

MCCANN & MCCANN, P.C.

ATTORNEYS AT LAW  
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January 16, 2019

Topsfield Historic Commission  
Topsfield Town Hall  
8 West Common Street  
Topsfield, MA 01983

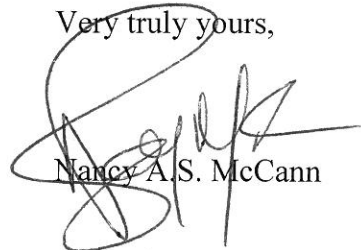
Re: 9-11 South Main Street, Topsfield, MA  
Authorization for Site View

Dear Commission Members:

On behalf of 9-11 South Main Street, LLC, owner of the property located at 9-11 South Mains Street, authorization to view the property is hereby given to the members of the Historic Commission. Access into the building will be provided at your request; please contact me to arrange interior access if desired.

Thank you.

Very truly yours,



Nancy A.S. McCann

NASM/ kjl

## **Application for Significant Structure Review**

### **Topsfield Historic Commission**

The purpose of Topsfield's Demolition Delay By-law is to preserve, protect, and document significant buildings and structures within the Town of Topsfield that are outside Local Historic Districts or that are on the Historic Buildings List. Such buildings and structures reflect distinctive features of the architectural, cultural, economic, agricultural landscape or social history of the Town, and their preservation promotes the public welfare by making the Town a more attractive and desirable place to live and work.

The intent of the By-law is not to permanently prevent demolition, but rather, to provide an opportunity to develop preservation solutions for properties threatened with demolition through a six-month delay in issuing a demolition permit. The Commission wishes to encourage and assist owners and townspeople to seek out persons who might be willing to purchase, preserve, rehabilitate, restore or relocate such structures rather than demolish them, thus limiting the detrimental effect of demolition on the historical architectural resources of the Town. In addition, this delay will give the Topsfield Historical Commission ("the Commission") an opportunity to document historic or important architectural resources before they are lost from Topsfield's cultural landscape.

To achieve these purposes, the Commission is empowered to advise the Building Inspector with respect to the issuance of permits for demolition of significant structures, and, where appropriate and consistent with the intent and purpose of this By-law, to allow demolition under conditions designed to minimize the loss of distinctive features of significant structures.

#### **Please Present the Following for Review of Demolition Request:**

##### ☒ **Maps:**

A map showing the location of the building or structure to be demolished with reference to lot lines and to neighboring buildings or structures. Maps are available for copying in the Tax Assessors office, real estate maps are acceptable.

##### ☒ **Photographs:**

Complete current photographic documentation of the structure (interior and exterior) including context photo. 35mm or black & white prints (3x5-inches or larger) are requested. Label each photograph with address and date.

##### ☒ **Description of Building(s) to demolished:**

A written description of the building or structure, or part thereof, to be demolished, including historic and architectural background and significance (year built, architectural style, architect, builder, ownership history).

##### ☒ **Engineer's or Builder's Statement:**

Statement of the reason for the proposed demolition and data supporting said reason. Document condition of the building, economic impacts of demolition vs. rehabilitation; certification from the Building Inspector if demolition is required for public safety.

##### ☒ **Plan for proposed restoration or replacement:**

Include copies of plans from architect.

##### ☒ **Site Visit**

The Historic Commission or its designee requests a site visit. Please attach the completed form.

##### ☒ **List of Abutters – 100 Feet**



INSPECTIONAL SERVICES  
DEPARTMENT

*Town of Topsfield*  
8 West Common Street  
Topsfield, MA 01983

**PERMIT DENIAL**

NAME: 9-11 So. Main Street LLC

ADDRESS: 28 High Street, Topsfield, MA 01983

LOCATION: 9 So Main Street

ZONING DISTRICT: CR

PERMIT REQUESTED FOR: Remove space at rear of building.

THIS DENIAL IS BASED ON THE NEED FOR AN APPROVAL FROM THE:

☒ HISTORIC

☐ PLANNING BOARD

☐ BOARD OF SELECTMEN

FOR A:

☐ VARIANCE

☐ FINDING

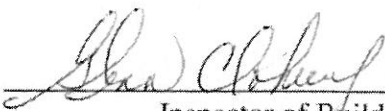
☐ SPECIAL PERMIT

- ☐ Lot Area    ☐ Lot Frontage    ☐ Building Height    ☐ Lot Coverage  
☐ Front Yard    ☐ Side Yard    ☐ Rear Yard    ☐ Parking    ☐ Open Space  
☐ Sign (size, height, location)    ☐ Expansion of Non-Conforming Use  
☐ Change in Non-Conforming Structure    ☐ Additional Principal Building  
☐ Other

ZONING REQUIREMENT: Pre-existing non-conforming structure

PROPOSED: Enclose space at rear of building on first & second floor for residential space.

Date Permit Denied 1/15/2019

  
Inspector of Buildings  
Zoning Enforcement Officer

Application Submission Date: 11/7/19 De Ried

Please check that the following information is complete and included with this application. Please refer to the guidelines on the cover page. If there are any questions, please contact the Historic Commission Chairperson (contact information available at Town Hall).

- For Commission Use  
Date Received \_\_\_\_\_ Date of Public Hearing \_\_\_\_\_  
Receiver: \_\_\_\_\_  
Application Number \_\_\_\_\_

Action Taken

\_\_\_\_\_ Approved for demolition

\_\_\_\_\_ Six month demolition delay invoked

\_\_\_\_\_ Other \_\_\_\_\_

[illegible]



**DMS design**  
**Architecture & Interior Design**

100 Cummings Center, Suite 339C  
*Beverly, MA 01915*

60 State Street, Suite 770  
*Boston, MA 02109*

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January 15, 2019

Nancy A. S. McCann, Esquire  
McCann & McCann, P.C.  
89 Newbury Street, Suite 302  
Danvers, MA 01923

Re: Partial Demolition of:  
9-11 South Main Street, Topsfield, MA

Dear Nancy,

It is our client's intention to completely remove the two single-story rear wings of the existing building located at 9-11 South Main Street. Each of these areas is one story in height with wood framed walls and wood framed gable roofs. Each has a crawl space, and a stone rubble foundation. Each of these structures is without interior finishes, insulation, plumbing service and there are no HVAC systems present. Each has been used for storage purposes.

The design intent is to add a second story to each of these wings. We visited the building on December 5<sup>th</sup>, 2018 to determine if the best way to proceed was to build on top of the existing structures, or to remove the two structures and construct two new additions.

The structure of each wing is wood post and beam, and one of the roofs has been partially rebuilt using modern style wood roof rafters (see Photo 1). The foundations are stone rubble foundations. In some areas there is mortar between the stones, in most places that mortar has fallen out over time and not been replaced (see Photos 2, 3, 4). Stone rubble foundations from this era were constructed without footings. Due to the mostly loose stone construction of these foundations, without any reinforcing for lateral loads, and without footings, these foundations will not be able to safely support the loads from the construction of the second floors.

We were not able to observe the size and spacing of the wood floor joists but based on the general quality of the construction of these portions of the buildings, we find it unlikely that the floor systems would be able to support the loads required for the office use that is proposed for the first floor.

Due to the inadequate foundations and floor framing, it is not feasible to building on top of these wings. We recommend that these two wings be completely demolished, and new additions to the main building be constructed to conform with today's structural requirements.

If you have any questions, or need additional information, please do not hesitate to contact us.

978.965.3470  
DMSDESIGN.COM  
info@dmsdesign.com



Best Regards,



DMS design, llc  
Daniel M. Skolski, Managing Principal



Photo 1  
Typical Interior Framing

978.965.3470  
DMSDESIGN.COM  
info@dmsdesign.com



Photo 2  
Foundation Detail





Photo 3  
Foundation Detail





Photo 4  
Foundation Detail



# TOWN OF TOPSFIELD, MA ZONING BOARD OF APPEALS

## Application Supplement Form B

Attach to this form a copy of the Assessor's map (scale 1" equals 200') showing the property and all other properties and roadways within 300 feet of any portion of the property. Also, show the lot number and lot owner's name on each lot within the 300'.

List below the lot owner names and mailing addresses as shown in the Assessors' records, beginning with the property of the Applicant (locus).

**Applicant's Name, Mailing Address:** 9-11 South Main Street LLC

c/o Nancy A.S. McCann, Esq., 89 Newbury Street - Ste 302, Danvers, MA 01923

**Telephone No.** 978-739-8484

**Locus:** 9-11 South Main Street

<u>Map 40 Block 9</u>	<u>Location 9-11 South Main</u>	<u>Owner</u>	<u>Applicant</u>
	<u>Street</u>		
			<i>(If different from location)</i> <u>Mailing Address</u>

**SEE ATTACHED LIST**

If needed, attach additional sheets.

## Assessor's Certification

To the Topsfield Zoning Board of Appeals:

This is to certify that, at the time of the last assessment for taxation made by the Town of Topsfield, the names and mailing addresses of the parties assessed as owners of land within 300' of the parcel of land shown in the attached sketch were as listed.

Authorized Signature

Assessors' Office \_\_\_\_\_

Date of Verification \_\_\_\_\_





# TOWN OF TOPSFIELD

## BOARD OF ASSESSORS

8 West Common Street

Topsfield, Massachusetts 01983

Telephone: (978) 887-1514 Fax: (978) 887-1502

This form must be completed for a certified abutters list.

Submission Date **Wednesday, September 19, 2018** Issue Date **Thursday, September 20, 2018**

Department requiring list: **Zoning Board of Appeals**

300 Ft. ☒ 100 Ft. ☐ (Conservation Only) ☐ Direct Abutters

Person/Party requesting list: **Nancy A. S. McCann, Esq.**

Address: **89 Newbury Street – S#302, Danvers, MA 01923**

Phone #: **978-739-8484** Email Address **nmccann@mccannlaw.com** Misc: **rsandland@mccannlaw.com**

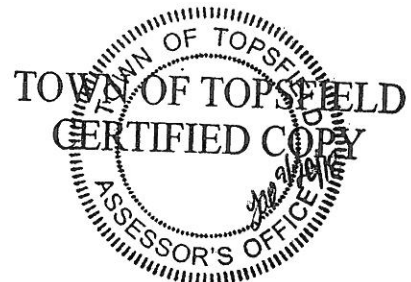
Property Owner: **9-11 South Main Street LLC (formerly owned by GABTAN LLC)**

Assessor's Map(s) **40** Lot(s) **9** Location: **9 South Main Street, Topsfield, MA**

The Assessors' Office requires ten (10) working days to certify an Abutters List. This list is valid for sixty days only from date of issue.

Certified By:

  
\_\_\_\_\_  
Topsfield Assessors



### **Certification of Parties in Interest**

The Board of Assessors of the Town of Topsfield do hereby certify, in accordance with the provisions of Section 10 and 11 of Chapter 808 of the Acts of 1975, that the following named persons, firms and corporations are parties in interest, as in said Section 11 defined, with respect to the premises herein above described.



# 300 foot Abutters List Report

Topsfield, MA  
September 20, 2018



## Subject Property:

Parcel Number: 40-9  
CAMA Number: 40-9  
Property Address: 9 SOUTH MAIN ST

Mailing Address: GABTAN LLC  
900 LYNNFIELD STREET, UNIT 23  
LYNNFIELD, MA 01940

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## Abutters:

Parcel Number: 40-10  
CAMA Number: 40-10-1  
Property Address: 3 SOUTH MAIN ST Unit 3

Mailing Address: DOORLY MARYJANE  
P O BOX 245  
TOPSFIELD, MA 01983

Parcel Number: 40-10  
CAMA Number: 40-10-2  
Property Address: 5 SOUTH MAIN ST Unit 1

Mailing Address: BLAIS VICTORIA  
5 SOUTH MAIN ST  
TOPSFIELD, MA 01983

Parcel Number: 40-10  
CAMA Number: 40-10-3  
Property Address: 5 SOUTH MAIN ST Unit 2

Mailing Address: HERBEL WOLFGANG  
5 SOUTH MAIN ST #2  
TOPSFIELD, MA 01983

Parcel Number: 40-11  
CAMA Number: 40-11  
Property Address: 6 GROVE ST

Mailing Address: QUIMBY GREGG P & CARYN LEE  
113 BOSTON ST  
MIDDLETON, MA 01949

Parcel Number: 40-12  
CAMA Number: 40-12  
Property Address: 10 GROVE ST

Mailing Address: JOHNSON TIMOTHY M  
10 GROVE ST  
TOPSFIELD, MA 01983

Parcel Number: 40-13  
CAMA Number: 40-13  
Property Address: 14 GROVE ST

Mailing Address: BETTANO STEPHEN A  
14 GROVE ST  
TOPSFIELD, MA 01983

Parcel Number: 40-14  
CAMA Number: 40-14  
Property Address: 16 GROVE ST

Mailing Address: ROBINSON BRYANT K  
16 GROVE ST  
TOPSFIELD, MA 01983

Parcel Number: 40-15  
CAMA Number: 40-15  
Property Address: 24 GROVE ST

Mailing Address: WALSH ROSEMARIE  
24 GROVE ST  
TOPSFIELD, MA 01983

Parcel Number: 40-30  
CAMA Number: 40-30  
Property Address: 40 GAIL ST

Mailing Address: MOTT RUTH M TR  
40 GAIL ST  
TOPSFIELD, MA 01983

Parcel Number: 40-31  
CAMA Number: 40-31  
Property Address: 45 GAIL ST

Mailing Address: LINK DOUGLAS E  
43 GAIL ST  
TOPSFIELD, MA 01983



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9/20/2018

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Page 1 of 3



## 300 foot Abutters List Report

Topsfield, MA  
September 20, 2018

Parcel Number: 40-32 CAMA Number: 40-32 Property Address: 43 GAIL ST	Mailing Address: PRATT DAVID R TR 45 GAIL ST TOPSFIELD, MA 01983
Parcel Number: 40-33 CAMA Number: 40-33 Property Address: 39 GAIL ST	Mailing Address: MALTACEA MARIANNE R 39 GAIL ST TOPSFIELD, MA 01983
Parcel Number: 40-6 CAMA Number: 40-6 Property Address: 17 PROSPECT ST	Mailing Address: ROMAN CATHOLIC ARCHBISHOP PO BOX 258 TOPSFIELD, MA 01983
Parcel Number: 40-7 CAMA Number: 40-7 Property Address: 13 PROSPECT ST	Mailing Address: LONGO DAVID J 13 PROSPECT ST TOPSFIELD, MA 01983
Parcel Number: 40-71 CAMA Number: 40-71 Property Address: 7 GROVE ST	Mailing Address: GROVE REALTY PARTNERS LLC 6 PARK ST TOPSFIELD, MA 01983
Parcel Number: 40-72 CAMA Number: 40-72 Property Address: 2 MAIN ST	Mailing Address: CARGILL WILLIAM R JR TR 2 MAIN ST TOPSFIELD, MA 01983
Parcel Number: 40-74 CAMA Number: 40-74 Property Address: 30 MAIN ST	Mailing Address: TOPSFIELD VILLAGE SHOPPING 50 BROAD ST SALEM, MA 01970
Parcel Number: 40-8 CAMA Number: 40-8 Property Address: 11 PROSPECT ST	Mailing Address: INGALLS JOHN K 11 PROSPECT ST TOPSFIELD, MA 01983
Parcel Number: 40-81 CAMA Number: 40-81 Property Address: 15 MAIN ST	Mailing Address: INSTITUTION OF SAVINGS IN NEWB P O BOX 32 IPSWICH, MA 01938
Parcel Number: 40-82 CAMA Number: 40-82 Property Address: 18 SOUTH MAIN ST	Mailing Address: TOPSFIELD CROSSING LLC 10 SOUTH MAIN ST TOPSFIELD, MA 01983
Parcel Number: 40-85 CAMA Number: 40-85 Property Address: 31 SOUTH MAIN ST	Mailing Address: GUIDO JONATHAN D 31 SOUTH MAIN ST TOPSFIELD, MA 01983
Parcel Number: 40-86 CAMA Number: 40-86 Property Address: 19 SOUTH MAIN ST	Mailing Address: GATTI MARK 19 SOUTH MAIN ST TOPSFIELD, MA 01983



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Page 2 of 3





## 300 foot Abutters List Report

Topsfield, MA  
September 20, 2018

Parcel Number: 40-87  
CAMA Number: 40-87  
Property Address: 15 SOUTH MAIN ST

Mailing Address: WINFREY SCOTT  
15 SOUTH MAIN ST  
TOPSFIELD, MA 01983

Parcel Number: 40-88  
CAMA Number: 40-88  
Property Address: 13 SOUTH MAIN ST

Mailing Address: MCALLISTER 13 SOUTH MAIN ST LL  
13 SOUTH MAIN ST  
TOPSFIELD, MA 01983

Parcel Number: 40-89  
CAMA Number: 40-89  
Property Address: 8 PROSPECT ST

Mailing Address: BUDROSE MARY  
8 PROSPECT ST  
TOPSFIELD, MA 01983

Parcel Number: 40-90  
CAMA Number: 40-90  
Property Address: 10 PROSPECT ST

Mailing Address: PATCH TODD K  
10 PROSPECT ST  
TOPSFIELD, MA 01983

Parcel Number: 40-91  
CAMA Number: 40-91  
Property Address: 12 PROSPECT ST

Mailing Address: TOWN OF TOPSFIELD  
8 WEST COMMON ST  
TOPSFIELD, MA 01983

Parcel Number: 40-92  
CAMA Number: 40-92  
Property Address: 18 PROSPECT ST

Mailing Address: TODD MICHAEL  
18 PROSPECT ST  
TOPSFIELD, MA 01983

Parcel Number: 40-99  
CAMA Number: 40-99  
Property Address: 2 ANTORIA WAY

Mailing Address: HUSSAIN DILDAR  
2 ANTORIA WAY  
TOPSFIELD, MA 01983

Parcel Number: 41-6  
CAMA Number: 41-6  
Property Address: 8 SUMMER ST

Mailing Address: MASS BAY TRANSPORTATION AUTH  
77 FRANKLIN ST - 9TH FL  
BOSTON, MA 02110

Parcel Number: 41-7  
CAMA Number: 41-7  
Property Address: 6 PARK ST

Mailing Address: BUTLER CABIN LLC  
6 PARK ST  
TOPSFIELD, MA 01983

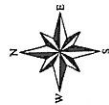


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Page 3 of 3

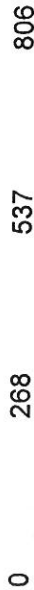


# 9 South Main Street

Topsfield, MA

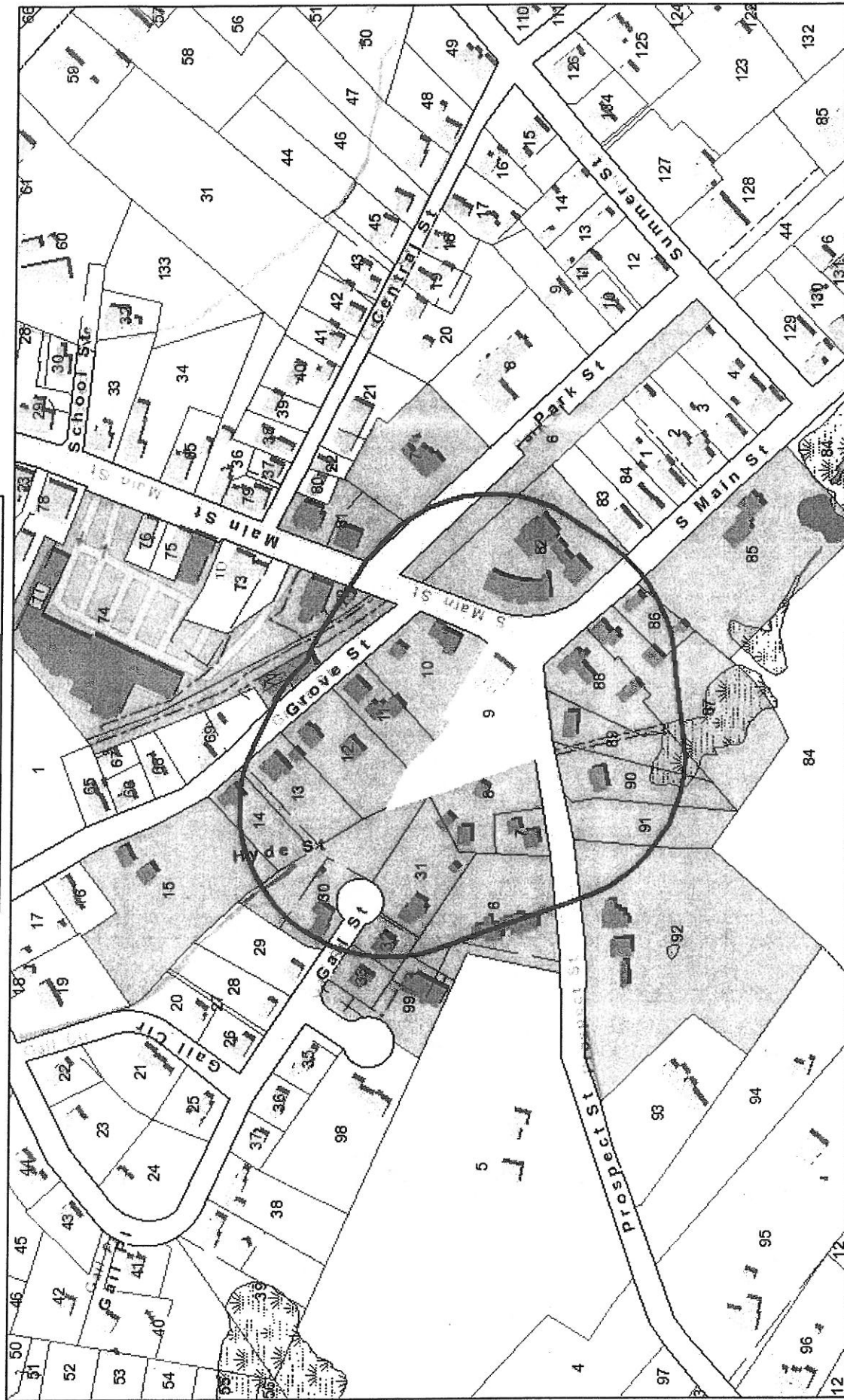
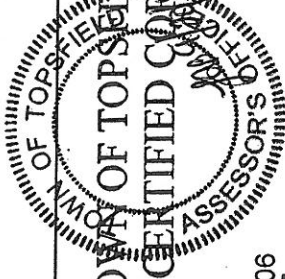
September 20, 2018

1 inch = 268 Feet



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