters across any street
	Conservation Commission NOI	Abutters and abutters to abutters within <u>300 feet</u> , including across any street or body of water <sup>1</sup>
	Planning Board Special Permit, <u>Major</u> Site Plan Review, or Definitive Subdivision	Abutters and abutters to abutters within <u>300 feet</u> , including across any street
X	Zoning Board of Appeals Special Permit OR Variance	Abutters and abutters to abutters within <u>300 feet</u> , including across any street
	Board of Health.	Specify Distance (consult with Board of Health Staff to determine the required distance) _____
	Board of Selectmen Class II License	Direct abutters, including abutters across any street
	Board of Selectmen Liquor License	Direct abutters, including abutters across any street AND schools, churches, or hospitals within 500 feet
	Other. Please specify Board/Department _____	Please specify: _____ Direct Abutters _____ feet Other: _____

<sup>1</sup> An applicant who proposes work solely within Land under Water Bodies or Waterways, or solely within a Lot with an area greater than 50 acres, is required to provide notification only to Abutters whose Lot is within three hundred feet from the Project Site. An applicant proposing a Linear- shaped Project greater than 1,000 feet in length is required to provide notification only to Abutters whose Lot is within 1,000 feet from the Project Site.



# 300 feet Abutters List Report

Leicester, MA  
October 18, 2023

## Subject Property:

Parcel Number: 27A-E35-0  
CAMA Number: 27A-E35-0  
Property Address: 69 BURNCOAT LN

Mailing Address: WELLS TIMOTHY DANIEL WELLS  
DENISE JEANNE  
69 BURNCOAT LN  
LEICESTER, MA 01524

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## Abutters:

Parcel Number: 27A-E28-0  
CAMA Number: 27A-E28-0  
Property Address: BURNCOAT LN

Mailing Address: ROESCH DOUGLAS TRUSTEE OF THE  
DOUGLAS B ROES  
2 BIXBY STREET  
SPENCER, MA 01562

Parcel Number: 27A-E29-0  
CAMA Number: 27A-E29-0  
Property Address: 57 BURNCOAT LN

Mailing Address: HONEYMAN ALEXANDER T.  
57 BURNCOAT LN  
LEICESTER, MA 01524

Parcel Number: 27A-E30-0  
CAMA Number: 27A-E30-0  
Property Address: 59 BURNCOAT LN

Mailing Address: GORMAN RICHARD L SR GORMAN  
JENNIFER L  
59 BURNCOAT LANE  
LEICESTER, MA 01524

Parcel Number: 27A-E33-0  
CAMA Number: 27A-E33-0  
Property Address: 65 BURNCOAT LN

Mailing Address: THEBODO STEVEN A TRUSTEE  
THEBODO IRREVOCABLE TRUST  
65 BURNCOAT LN  
LEICESTER, MA 01524

Parcel Number: 27A-E34-0  
CAMA Number: 27A-E34-0  
Property Address: 67 BURNCOAT LN

Mailing Address: WELLS TIMOTHY DANIEL WELLS  
DENISE JEANNE  
69 BURNCOAT LN  
LEICESTER, MA 01524

Parcel Number: 27A-E36-0  
CAMA Number: 27A-E36-0  
Property Address: 71 BURNCOAT LN

Mailing Address: CABRAL DUSTIN CABRAL REBECCA  
71 BURNCOAT LANE  
LEICESTER, MA 01524

Parcel Number: 27A-E37-0  
CAMA Number: 27A-E37-0  
Property Address: 73 BURNCOAT LN

Mailing Address: HOGAN WILLIAM F HOGAN LIAN  
73 BURNCOAT LN  
LEICESTER, MA 01524

Parcel Number: 27A-E38-0  
CAMA Number: 27A-E38-0  
Property Address: 75 BURNCOAT LN

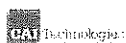
Mailing Address: RENZI FRANCIS RENZI ELIZABETH  
75 BURNCOAT LN  
LEICESTER, MA 01524

Parcel Number: 27A-E39-0  
CAMA Number: 27A-E39-0  
Property Address: BURNCOAT LN

Mailing Address: MOORE RANDY W MOORE AMY  
79 BURNCOAT LANE  
LEICESTER, MA 01524

Parcel Number: 27A-E40-0  
CAMA Number: 27A-E40-0  
Property Address: 79 BURNCOAT LN

Mailing Address: MOORE RANDY W MOORE AMY  
79 BURNCOAT LANE  
LEICESTER, MA 01524



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10/18/2023

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# 300 feet Abutters List Report

Leicester, MA  
October 18, 2023

Parcel Number: 27A-E41-0  
CAMA Number: 27A-E41-0  
Property Address: 81 BURNCOAT LN

Mailing Address: HOVAGIMIAN MARK S HOVAGIMIAN  
JOANNE T  
81 BURNCOAT LN  
LEICESTER, MA 01524

Parcel Number: 27A-E42-0  
CAMA Number: 27A-E42-0  
Property Address: 83 BURNCOAT LN

Mailing Address: TROJAN TR BRIAN P 83 BURNCOAT LN  
REALTY TRUST  
357 COMMERCIAL ST U718  
BOSTON, MA 02019

Parcel Number: 27A-E43-0  
CAMA Number: 27A-E43-0  
Property Address: 85 BURNCOAT LN

Mailing Address: HIGGINS PAMELA J  
85 BURNCOAT LANE  
LEICESTER, MA 01524

Parcel Number: 27A-E44-0  
CAMA Number: 27A-E44-0  
Property Address: 87 BURNCOAT LN

Mailing Address: CHRISTIAN DANIEL K CHRISTIAN LISA A  
13 MCKINSTRY DR  
CHARLTON, MA 01507

Parcel Number: 27A-E45-0  
CAMA Number: 27A-E45.1-0  
Property Address: BURNCOAT LN

Mailing Address: HOVAGIMIAN MARK S HOVAGIMIAN  
JOANNE T  
81 BURNCOAT LANE  
LEICESTER, MA 01524

Parcel Number: 27A-E45-0  
CAMA Number: 27A-E45-0  
Property Address: 89 BURNCOAT LN

Mailing Address: SANKO LINDA HOVAGIMIAN JOANNE T  
89 BURNCOAT LANE  
LEICESTER, MA 01524

Parcel Number: 27A-F18-0  
CAMA Number: 27A-F18-0  
Property Address: BURNCOAT LN

Mailing Address: HONEYMAN ALEXANDER T.  
57 BURNCOAT LN  
LEICESTER, MA 01524

Parcel Number: 27A-F19-0  
CAMA Number: 27A-F19-0  
Property Address: 60 BURNCOAT LN

Mailing Address: RAWINSKI STEVEN P  
60 BURNCOAT LANE  
LEICESTER, MA 01524

Parcel Number: 27A-F20-0  
CAMA Number: 27A-F20-0  
Property Address: 62 BURNCOAT LN

Mailing Address: LINCOLN GORDON A  
62 BURNCOAT LANE  
LEICESTER, MA 01524-0304

Parcel Number: 27A-F21-0  
CAMA Number: 27A-F21-0  
Property Address: BURNCOAT LN

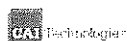
Mailing Address: LINCOLN GORDON A  
62 BURNCOAT LANE  
LEICESTER, MA 01524-0304

Parcel Number: 27A-F22-0  
CAMA Number: 27A-F22-0  
Property Address: BURNCOAT LN

Mailing Address: LINCOLN GORDON A  
62 BURNCOAT LANE  
LEICESTER, MA 01524-0304

Parcel Number: 27A-F23-0  
CAMA Number: 27A-F23-0  
Property Address: BURNCOAT LN

Mailing Address: LINCOLN GORDON A  
62 BURNCOAT LANE  
LEICESTER, MA 01524-0304



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10/18/2023

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## 300 feet Abutters List Report

Leicester, MA  
October 18, 2023

Parcel Number: 27-B6-0  
CAMA Number: 27-B6-0  
Property Address: BURNCOAT POND

Mailing Address: BURNCOAT POND WATERSHED DISTRICT  
PO BOX 346  
LEICESTER, MA 01524

Parcel Number: 27-C1.2-0  
CAMA Number: 27-C1.2-0  
Property Address: 82 BURNCOAT LN

Mailing Address: HOVAGIMIAN MARK S HOVAGIMIAN  
JOANNE T  
81 BURNCOAT LN  
LEICESTER, MA 01524

Parcel Number: 27-C1.3-0  
CAMA Number: 27-C1.3-0  
Property Address: 84 BURNCOAT LN

Mailing Address: HOVAGIMIAN MARK S HOVAGIMIAN  
JOANNE T  
81 BURNCOAT LN  
LEICESTER, MA 01524

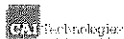
Parcel Number: 27-C1.51-0  
CAMA Number: 27-C1.51-0  
Property Address: BURNCOAT LN

Mailing Address: WELLS TIMOTHY DANIEL WELLS  
DENISE JEANNE  
69 BURNCOAT LN  
LEICESTER, MA 01524

Parcel Number: 27-C1-0  
CAMA Number: 27-C1-0  
Property Address: 64 BURNCOAT LN

Mailing Address: HOVAGIMIAN MATTHEW  
26 NUGGET DRIVE  
CHARLTON, MA 01507

Above is a certified list of abutters and abutters to abutters within 300 feet including across the street.  
Subject Property: 69 Burncoat Street Map 27A Lot E35 Deed Reference Book 68119 page 322  
Property Owners: Timothy Wells and Denise Wells  
Certified by Alyce D. Johns, Interim Principal Assessor



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10/18/2023

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PROPERTY LOCATION		
No	Air No	Direction/Street/City
69		BURNCOAT LN, LEICESTER

OWNERSHIP

Owner 1: WELLS TIMOTHY DANIEL		
Owner 2: WELLS DENISE JEANNE		
Owner 3:		
Street 1: 69 BURNCOAT LN		
Street 2:		
Town/City: LEICESTER		
S/Prov: MA	Cntry:	Own Occ: Y
Postal: 01524	Type:	

PREVIOUS OWNER

Owner 1: WELLS - TIMOTHY DANIEL		
Owner 2: WELLS - DENISE JEANNE		
Street 1: 69 BURNCOAT LN		
Town/City: LEICESTER		
S/Prov: MA	Cnty:	
Postal: 01524		

NARRATIVE DESCRIPTION

This Parcel contains .202 ACRES of land mainly classified as ONE FAM with a(n) CONVENT NL Building Built about 1976, Having Primarily VINYL Exterior and ASPHALT SH Roof Cover, with 1 Units, 1 Baths, 1 HalfBaths, 0 3/4 Baths, 6 Rooms, and 3 Bdrms.

OTHER ASSESSMENTS

Code	Description	Amount	Com. Int.

IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value	Legal Description	User Acct
101	207,500	800	0.202	149,100	357,400		
							GIS Ref
							GIS Ref
							Insp Date
							09/12/22

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Assessed Value	Notes	Date
2024	101	PV	207,500	800	.202	149,100	357,400	357,400	PRELIM VALUES 2024	6/8/2023
2023	101	FV	187,900	700	.202	149,100	337,700	337,700	Rollover	12/5/2022
2023	101	PV	187,900	700	.202	149,100	337,700	337,700		7/19/2022
2022	101	FV	153,700	600	.202	142,300	296,600	296,600	Year End Roll	12/29/2021
2022	101	PV	123,400	600	.202	115,300	239,300	239,300	2022 PRELIMINARY BILL	1/11/2021
2021	101	FV	123,400	600	.202	115,300	239,300	239,300	3 and 4 bills	11/25/2020
2021	101	IN	123,400	600	.202	115,300	239,300	239,300		7/27/2020
2021	101	TB	123,400	600	.202	115,300	239,300	239,300	prelim	6/18/2020

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value	Notes
WELLS TIMOTHY D	68-119-322		8/25/2022	MULTI PARCEL	650000	No	No			MULTI PARCEL
COMEAU MICHAEL	13067-68		10/25/1990	FAMILY	100	No	No			
HOVAGIMIAN MARK	12225-206		9/8/1989	FAMILY	67000	No	No			

TAX DISTRICT

PAT ACCT.

BUILDING PERMITS

Date	Number	Descrp	Amount	C/O	Last Visit	Fed Code	F. Descrp	Comment
9/1/1993	142	MANUAL						WOOD STOVE
9/1/1992	112	MANUAL	20,000					ADDITION

ACTIVITY INFORMATION

Date	Result	By	Name
9/12/2022	M.L.S REVIEW	777	LINDA B
5/18/2022	MEAS+INSPCTD	777	LINDA B
9/14/2021	CYCLICAL VIS	114	SANDY GENNA
10/22/2008	CYCLICAL VIS	555	BRIDGET
1/10/1994	PERMIT VISIT	123	JAMES ZUROWI
12/9/1993	PERMIT VISIT	123	JAMES ZUROWI
7/18/1991	MEAS+INSPCTD	181	MEL WEST

Sign: \_\_\_\_\_

LAND SECTION (First 7 lines only)																				
Use Code	Description	LUCC	No of Units	Depth / Priced Units	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj.	Neigh Infl	Neigh Mod	Intf 1 %	Intf 2 %	Intf 3 %	Appraised Value	Alt Class	Spec Land Code	Fact Use Value	Notes
101	ONE FAM		8820		SQUARE FEESITE			0	2.39	7.074	WA		RD CDN	-10		149,114			149,100	

Total AC/H/A: 0.20248	Total SF/SqM: 8820.03	Parcel LUCC: 101	ONE FAM	Prime NB Desc: WTR FRNT	Total: 149,114	Spl Credit	Total: 149,100
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Disclaimer: This Information is believed to be correct but is subject to change and is not warranted. Database: AssessPro Alyce

2024



