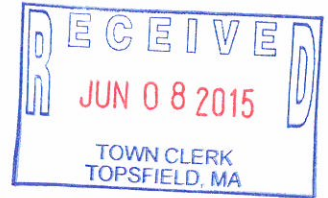


# Application for Zoning Relief



## Form A

Before you file this application, it is necessary that you be familiar with the requirements for filing plans and other materials in support of this application as specified in the Topsfield Zoning Bylaws and the Topsfield Zoning Board of Appeals Rules and Procedures that are available from the Town Clerk.

Incomplete applications will not be considered unless waivers are previously obtained from the Zoning Board of Appeals

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### BOARD USE ONLY

Date Filed:

Date Action Due

Public Hearing:

Decision:

Revised Form Date: 04/26/2011

NATURE OF APPLICATION:

- ☐ Petition for Special Permit pursuant to Article \_\_\_\_, Section \_\_\_\_ of the Zoning Bylaw.
- ☐ Petition for Finding pursuant to Article \_\_\_\_, Section \_\_\_\_ of the Bylaw.
- ☐ Petition for a Variance from Article \_\_\_\_, Section \_\_\_\_, of the Zoning Bylaw.
- ☐ Petition for Site Plan Review pursuant to Article IX of the Zoning Bylaw (and the Guidelines and Performance Standards for Activities Subject to the Provisions of Article IX of the Topsfield Zoning Bylaw; and Supplement Form C for submitted requirements and formats).
- ☐ Petition for a Comprehensive Permit pursuant to G.L.c. 40B, Section 20-23.
- ☒ Appeal from the decision dated May 7, 2011 of the Building Inspector or others pursuant to L.L. c. 40A, Section 15.

DESCRIPTION OF APPLICANT:

- a. Name Mark Bernhardt
- b. Address 374 Boston Street
- c. Phone Number c/o Alan Grenier 978-777-7000
- d. Interest in Premises (e.g., owner, tenant, prospective purchaser, etc.) tenant  
(Attach copy of lease and/or letter of authorization from owner, if applicable)

DESCRIPTION OF PREMISES:

- a. Assessor's Map 26, Lot(s) 12, Zoning District BHN
- b. Location of Premises (number and street) 374 Boston Street
- c. Name and address of legal owner (if different from Applicant) Stephen Knowles
- d. Deed to the Premises recorded at (if known):  
☐ Essex South District Registry of Deeds, Book \_\_\_\_\_ Page \_\_\_\_\_  
☐ Essex South Registry District of the Land Court, Certificate Number \_\_\_\_\_
- e. Prior zoning decisions affecting the Premises (if any):  
 Date of Decision \_\_\_\_\_ Name of Applicant \_\_\_\_\_  
 Nature of Decision \_\_\_\_\_
- f. Present use of the Premises Domestic Charitable Kennel
- g. Present structures conform to current Zoning Bylaw. ☐ Yes ☐ No. If no, in what respect does it not conform. \_\_\_\_\_

PROPOSAL (attach additional sheets if necessary):

- a. General Description: Domestic Charitable Corporation Kennel



**TOWN OF TOPSFIELD**  
**INSPECTIONAL SERVICES DEPARTMENT**  
8 West Common Street, Topsfield, Massachusetts 01983

5/07/2015

Marc & April Bernhardt  
Hydrant Regency  
374 Boston St Unit 9A,  
Topsfield, MA. 01983

**NOTICE OF VIOLATION**

Dear Marc & April,

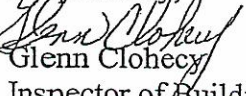
As you are aware, the effort to change the Town of Topsfield Zoning Bylaw to allow commercial kennels in the Business Highway North Zoning District (BHN) failed at the annual town meeting held on May 5, 2015.

You are hereby ordered to immediately (within 30 days) *cease & desist* the illegal use of this property for a commercial kennel.

In accordance with the Town of Topsfield Zoning Bylaw Article V, Section 5.01, failure to comply with this order within the 30 days specified may subject you to fines of up to \$300.00 per day. Said fines to begin on 6/7/2015.

*Please be advised that in accordance with Article V Section 5.02 note 5 of the Town of Topsfield Zoning By-Law and MGL Chapter 40A § 8 & § 15 this decision may be appealed to the Town of Topsfield Zoning Board of Appeals. Appeals from this order must be filed with the Town Clerk within 30 days on approved town forms with the appropriate fees.*

Respectfully,

  
Glenn Clohecy  
Inspector of Buildings  
Zoning Enforcement Officer

cc: Zoning Board of Appeals  
Steve Knowles  
File

b. If proposal is for construction or alteration of an existing structure, please state:

	FRONT	REAR	SIDE(S)
1. Setbacks required per bylaw	_____	_____	_____
2. Existing setbacks	_____	_____	_____
3. Setbacks proposed	_____	_____	_____

	FRONTAGE	AREA
4. Frontage and area required by bylaw	_____	_____
5. Existing frontage (s) and area	_____	_____
6. Frontage (s) and area proposed	_____	_____

	FEET	STORIES
7. Existing Height	_____	_____
8. Height proposed	_____	_____

c. Other town, state or federal permits or licenses required, if any:

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#### NECESSARY ACCOMPANYING DATA:

It is required that every application be accompanied by appropriate supporting data. Failure to submit appropriate and complete data could result in delay and/or denial of application for zoning relief. Place a check next to the applicable accompanying supporting data:

##### Variance of Special Permit Applications:

(See Zoning Board of Appeals Rules and Procedures Section III)

All required supporting data attached ☐ Yes ☐ No

##### Site Plan Review Applications:

(See Town of Topsfield Zoning Bylaw, Article IX, Section 9.05. See also Guidelines and Performance Standards for Activities Subject to the Provisions of Article IX of the Topsfield Zoning Bylaw)

All required supporting data attached ☐ Yes ☐ No

##### Comprehensive Permit Applications:

(See G.L.c. 40B, Sections 20-23)

All required supporting data attached ☐ Yes ☐ No

##### Appeals from decisions of Building Inspector or Others:

(See Zoning Board of Appeals Rules and Procedures, Section III (1) (e))

All required supporting data attached ☒ Yes ☐ No

If all required supporting data is not attached, why not:

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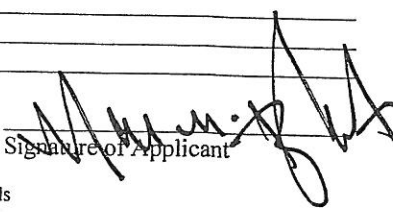


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6.6.15  
Date

  
Signature of Applicant



Issue Date: 04/26/2011

**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:** Mark Bernhardt

374 Boston Street, Topsfield, MA

**Telephone No.**

c/o Alan Grenier 978-777-7000

**Locus:**

374 Boston Street

Map	Block	Location	Owner	(If different from location) Mailing Address
26	12		Stephen Knowles, Trustee	
			21 Long Hill Road,	Boxford, MA 01921

**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.

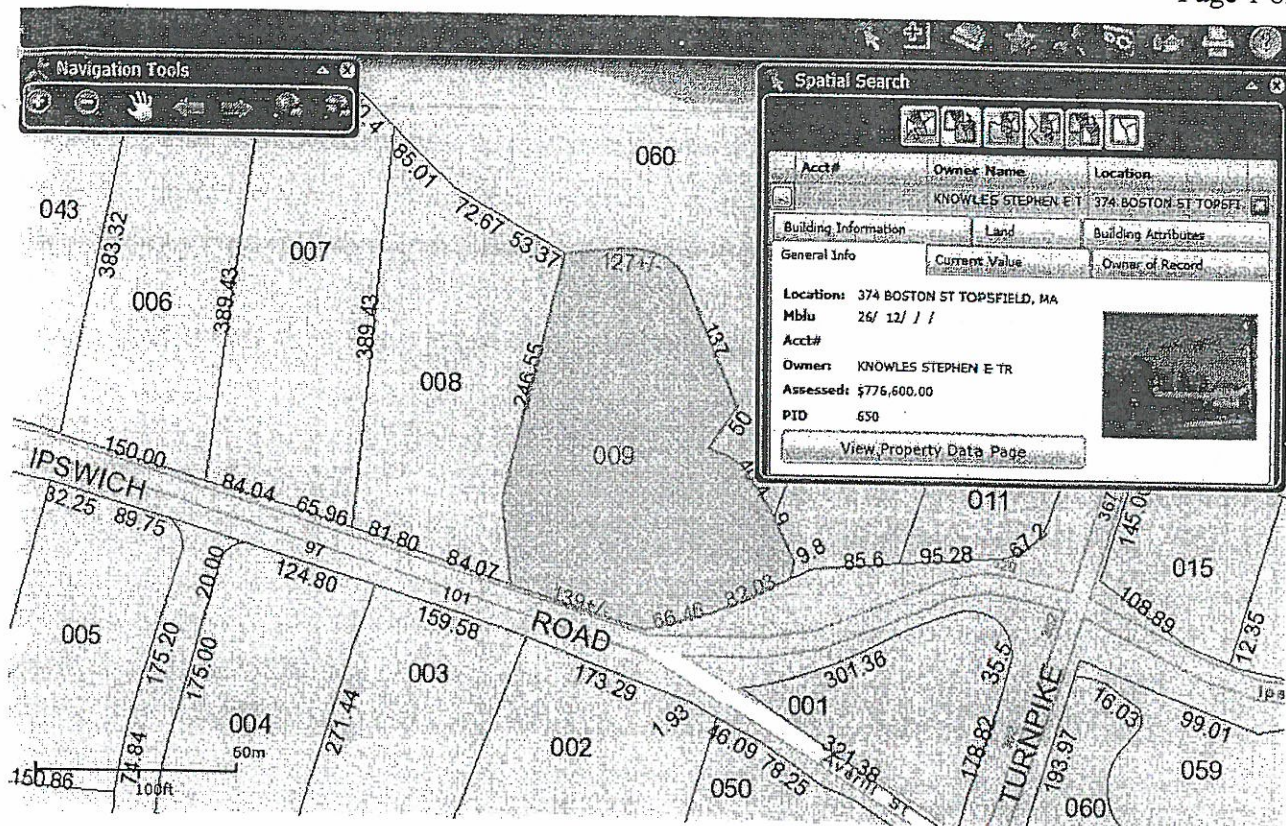
Authorized Signature  
Assessors' Office

Katherine Jackson (Assistant to principal Assessor)

Date of Verification

6/5/15





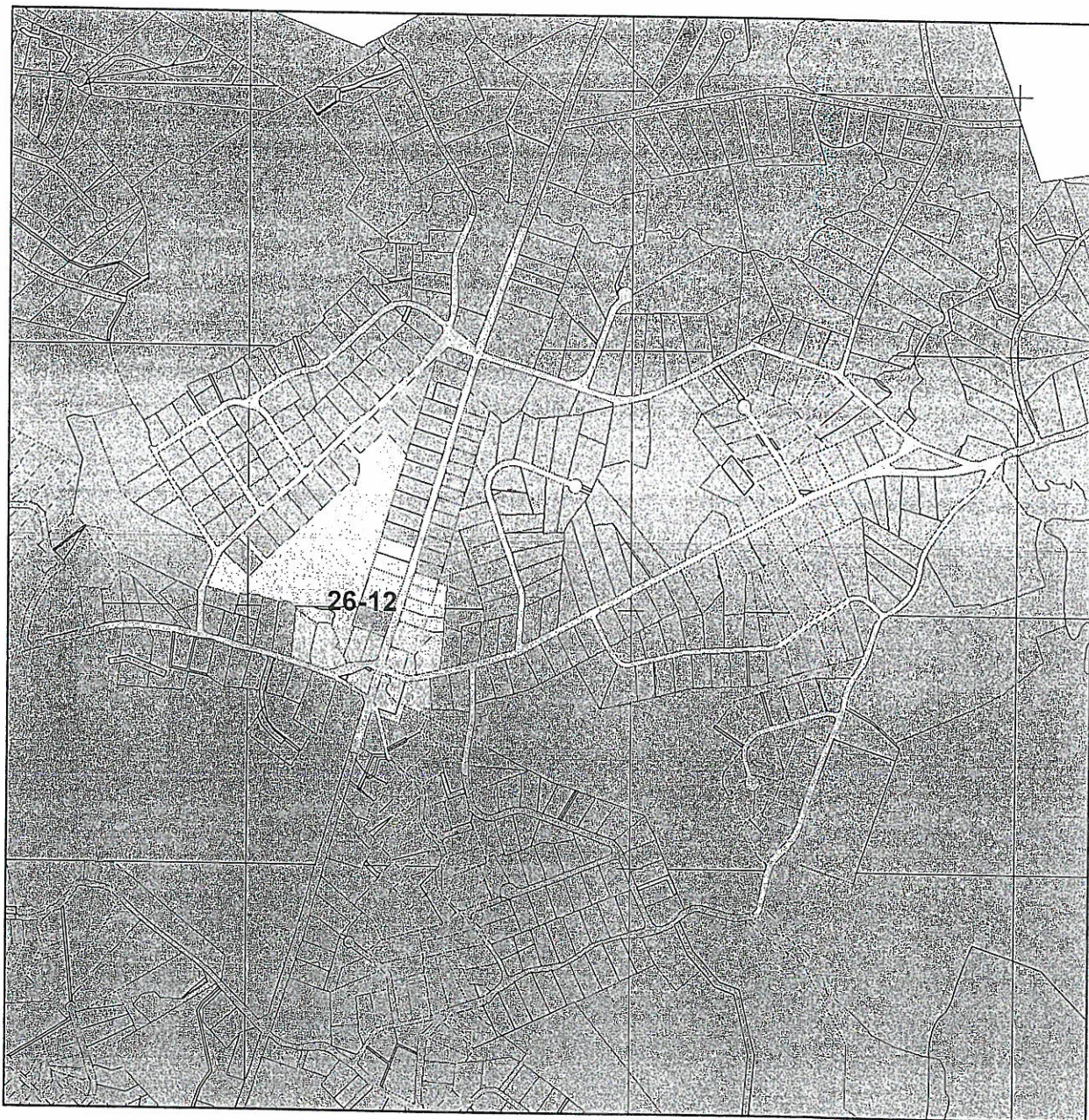
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# ADDITIONAL LIST FOR 3/4 BOSTON ST 20-12 WITHIN 300' FOR ZONING TOPSFIELD, MA

Map	Block	Lot	Lot Cut Location	OWNERS NAME	CO OWNERS NAME	Mailing Address
18	60		17 NORTH ST	TOWN OF TOPSFIELD	RECREATION DEPT	8 WEST COMMON ST
19	1		376 BOSTON ST	EBSCO INDUSTRIES INC		5724 HIGHWAY 280 EAST
19	2		382 BOSTON ST	SURREY VILLAGE DEVELOPMENT COR		447 BOSTON ST
19	56		381 BOSTON ST	FORTENBACHER DONALD V		381 BOSTON ST
19	57		379 BOSTON ST	BEAIRD DEREK J	LO ANGELA	379 BOSTON ST
19	58		377 BOSTON ST	SABINO RANDY	SABINO MAUREEN	377 BOSTON ST
26	1		362 BOSTON ST	TOWN OF TOPSFIELD	CONSERVATION COMMISSION	8 WEST COMMON ST
26	8		108 IPSWICH RD	BERRY JEFFREY W	BERRY LISA A	108 IPSWICH RD
26	9		110 IPSWICH RD	RON AMIR	ZIMM ANGELA	110 IPSWICH RD
26	10		114 IPSWICH RD	TOWN OF TOPSFIELD	CONSERVATION DEPT	8 WEST COMMON ST
26	11		368 BOSTON ST	SKEFF'S INC	C/O RICHARD SKEFFINGTON	PO BOX 185
26	12		374 BOSTON ST	KNOWLES STEPHEN E TR	374 BOSTON ST TOPSFIELD REALTY TR	21 LONG HILL RD
26	13		375 BOSTON ST	SABINO ROY TR OAK HILL TR	C/O REMAX VILLAGE PROPERTIES	375 BOSTON ST
26	14		371 BOSTON ST	SABINO RANDY	SABINO MAUREEN	447 BOSTON ST SUITE 4
26	15		367 BOSTON ST	LEXA LLC	C/O DUNKIN DONUTS	112 ELLIOT ST
26	16		126 IPSWICH RD	LEXA LLC	C/O DUNKIN DONUTS	112 ELLIOT ST
26	17		130 IPSWICH RD	SABINO RANDY		9 WILDES ROAD
26	59		125 IPSWICH RD	MACDONALD RICHARD J TR	T F C REALTY TR	125 IPSWICH RD
26	60	1	363 BOSTON ST	DONOHUE P J & PARKHURST J R TRS	DONOHUE & PARKHURST REALTY TR	363 BOSTON ST
26	60	2	363 BOSTON ST	DONOHUE P J & PARKHURST J R TRS	DONOHUE & PARKHURST REALTY TR	363 BOSTON ST
26	60	3	363 BOSTON ST	DONOHUE P J & PARKHURST J R TRS	DONOHUE & PARKHURST REALTY TR	363 BOSTON ST
26	60	4	363 BOSTON ST	BRADY JAMES R III & MARY E TRS	JEMZ REALTY TR	93 WINGAERSHEEK RD
26	60		363 BOSTON ST			



26-12 374 BOSTON ST



GEOGRAPHIC INFORMATION SYSTEM

VISION APPRAISAL TECHNOLOGY

