



D'Ambrosio LLP
C O U N S E L O R S A T L A W

185 Devonshire Street, 10th Floor
Boston, Massachusetts 02110
T: (617) 720-5657
F: (617) 723-4967
www.dambrosiollp.com

April 19, 2024

Via Electronic Mail and FedEx Overnight Delivery (776031455294)

Lynne Bermudez, Zoning Coordinator
Zoning Board of Appeals
Town of Topsfield
8 West Common Street
Topsfield, MA 01983

RE: Special Permit Transfer for 116 Boston Street, Topsfield, MA 01938

Dear Ms. Bermudez:

As you know, I represent My Junior LLC relative to its pending Town of Topsfield Zoning Board of Appeals (“ZBA”) Special Permit transfer application for 116 Boston Street, Topsfield, MA 01938 (the “**Property**”), which was filed with your office on March 26, 2024.

Since that date, My Junior LLC has continued to perform its due diligence surrounding the Property and the maintenance of the historical structures thereon. My Junior LLC, in evaluating the Property, has commissioned a topographical survey of the areas around the historical structures, attached hereto as Exhibit 1.

As part of this survey, it was discovered the “Peirce, Col. Thomas Wentworth Summerhouse, 1920,” as listed in Condition No. 3 of the 2014 Special Permit, is not located on the Property. Rather, the “Peirce, Col. Thomas Wentworth Summerhouse, 1920” is located on the neighboring 9 Garden Street property. As depicted on Page 8 of the Massachusetts Historical Commission’s Inventory for the Crowninshield – Peirce Farm, attached hereto as Exhibit 2, the “Summerhouse” constitutes a wooden, gazebo-like structure. Accordingly, the “Summerhouse” is denoted as a “Gazebo” on the left-hand side portion of the attached survey within the 9 Garden Street property. As the “Summerhouse” is not located on the Property, My Junior LLC does not have the legal authority to access or maintain the “Summerhouse.” My Junior LLC therefore requests that reference to the “Summerhouse” be removed from My Junior LLC’s Proposed Special Permit Conditions/Restrictions which were submitted as Exhibit B to the Special Permit

Ms. Lynne Bermudez, Topsfield Zoning Coordinator
116 Boston Street: Transfer of Special Permit
April 19, 2024

transfer application. Revised Special Permit Conditions/Restrictions are attached hereto as Exhibit 3.

Thank you for your assistance with this matter. Please do not hesitate to contact me with any questions that you may have.

Very truly yours,



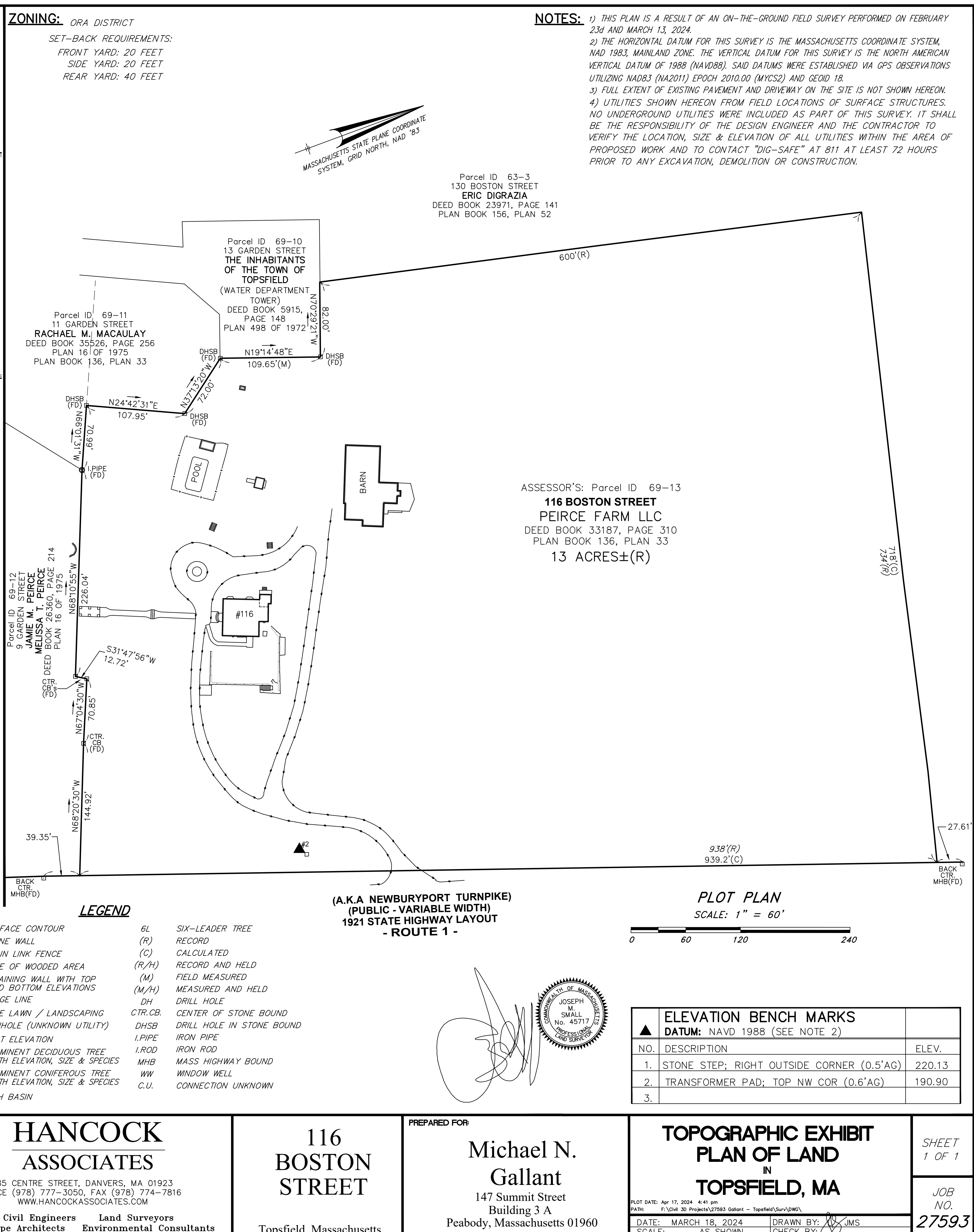
Nancy S. O'Neil

Enclosures

CC: Mary Elizabeth Willis, Topsfield Town Clerk

Via Electronic Mail and FedEx Overnight Delivery (776031410704)

EXHIBIT 1



SET-BACK REQUIREMENTS:
FRONT YARD: 20 FEET
SIDE YARD: 20 FEET
REAR YARD: 40 FEET

NOTES:

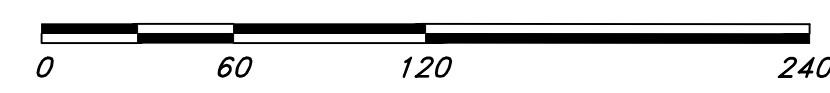
- 1) THIS PLAN IS A RESULT OF AN ON-THE-GROUND FIELD SURVEY PERFORMED ON FEBRUARY 23d AND MARCH 13, 2024.
- 2) THE HORIZONTAL DATUM FOR THIS SURVEY IS THE MASSACHUSETTS COORDINATE SYSTEM, NAD 1983, MAINLAND ZONE. THE VERTICAL DATUM IS THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88). SAID DATUMS WERE ESTABLISHED VIA GPS OBSERVATIONS UTILIZING NAD83 (NA2011) EPOCH 2010.00 (MYCS2) AND GEOID 18.
- 3) FULL EXTENT OF EXISTING PAVEMENT AND DRIVEWAY ON THE SITE IS NOT SHOWN HEREON.
- 4) UTILITIES SHOWN HEREON FROM FIELD LOCATIONS OF SURFACE STRUCTURES. NO UNDERGROUND UTILITIES WERE INCLUDED AS PART OF THIS SURVEY. IT SHALL BE THE RESPONSIBILITY OF THE DESIGN ENGINEER AND THE CONTRACTOR TO VERIFY THE LOCATION, SIZE & ELEVATION OF ALL UTILITIES WITHIN THE AREA OF PROPOSED WORK AND TO CONTACT "DIG-SAFE" AT 811 AT LEAST 72 HOURS PRIOR TO ANY EXCAVATION, DEMOLITION OR CONSTRUCTION.

Parcel ID 63-3
130 BOSTON STREET
ERIC DIGRAZIA
DEED BOOK 23971, PAGE 141
PLAN BOOK 156, PLAN 52

ASSESSOR'S: Parcel ID 69-13
116 BOSTON STREET
PEIRCE FARM LLC
 DEED BOOK 33187, PAGE 310
 PLAN BOOK 136, PLAN 33
13 ACRES±(R)

(A.K.A NEWBURYPORT TURNPIKE)
(PUBLIC - VARIABLE WIDTH)
1921 STATE HIGHWAY LAYOUT
- ROUTE 1 -

PLOT PLAN
SCALE: 1" = 60'



ELEVATION BENCH MARKS		
 DATUM: NAVD 1988 (SEE NOTE 2)		
NO.	DESCRIPTION	ELEV.
1.	STONE STEP; RIGHT OUTSIDE CORNER (0.5'AG)	220.13
2.	TRANSFORMER PAD; TOP NW COR (0.6'AG)	190.90
3.		

SHEET
1 OF 1

JOB
NO.
27593

HANCOCK ASSOCIATES 185 CENTRE STREET, DANVERS, MA 01923 VOICE (978) 777-3050, FAX (978) 774-7816 WWW.HANCOCKASSOCIATES.COM Civil Engineers Land Surveyors Landscape Architects Environmental Consultants	116 BOSTON STREET Topfield, Massachusetts	PREPARED FOR: Michael N. Gallant 147 Summit Street Building 3 A Peabody, Massachusetts 01960	TOPOGRAPHIC EXHIBIT PLAN OF LAND IN TOPSFIELD, MA	SHEET 1 OF 1	
			PLOT DATE: Apr 17, 2024 4:41 pm PATH: F:\CH4_3D Projects\27593 Gallant - Topfield\SunV\DWG\ <table border="1"> <tr> <td>DATE: MARCH 18, 2024</td> <td>DRAWN BY: JMS</td> </tr> <tr> <td>SCALE: AS SHOWN</td> <td>CHECK BY:</td> </tr> </table>	DATE: MARCH 18, 2024	DRAWN BY: JMS
DATE: MARCH 18, 2024	DRAWN BY: JMS				
SCALE: AS SHOWN	CHECK BY:				

EXHIBIT 2

INVENTORY FORM CONTINUATION SHEET

Community

Property

Topsfield

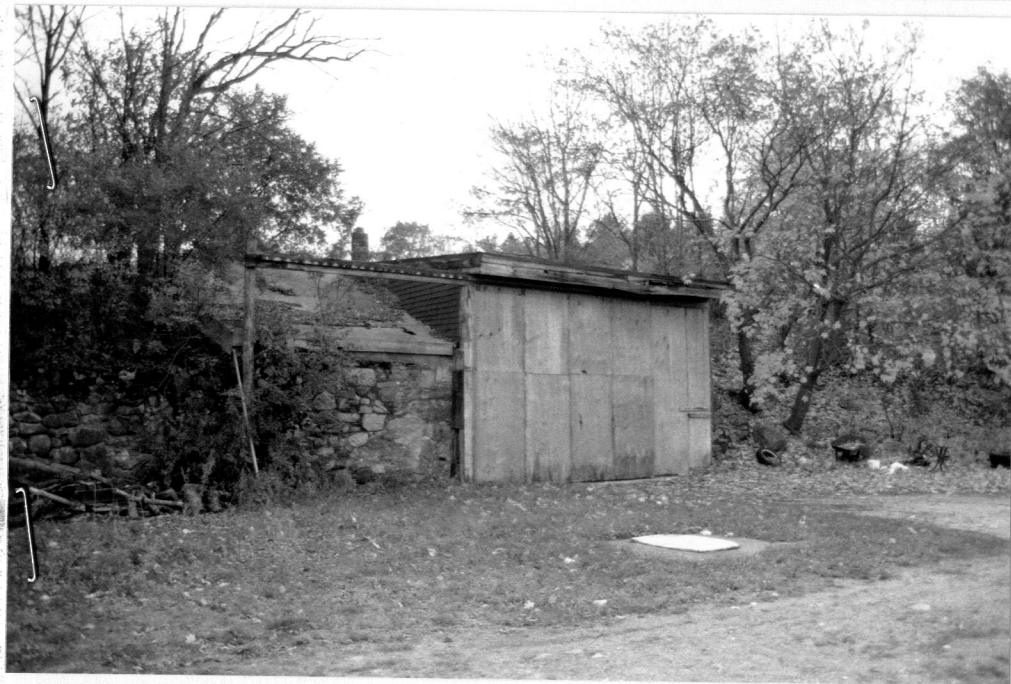
Crowninshield/Peirce Farm

Massachusetts Historical Commission
220 Morrissey Boulevard
Boston, Massachusetts 02125

Area(s)
T

Form Nos.
94, 95, 335-336; 922-925

Summerhouse,
116 Boston St.



Ice house foundations,
111 Boston St.

EXHIBIT 3

Proposed Special Permit Conditions/Restrictions

1. Historic Preservation Restriction: The property's buildings listed in the Town of Topsfield Inventories List of "Significant Structures" (1. The Peirce, Col. Thomas Wentworth House, 1821; 2. Peirce, Col. Thomas Wentworth Stable, 1880; and 3. Crowninshield, Benjamin W. Circulation System, 1821) shall be maintained by the Applicant, its successors, or assigns in at least the same condition and state of repair as that existing on the date of this Special Permit in accordance with the Town of Topsfield Town By-Laws and Town of Topsfield Historical Commission Rules, Regulations and Procedures and Commission Guidelines, as such may be amended from time to time. If the Applicant, its successors, or assigns seek to make alterations to the exterior of the above-listed buildings, such alterations shall be approved by the Town of Topsfield Historical Commission through a Certificate of Appropriateness, Certificate of Non-Applicability, or Certificate of Hardship pursuant to its Rules, Regulations, and Procedures, unless such alterations are of minor nature and do not affect the characteristics which contribute to the architectural or historical integrity of the buildings or are required by casualty or such other emergency promptly reported to the Commission. Ordinary maintenance and repair of the buildings, provided that such maintenance and repair complies with the Town of Topsfield Historical Commission Guidelines, may be made without the written permission of the Town of Topsfield Historical Commission.
2. Conservation Restriction: The undeveloped field shall not be subdivided and, as subject to any future permissions granted by the Town of Topsfield Zoning Board of Appeals or other federal, state, or local governmental agencies, shall remain in its natural, undeveloped state, barring any reasonably necessary site improvements, including but not limited to drainage and utility improvements. If the Applicant, its successors, or assigns should wish to develop that portion of Property containing the undeveloped field with new buildings, such development shall require the prior approval of the Board, said approval not to be unreasonably withheld, delayed, or conditioned.