

## December 14, 2021 Medway Planning & Economic Development Board Meeting

# ZBA Petition – 12 Walker Street Two-Family Special Permit

• Application materials and site plan for a 2 family building at 12 Walker Street (AR-II zoning district).

NOTE – This application is for a 2 family special permit. It is scheduled for consideration at the ZBA's January 5, 2022 meeting.

#### **GENERAL SPECIAL PERMIT FORM**



## TOWN OF MEDWAY

ZONING BOARD OF APPEALS

155 Village Street Medway MA 02053 Phone: 508-321-4915 |zoning@townofmedway.org www.townofmedway.org/zoning-board-appeal

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NOTE: THE APPLICATION WILL NOT BE CONSIDERED "COMPLETE" UNLESS ALL NECESSARY DOCUMENTS, FEES, & WAIVER REQUESTS ARE SUBMITTED. A GENERAL APPLICATION FORM MUST BE COMPLETED FOR ALL APPLICATIONS.

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Please provide evidence regarding how the Special Permit Decision Criteria, outlined below, is met. Please write "N/A" if you believe any of the Criteria is Not Applicable. Provide attachments if necessary.

1. The proposed site is an appropriate location for the proposed use: 2 Family Duplex 15 PROPOSED ON 30,000 S.F. LOT IN AR-II ZONING DISTRICT. 2. Adequate and appropriate facilities will be provided for the operation of the proposed use: ----1.49 The proposed use as developed will not create a hazard to abutters, vehicles, pedestrians, or З. the environment: The proposed use will not cause undue traffic congestion or conflicts in the immediate area: 4. The proposed use will not be detrimental to the adjoining properties due to lighting, 5. flooding, odors, dust, noise, vibration, refuse materials, or other undesirable visual, site, or operational attributes of the proposed use: The proposed use as developed will not adversely affect the surrounding neighborhood or 6. significantly alter the character of the zoning district: Page | 1 Received by: Date:

## **GENERAL SPECIAL PERMIT FORM**

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7. The proposed use is in harmony with the general purpose and intent of this Zoning Bylaw: YES, residential use in AR-II Zoning District. 8. The proposed use is consistent with the goals of the Medway Master Plan: 1e5 9. The proposed use will not be detrimental to the public good: 05 11/8/2021 Signature of Applicant/Petitioner or Representative

#### **GENERAL APPLICATION FORM**

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TO BE COMPLETED BY THE APPLICANT A SAME AND A

Applicant/Petitioner(s):	Application Request(s):		
Daniel J Lewis			
DNO Real Estate LLC		an a fan an mar an an an troin an an troin an tr	
Property Owner(s):		<b>I4</b>	
Susan Bulik, Nancy Rossell	Appeal		
James Rodik, Manay Rossell James Rodik, Thomas Radik	Special Permit	V	
Site Address(es):	Variance		
12 walker Street	Determination/Finding		
12 walker Street Medway mA 02053	Extension		
	Modification	and the second sec	
Parcel ID(s): book 4503	Comprehensive Permit		
page 106			
ASSESSOR MAP 71 PARCEL 006			
Zoning District(s): Zae AB - 11			
Registry of Deeds Book & Page No. and Date or Land Co 4503/106	urt Certificate No. and Date of Current Title:		
TOWN CLERK STAMP			

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#### GENERAL APPLICATION FORM

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The owner(s) of the land must be included as an applicant, even if not the proponent. Persons or entities other than the owner may also serve as coapplicants in addition to the owner(s), however, in each instance, such person shall provide sufficient written evidence of authority to act on behalf of the owner(s). For legal entities such as corporations, LLCs, etc., list the type and legal status of ownership, the name of the trustees/afficer members, their affiliation, and contact information. Please provide attachment for information if necessary.

Applicant/Petitioner(s): Phone: DNO Rea Email: CON Address: Attorney/Engineer/Representative(s): Phone: Email 0 INERLING Address: 1. 10 . Le pa ÷. 一场 的形 07346 Owner(s): Phone: 50 Email: Ja Mailing Address: 02190 A

Please list name and address of other parties with financial interest in this property (use attachment if necessary):

## None

APPLICANT/PETITIOMER INFORMATION

Please disclose any relationship, past or present, interested parties may have with members of the ZBA:

## None

I hereby certify that the information on this application and plans submitted herewith are correct, and that the application complies with all applicable provisions of Statutes, Regulations, and Bylaws to the best of my knowledge, and that all testimony to be given by me during the Zoning Board of Appeals public hearing associated with this application are true to the best of my knowledge and ballef.

Signature of Applicant/Petitioner or Representative me 11-8-202 Signature Property Owner (if different than Applicant/Petitioner) Page | 2 Date: Received by:

## GENERAL APPLICATION FORM

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APPLICATIONINEORMATION 1 i .:  $\beta \rightarrow \beta$ YES NO Applicable Section(s) of the Zoning Bylaw: **Requesting Waivers?**  $\mathbf{V}$ Table 1. C. Resid. Uses Does the proposed use conform to the current Zoning Bylaw? Present Use of Property: Has the applicant applied for and/or been acc Vacant refused a building permit? Is the property or are the buildings/ V structures pre-existing nonconforming? Proposed Use of Property: Is the proposal subject to approval by the 2 Family Duolex BOH or BOS? Is the proposal subject to approval by the V Conservation Commission? Date Lot was created: Is the property located in the Floodplain 2005 District? Date Building was erected: Is the property located in the Groundwater Protection District? Does the property meet the intent of the Design **Review Guidelines?** Is the property located in a designated Historic District or is it designated as a V Historic Landmark? **Describe Application Request:** Requesting Special Permit per Zoning Section S.4 to construct a 2-FAMILY HOME ON A 30,000. SF. LUTIN ARTI.

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Date:

### **GENERAL APPLICATION FÖRM**

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Required Data	Bylaw Requirement	Existing	Proposed
A. Use		VACANT LOT	2-FAMILY DWELL
B. Dwelling Units	2	0	2
C. Lot Size	30,000 SF.	30,0005.F.	30,000 S.F.
D. Lot Frontage	150'	152 FT.	152.00FT
E. Front Setback	35'	N/A	46 ± ft.
F. Side Setback	15'	N/A	43'+
G. Side Setback	15'	N/A Sue	N/A (70'+ TO REARLS)
H. Rear Setback	15'	N/A	54'+
. Lot Coverage	307	D	
. Height	35'	N/A	30'≠
. Parking Spaces	1.5/ MULT-FAMILY	0	2 GARAGE SPACES + 2 MIN. EACH DRIVE
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To be filled out by the Building Commissioner:

FILL IN THE APPLICABLE DATABLE ON THE

Date Reviewed

Medway Building Commissioner

Comments:

After completing this form, please submit an electronic copy to <u>zoning@townofmedway.org</u> and 4 paper copies to the Community & Economic Development Department.

Received by:

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Date:

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#### OTHER SUPPLEMENTAL MATERIAL

The lot at 12 Walker Street was created by a Form A plan that was signed by the Planning Board in 2005 and recorded at the Norfolk County Registry of Deeds, Plan Book 550, Page 86. The vacant, wooded lot contains 30,000 s.f. (all upland) in the AR-II Zoning District. Per Zoning By-law Section 5.4, Table 1, C. Residential Uses, two-family homes are allowed by Special Permit from the Zoning Board on 30,000 s.f. lots, provided the exterior has the appearance of a single-family home. This was discussed with the Director of Community and Economic Development, Barbara Saint Andre, at a pre-application meeting with her and the applicant and engineer on September 28, 2021. Other items suggested by Ms. Saint Andre:

1. The architectural plans and site plan reflect the requirement to have the appearance of a single-family home: the building is L-shaped with the front elevation showing a porch and garage for one unit facing Walker Street, while the back unit's garage and front door are located on the side of the building to be less visible from the street.

2. Land disturbance will be kept under 20,000 s.f. so that a Land Disturbance Permit is not required; the proposed tree clearing/limit of work line results in approximately 19,700 s.f. of alteration. In addition, Ms. Saint Andre suggested that stormwater runoff controls should be provided even though not necessarily required. Therefore, the site plan shows roof drains and 2 rain gardens at the end of the driveways to provide stormwater to be infiltrated from the roof and driveways.

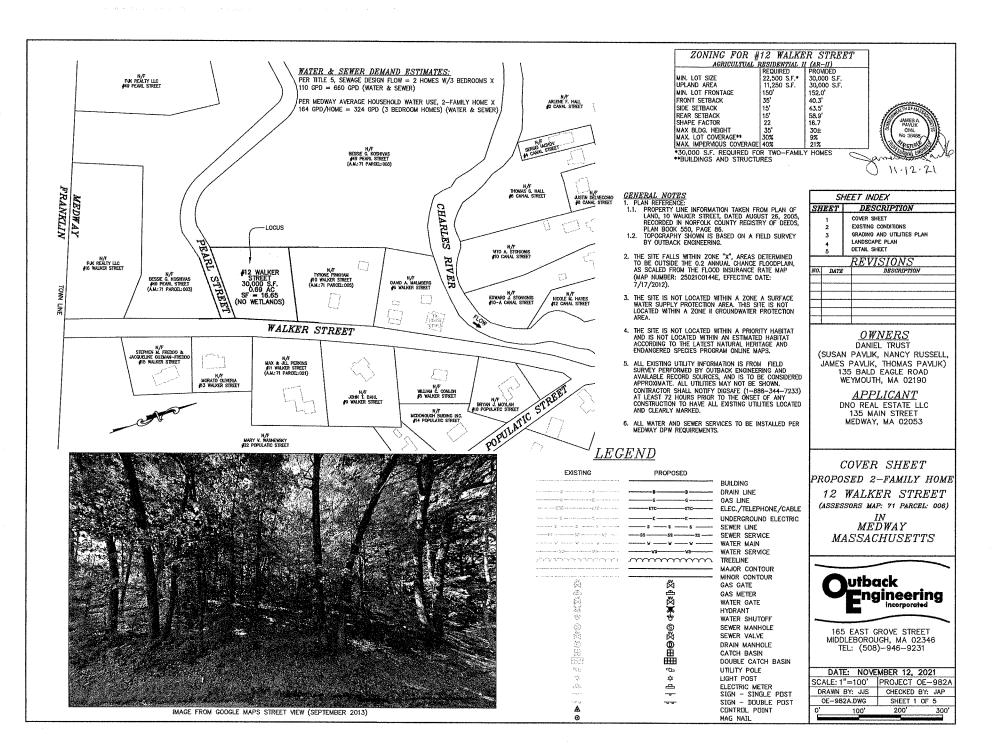
3. The site plan was later reviewed by the applicant with the Medway DPW Director Peter Pelletier who had no issues with the 2 driveways, and water and sewer services as shown on the site plan.

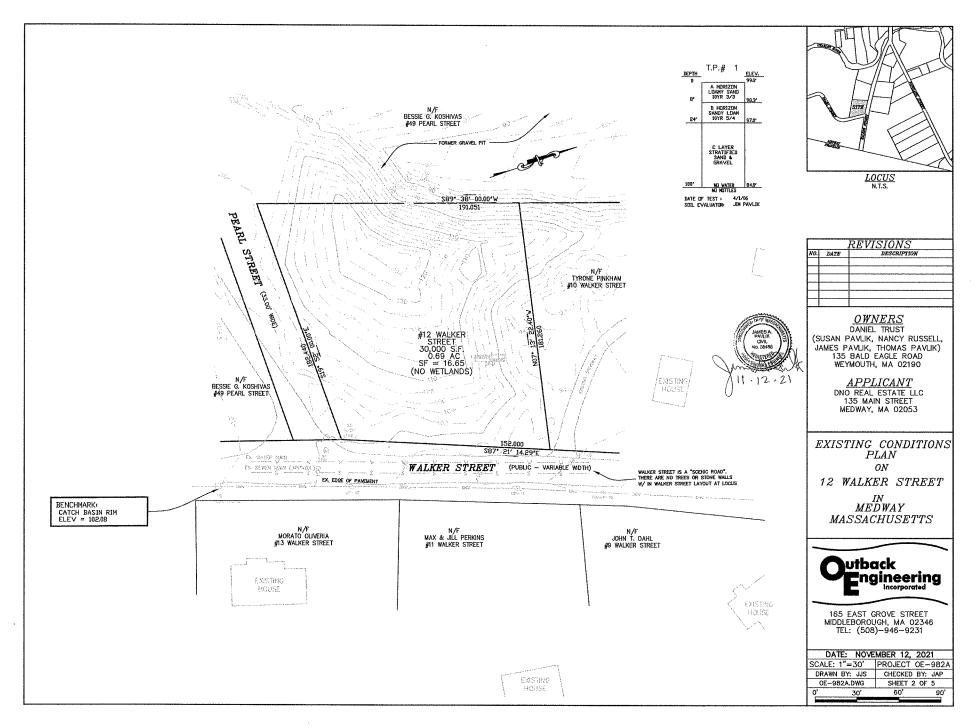
4. A landscape plan is provided with the site plan set showing foundation plantings, lawn treatments and maintenance notes. Based on the limit of work shown, approximately 1/3 of the lot will be left in its current, wooded state to provide a perimeter buffer. The site lighting is minimal, typical of a residential home, with driveway lamp posts proposed near Walker St.

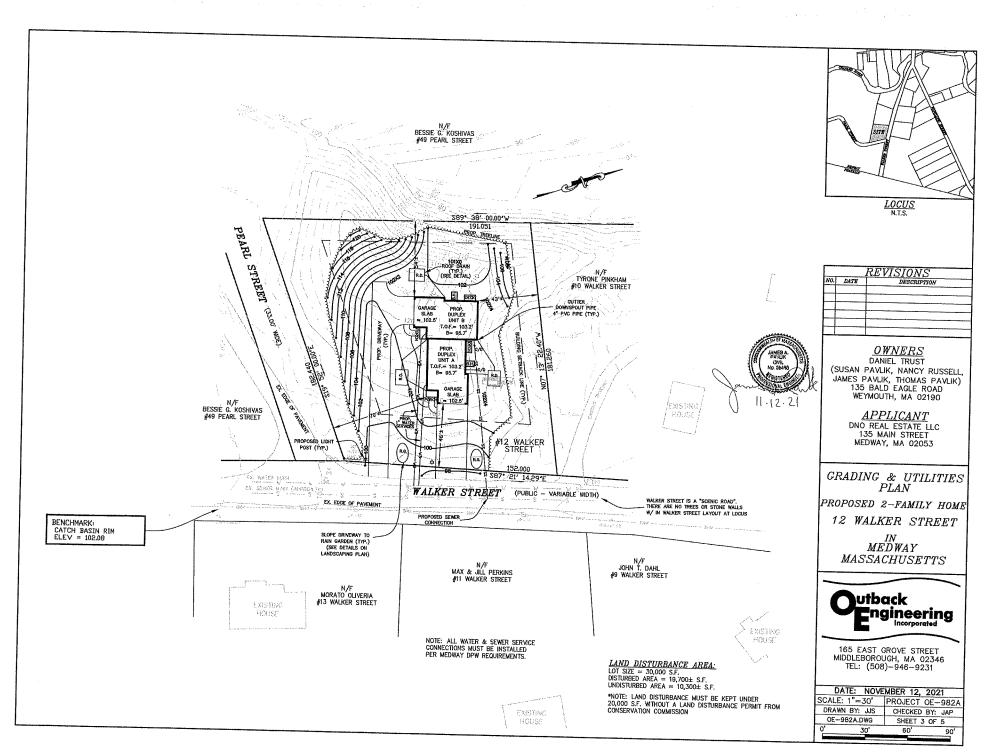
Although Walker Street is a Scenic Road, there are no stonewalls or trees within the right of way, and no filing with the Planning Board is required. The proposed 2-family home will provide diversity from traditional single-family homes, a component of the Medway Master Plan goals.

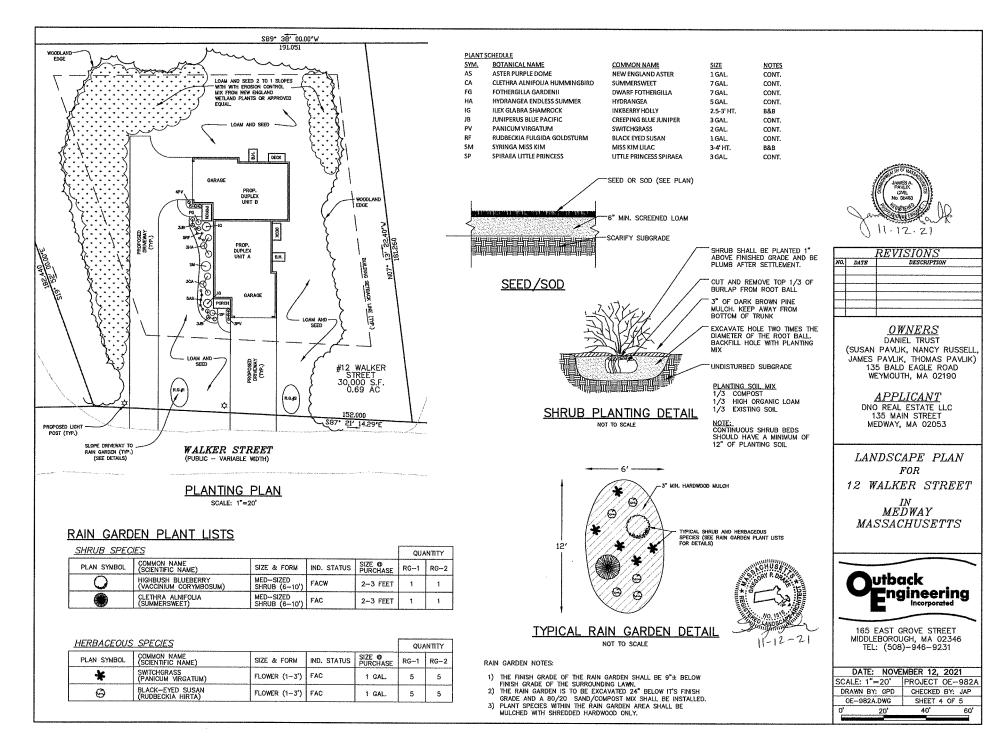
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#### LANDSCAPE AND SEEDING NOTES

- A COMPLETE LIST OF PLANTS INCLUDING A SCHEDULE OF QUANTITIES, SIZES, TYPES AND NAMES HAVE BEEN INCLUDED IN THIS PLAN SET. IN THE EVENT OF DISCREPANCIES BETWEEN QUANTITIES OF PLANTS ON THE PLANT LIST VERSUS THE PLAN THE PLAN SHALL GOVERN. THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT IF THERE ARE ANY DISCREPANCIES.
- THE LANDSCAPE CONTRACTOR SHALL PROVIDE A CERTIFIED SOIL NUTRIENT TEST PRIOR TO INSTALLATION TO DETERMINE WHAT SOIL AMENDMENTS ARE NEEDED TO PROVIDE OPTIMUM GROWING CONDITIONS FOR SEEDING AND PLANTING. CONTRACTOR SHALL USE THE UNIVERSITY OF MASSACHUSETTS SOIL TESTING LAB OR AN APPROVED EQUAL. 2.

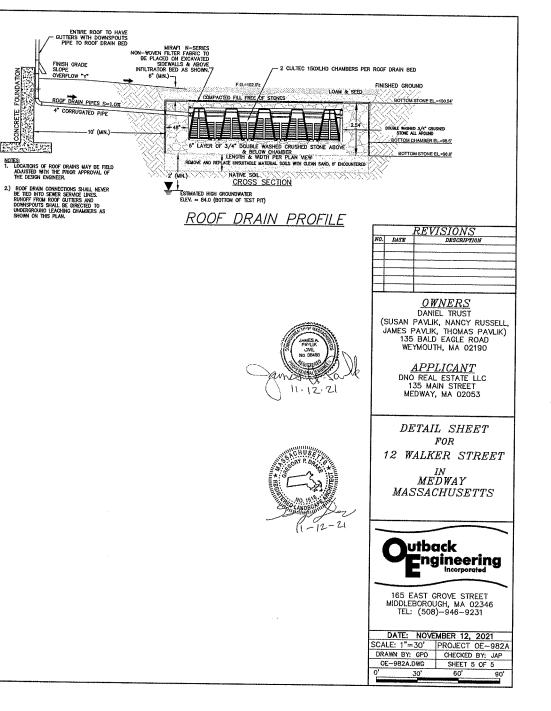
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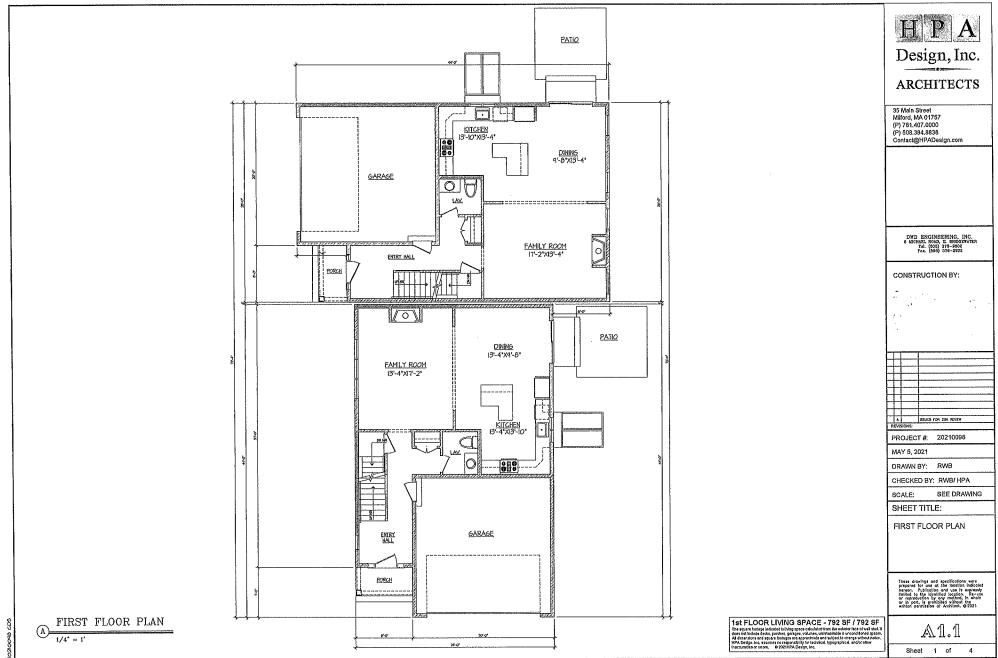
- ACCEPTABLE TOPSOIL SHALL BE FERTILE, FRIABLE NATURAL LOAM, UNIFORM IN COMPOSITION, FREE OF STONES, LIMBS, PLANTS AND THEIR ROOTS AND OTHER EXTRANEOUS MATTER OVER ONE INCH IN DIAMETER. THE SOIL SHALL BE CAPABLE OF PLANT GROWTH AND HAVE A MINIMUM ORGANIC CONTENT OF 4%. 3.
- NO PLANT SUBSTITUTIONS SHALL BE MADE WITHOUT WRITTEN APPROVAL FROM THE LANDSCAPE ARCHITECT OR 5.
- PLANT BEDS ARE TO BE MULCHED WITH DOUBLE SHREDDED PINE BARK. TREES AND SHRUBS ARE TO RECEIVE 6. A EVEN 3" LAYER. GROUNDCOVERS, PERENNIALS AND ANNUALS SHALL AN EVEN 2" LAYER.
- LAWN AREAS TO BE SEEDED WITH SUN/SHADE SEED WITH 34% PERENNIAL RYEGRASS, 33% FINE FESCUE AND 33% KENTUCKY BLUEGRASS MIXTURE OR AN APPROVED EQUAL. GRASS SEED SHALL APPLIED AT A RATE OF SLES PER 1,000 SQUARE FEET. 7.
- ALL DISTURBED AREAS SHALL BE LOAMED AND SEEDED UNLESS OTHERWISE STATED ON THE PLAN AND 8. BLENDED INTO THE EXISTING GRADE AND CONDITIONS.
- 9. SEE LANDSCAPE DETAIL SHEET FOR MORE INFORMATION ON PLANTING AND SEEDING REQUIREMENTS.

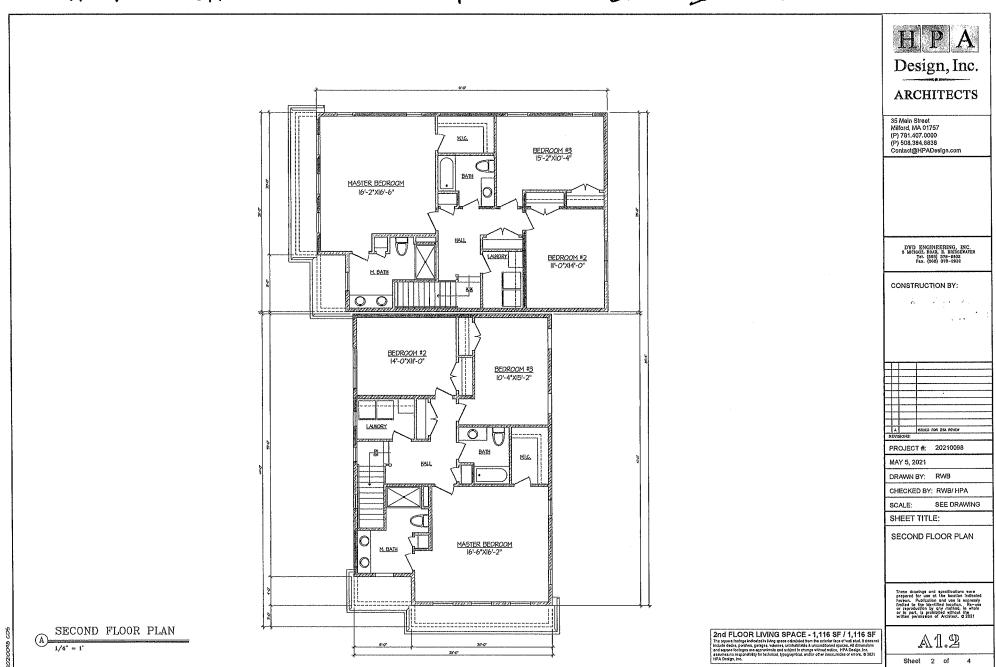
### LANDSCAPE MAINTENANCE NOTES

- MAINTENANCE OF PLANT MATERIAL SHALL BEGIN IMMEDIATELY AFTER EACH PLANT IS PLANTED AND SHALL 1. CONTINUE UNIT FINAL APPROVAL DALTS ARE TO KEPT IN HEALTHY, ROWING CONDITION BY WATERING, PRUNING, SPRAYING, WEEDING AND ANY OTHER NECESSARY MAINTENANCE OPERATIONS, ALL PLANT BEDS ARE TO BE KEPT FREE OF WEEDS, GRASS AND OTHER UNDESIRABLE VEGETATION.
- PLANTS SHALL BE WATERED THOROUGHLY UNTIL SOIL IS SATURATED AROUND EACH PLANT AFTER PLANTING AND THROUGHOUT THE MAINTENANCE AND GUARANTEE PERIOD UNTIL FINAL ACCEPTANCE. 2.
- SEEDED AREAS ARE TO BE WATERED LIGHTLY AND SUFFICIENTLY TO A DEPTH OF 2" INCHES TWICE A DAY UNTIL THE SEED HAS ESTABLISHED. ONCE ESTABLISHED CUT BACK WATERING TO ONCE A DAY OR LESS DEPENDING ON TIME OF YEAR AND RAINFALL. ESTABLISHED LAWN SHOULD RECEIVE AN EQUIVALENT OF 1" OF З.
- CONTRACTOR SHALL PROVIDE AT LEAST TWO MOWINGS BEFORE FINAL ACCEPTANCE. LAWN AREAS WILL RECEIVE FINAL APPROVAL IF THE COVERAGE IS FULL AND CONSISTENT AND FREE OF BARE SPOTS AND 4.
- THE CONTRACTOR SHALL GUARANTEE IN WRITING ALL PLANT MATERIAL AND LANDSCAPE IMPROVEMENTS FOR A PERIOD OF ONE YEAR AFTER FINAL APPROVAL. 5.
- ANY DEAD OR DYING PLANT MATERIAL SHALL BE REPLACED WITHIN 30 DAYS OF NOTIFICATION TO THE OWNER DURING THE GROWING SEASON, REPLACEMENTS MUST BE EQUAL IN SIZE AND TYPE PER THE PROJECTS PLANT LIST. IF THE IT HAS BEEN DETERMINED THE REPLACEMENT PLANT IS NOT SUITABLE TO THE LOCATION, WRITTEN NOTIFICATION WITH A RECOMMENDATION FOR A SUBSTITUTE SHALL BE PROVIDED TO THE OWNER AND LANDSCAPE ARCHITECT FOR APPROVAL. 6.
- THE LANDSCAPE CONTRACTOR SHALL PROVIDE THE OWNER WITH MAINTENANCE SPECIFICATIONS AND SCHEDULE FOR ANNUAL CARE FOR ALL PLANT MATERIAL AND LAWN AREAS. 7.
- HOMEOWNERS SHALL BE RESPONSIBLE FOR MAINTENANCE OF LANDSCAPE AMENITIES INCLUDING ROOF DRAINS 8. AND RAIN GARDENS



# \* when approved HPA will prepare the drawings for building department





\* When approved HPA will provide the drawings for building department

