

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

BOARD USE ONLY

Date Filed:

Date Action Due

Public Hearing:

Decision:

Revised Form Date: 04/26/2011

Zoning Board of Appeals

Application for Special Permit & Site Plan Review

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, scenic road Bylaw, Stormwater & Erosion Control Bylaw and the respective Planning Board Rules and Procedures that are available from the Town Clerk and Community development Coordinator as well as the Town website at www.topsfield-ma.gov.

Incomplete applications will not be considered unless waivers are previously obtained from the Planning Board.

SPECIAL PERMIT FEES:

Business Park Use Permits	\$200.00	
Elderly Housing Special Permits	\$1000.00	(New construction EHD see Site Plan Review fees listed below)
Common Drive	\$100.00	
Accessory Apartment	\$100.00	
Groundwater Protection District		
Wind Energy Conversion System – Small Scale	\$200.00	
Ground Mounted Solar Photovoltaic Installations	\$200.00	
Scenic Road		
Stonewall Removal	\$75.00	
Tree Removal	\$75.00	
Stormwater & Erosion Control	\$100.00 plus 4.0030 times the total square footage of the area to be altered by the project; see exemptions under regulations	

ZBA FINDING & USE SPECIAL PERMIT: \$200

ZBA SITE PLAN REVIEW: \$1,360.56

TOTAL ZBA FEES: \$1,560.56

1). Coverage Fee

\$100/5,000 sq. ft. or any portion thereof of new/alterd lot disturbance (the total square footage of all new/alterd building footprints, plus all paved surfaces, septic installations and stormwater management systems).

50,850 sq. ft. ÷ 5,000 sq. ft. x \$100 = 1,017 area of new/alterd coverage

2). Gross Floor Area Fee

\$200/5,000 square feet or any portion thereof of new/alterd Gross Floor Area (gross floor area – the total square footage of all new floor area on all levels of all new or existing buildings).

8,589 sq. ft. ÷ 5,000 sq. ft. x \$200 = 343.56 area of new/alterd gross floor

area Coverage Fee	\$ <u>1,017.00</u>
Gross Floor Area Fee	\$ <u>343.56</u>
Total Site Plan Review Fee	\$ <u>1,360.56</u>

NATURE OF APPLICATION:

- ☒ Petition for Special Permit pursuant to Article III, Section 3.02 (Retail Establishment [4.02] & Retail Specialty Foods [4.12E]) of the Zoning Bylaw.
- ☒ Petition for Finding pursuant to Article III, Section 3.05A 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 _____ of the Building Inspector or others pursuant to L.L. c. 40A, Section 15.

DESCRIPTION OF APPLICANT:

- a. Name Maureen & Randy Sabino
- b. Address 447 Boston Street, Topsfield, MA 01983
- c. Phone Number 978-887-8441
- d. Interest in Premises (e.g., owner, tenant, prospective purchaser, etc.) Owners
(Attach copy of lease and/or letter of authorization from owner, if applicable)

DESCRIPTION OF PREMISES:

- a. Assessor's Map 26, Lot(s) 14, Zoning District Business District Highway North (BHN), Inner Residential and Agricultural District (IRA), Groundwater Protection Overlay District
- b. Location of Premises (number and street) 371 Boston Street
- c. Name and address of legal owner (if different from Applicant) _____
- d. Deed to the Premises recorded at (if known):
☒ Essex South District Registry of Deeds, Book 27280 Page 543
☐ 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 Residential (duplex structure)
- g. Present structures conform to current Zoning Bylaw. ☐ Yes ☒ No. If no, in what respect does it not conform. Existing 2-family dwelling does not conform to use or front setback, and existing detached garage does not conform to the front and side setbacks.

PROPOSAL (attach additional sheets if necessary):

- a. General Description:
See attached.

General Description:

The proposed re-development of the property consists of the following:

- The construction of a single story Specialty Foods Market. The existing detached garage would be razed, and the market would be located in the vicinity of the existing detached garage structure.
- The continued use of the two-family dwelling, however, the structure is proposed to be re-located to the rear of the property along the left or northerly lot line. The new building location would be within both the Business District Highway North and Inner Residential and Agricultural District, but the majority of the structure is located within the Business District Highway North zoning district.
- The construction of a new two-story mixed-use retail building with residential units above in the front of the property. The structure would be set back from the front lot line the same distance as the existing two-family dwelling and would be shifted to the right, or south, to allow room for an entrance driveway from Newburyport Turnpike designed in compliance with MA DOT standards.
- The conversion of the existing storage building into a one bedroom single family dwelling in the same location and footprint.
- The construction of a one bedroom dwelling unit, that will resemble a clock tower, located off the main entrance into the site.

Based on our review of the Zoning Bylaw the Specialty Market and the proposed Retail Building would require Special Permits for the uses proposed. The Specialty Market building would also require a Finding to maintain the same front and side setbacks as the existing non-conforming detached garage. The proposed Retail Building would also require a Finding to maintain the same front setback as the existing two-family dwelling. The relocated two-family dwelling structure would require a Finding to maintain the same side setback as the existing non-conforming detached garage structure.

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

	FRONT	REAR	SIDE(S)	
1. Setbacks required per bylaw	<u>40</u>	<u>50</u>	<u>30</u>	<u>30</u>
2. Existing setbacks	<u>11</u>	<u>189</u>	<u>12</u>	<u>74</u>
3. Setbacks proposed	<u>12</u>	<u>57</u>	<u>12</u>	<u>32</u>

	FRONTAGE	AREA
4. Frontage and area required by bylaw	<u>100' (BNH)</u>	<u>20,000 SF (BNH)</u>
5. Existing frontage (s) and area	<u>199.1'</u>	<u>51,141 SF</u>
6. Frontage (s) and area proposed	<u>199.1'</u>	<u>62,747 SF</u>

	FEET	STORIES
7. Existing Height	<u>24' +/-</u>	<u>2</u>
8. Height proposed	<u><35'</u>	<u>3</u>

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

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:

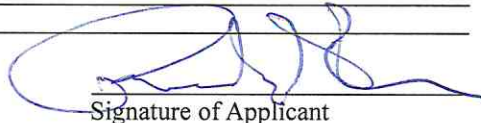
(See Zoning Board of Appeals Rules and Procedures, Section III (1)(e))

All required supporting data attached ☐ Yes ☐ No

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

11/20/2009

Date


Signature of Applicant

CHECKS LIMITED - GREEN SAFETY

SURREY VILLAGE DEVELOPMENT CORP.

NEW MEADOWS PROFESSIONAL BUILDING
447 OLD BOSTON ROAD, RTE 1N, SUITE 4
TOPSFIELD, MA 01983

2143

Date 11/20/2019 53-7094/2113

Pay to the
order of

Town of Topsfield

\$ 1,560.56 ⁵⁶/₁₀₀

One Thousand Five Hundred Sixty Dollars ⁵⁶/₁₀₀

Dollars



Security Features
Included
Details on Back

INSTITUTION FOR SAVINGS

NEWBURYPORT, MA 01950

For 2BA Finding,
Use Spcl Permit + Side Plan Review

⑈002143⑈ ⑆211370943⑆ ⑈08 8048828 3⑈

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: Maureen & Randy Sabino

447 Boston Street, Topsfield, MA 01983

Telephone No. 978-887-8441

Locus: 371 Boston Street (Map 26, Lot 14)

Map	Block	Location	Owner	<i>(If different from location)</i> Mailing Address
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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, MA
ZONING BOARD OF APPEALS**

**Application Supplement Form C
Site Plan Review Submittal Requirements & Formats**

Submittal Distribution Requirements and Formats:

1. An applicant shall file with the Town Clerk copies of all required documents in the quantities and forms as outlined below. The Clerk's copy of the required documents shall be kept on file by the Town Clerk for the duration of the permitting process and the remaining copies shall be distributed immediately by the Town Clerk to the following:

	Plan
Town Clerk	1
Granting Authority *	7
Granting Authority electronic	1
Reviewing Engineer	1
Conservation Commission	1
Public Works Department (Water & Highway)	1
Board of Health**	1
Historical Commission**	1
Building Inspector**	1
Fire Department**	1
Police Department**	1
Tree Warden**	1
Planning Board or Board of Appeals if not the Granting Authority **	1

* Two full size and five reduced size (11" x 17")

** Reduced size plans (11" x 17") are acceptable

Additional copies of any and all documents shall be furnished if requested by the Granting Authority or any other Board, Commission or Department.

2. An electronic copy of all documents shall be submitted to the Granting Authority, formatted in a single paginated PDF file with descriptive bookmarks for each plan set and for each document on either a CD or DVD disc.
3. An electronic copy of the final plans with same format as in section "4.11.2." above, and a full size hard copy of said plans showing the Signatures of the Granting Authority and date of approval shall be submitted to the Granting Authority.

SUMMARY:

* Granting Authority: **(2) Full Scale, (5) Reduced Size 11 x 17**
 Town Clerk, Review Engineer, Conservation, Public Works: **Full Scale**
 All Others: **Reduced Size 11 x 17**

Total: (6) Full Scale; (12) Reduced Size 11 x 17; (1) electronic copy



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: Friday, October 4, 2019 Issue Date: Monday, October 7, 2019

Department requiring list: Zoning Board of Appeals

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

Person/Party requesting list: Joanne Ambrosino, The Morin-Cameron Group, Inc.

Address: 66 Elm Street, Danvers, MA 01923

Phone #: 978-777-8586 Email Address _____

Property Owner: Randy & Maureen Sabino

Assessor's Map(s) 26 Lot(s) 14 Location 371 Boston Street

Assessor's Fee Paid: ☐ YES ☒ NO

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
October 07, 2019



Subject Property:

Parcel Number: 26-14
CAMA Number: 26-14
Property Address: 371 BOSTON ST

Mailing Address: SABINO RANDY
447 BOSTON ST STE 4
TOPSFIELD, MA 01983

Abutters:

Parcel Number: 19-1
CAMA Number: 19-1
Property Address: 376 BOSTON ST

Mailing Address: EBSCO INDUSTRIES INC
5724 HIGHWAY 280 EAST
BIRMINGHAM, AL 35242

Parcel Number: 19-57
CAMA Number: 19-57
Property Address: 379 BOSTON ST

Mailing Address: POILLUCCI RICHARD A
379 BOSTON ST
TOPSFIELD, MA 01983

Parcel Number: 19-58
CAMA Number: 19-58
Property Address: 377 BOSTON ST

Mailing Address: SABINO RANDY
447 BOSTON ST STE 4
TOPSFIELD, MA 01983

Parcel Number: 26-1
CAMA Number: 26-1
Property Address: 362 BOSTON ST

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

Parcel Number: 26-10
CAMA Number: 26-10
Property Address: 114 IPSWICH RD

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

Parcel Number: 26-11
CAMA Number: 26-11
Property Address: 368 BOSTON ST

Mailing Address: LEBALIAN REALTY LLC
368 BOSTON ST
TOPSFIELD, MA 01983

Parcel Number: 26-12
CAMA Number: 26-12
Property Address: 374 BOSTON ST

Mailing Address: KNOWLES STEPHEN E TR
21 LONG HILL RD
BOXFORD, MA 01921

Parcel Number: 26-13
CAMA Number: 26-13
Property Address: 375 BOSTON ST

Mailing Address: SABINO ROY TR
375 BOSTON ST
TOPSFIELD, MA 01983

Parcel Number: 26-15
CAMA Number: 26-15
Property Address: 367 BOSTON ST

Mailing Address: LEXA LLC
112 ELLIOT ST
BEVERLY, MA 01915

Parcel Number: 26-16
CAMA Number: 26-16
Property Address: 126 IPSWICH RD

Mailing Address: LEXA LLC
112 ELLIOTT ST
BEVERLY, MA 01915



www.cai-tech.com

10/7/2019

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300 foot Abutters List Report

Topsfield, MA
October 07, 2019

Parcel Number: 26-17 CAMA Number: 26-17 Property Address: 130 IPSWICH RD	Mailing Address: SABINO RANDY 447 BOSTON ST STE 4 TOPSFIELD, MA 01983
Parcel Number: 26-18 CAMA Number: 26-18 Property Address: 134 IPSWICH RD	Mailing Address: TURPEL JEFFREY R 134 IPSWICH RD TOPSFIELD, MA 01983
Parcel Number: 26-19 CAMA Number: 26-19 Property Address: 136 IPSWICH RD	Mailing Address: GUARD JOHN & JESSICA TRS 136 IPSWICH RD TOPSFIELD, MA 01983
Parcel Number: 26-57 CAMA Number: 26-57 Property Address: 133 IPSWICH RD	Mailing Address: IERARDI MICHAEL D 133 IPSWICH RD TOPSFIELD, MA 01983
Parcel Number: 26-58 CAMA Number: 26-58 Property Address: 131 IPSWICH RD	Mailing Address: JANSKY NICHOLAS W 131 IPSWICH RD TOPSFIELD, MA 01983
Parcel Number: 26-59 CAMA Number: 26-59 Property Address: 125 IPSWICH RD	Mailing Address: MACDONALD RICHARD J TR 125 IPSWICH RD TOPSFIELD, MA 01983
Parcel Number: 26-60 CAMA Number: 26-60 Property Address: 363 BOSTON ST	Mailing Address: UNKNOWN
Parcel Number: 26-60 CAMA Number: 26-60-1 Property Address: 363 BOSTON ST	Mailing Address: DONOHOE PAUL J TR 363 BOSTON ST TOPSFIELD, MA 01983
Parcel Number: 26-60 CAMA Number: 26-60-2 Property Address: 363 BOSTON ST	Mailing Address: DONOHOE PAUL J TR 363 BOSTON ST TOPSFIELD, MA 01983
Parcel Number: 26-60 CAMA Number: 26-60-3 Property Address: 363 BOSTON ST	Mailing Address: DONOHOE PAUL J TR 363 BOSTON ST TOPSFIELD, MA 01983
Parcel Number: 26-60 CAMA Number: 26-60-4 Property Address: 363 BOSTON ST	Mailing Address: BRADY JAMES R III TR 20 FULLER ST APT 1 GLOUCESTER, MA 01930
Parcel Number: 26-77 CAMA Number: 26-77 Property Address: 136 R IPSWICH RD	Mailing Address: SABINO RANDY 447 BOSTON ST STE 4 TOPSFIELD, MA 01983



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10/7/2019

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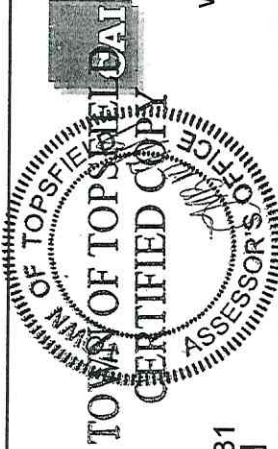
371 Boston Street

Topsfield, MA

October 7, 2019

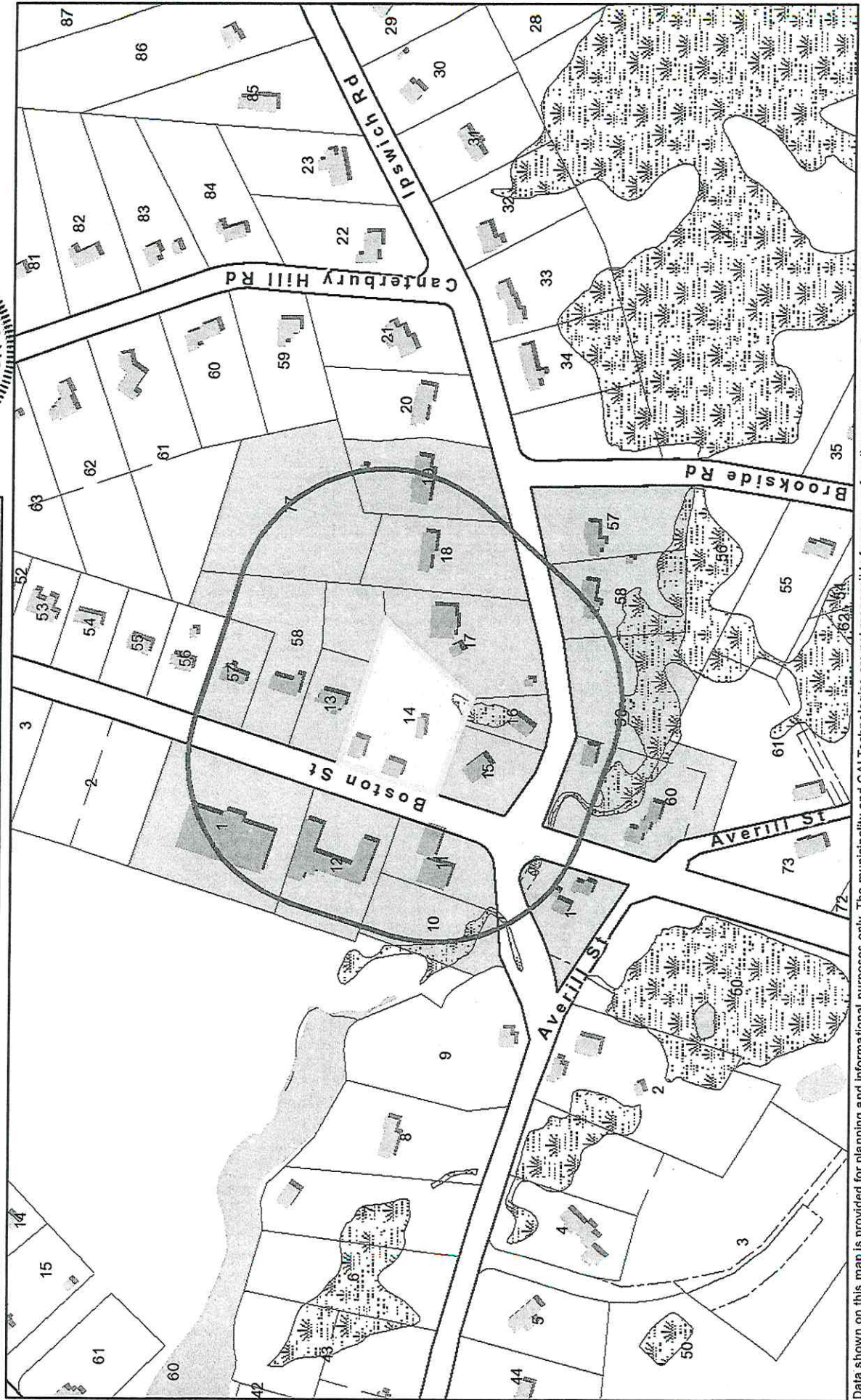
1 inch = 277 Feet

0 277 554 831



CAI Technologies
Precision Mapping Geospatial Solutions

www.cai-tech.com



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