

Notice of Public Hearing - Town of Hamilton Zoning Board of Appeals

A Public Hearing will be held on Wednesday, August 7, 2024, at the H-W Library, 14 Union Street, & via Zoom, & will commence at 7:00 PM. The application is for the property located at 24 Orchard Road, Assessor's Map 57, Lot 24, in the R1A Zoning District, owned by Chris O'Shea & Lindsay O'Grady. Applicants are seeking a Finding under Zoning Bylaw Section 5.3.4.5 for dimensional relief from side yard set-back requirements. A copy of the complete application is available for review in the Building Department during the regular hours of operation of the Town Hall at 299 R Bay Road.

Bruce Gingrich, Chair



TOWN OF HAMILTON
ZONING BOARD OF APPEALS

REQUEST FOR FINDINGS OF FACT
EXTENSION OR ALTERATION OF A NON-CONFORMING USE

Date Submitted: _____

Applicant Name: Chris O'Shea

Non-Conforming Property Located at: 24 Orchard Rd. S. Hamilton, MA 01982

Note the Existing Non-Conformity (check all that apply):

- Lot Size
- Front Yard Setback
- Side Yard Setback
- Rear Yard Setback
- Lot Coverage
- Property/Building Use
- Other: _____

Findings - Zonings Bylaw 5.3.4.5

Will the proposed extension or alteration meet current zoning requirements:

- Yes
- No: State non-compliance of extension/alteration

Not on left side. Proposed to be 12.5',
ZB requires 15'

Will the proposed extension or alteration further encroach on the existing non-conformity

- Yes: State further encroachment

No

Applicant shall state that the extension or alteration reflects the nature and purpose of the previous use (or) that the extension or alteration is no different in kind in its effect on the neighborhood as compared with the previous use, for the following reasons:

second story - first floor non-conforming
too - no other exterior construction

Applicant shall state that the extension or alteration will not be substantially more detrimental to the neighborhood than the existing non-conforming use or structure for the following reasons:

Signed: Chris O'Shea

Address: 24 Orchard Rd.
S. Hamilton, MA 01982

Phone: 978.766.4473

osheact10@gmail.com

TOWN OF HAMILTON
ZONING BOARD OF APPEALS

APPLICATION FOR ZONING BOARD OF APPEALS HEARING
To be completed by all Applicants

Date Submitted:

Applicant Name: Chris O'Shea Phone: 978.766.4473

Applicant Address: 24 Orchard Rd. S. Hamilton, MA 01902

Applicant respectfully petitions the Board of Appeal for the following:

That he/she is seeking (check all that apply):

- Variance: (State Type)
- Extension or Alteration of a Non-Conforming Use, Structure, or Lot - Findings
- Site Plan Review
- Abbreviated Site Plan Review
- Special Permit: (State Type)
- Appeal of Decision of the Building Inspector
- Conversion for Temporary Living Area
- Comprehensive Permit
- Other:

Address of Property if different from Applicant Address above:

Owner of property if different from Applicant noted above:

Note: If not the owner of the property, applicant must provide proof they are either the holder of a written option to purchase the property (or) verification they have authority to act on behalf of the owner of the property.

Zoning District: R1A
Existing Lot Size: 10,000 s.f. MAP 57- Lot 24

State Briefly what structures are on the property:

State in detail what the petitioner desires to do at said subject property:


Add 2nd story on existing dwellings

State whether any petition as to the said premises has been submitted to this Board within the last five years. If so, give details:

N/A

State if any Building Permit has been granted to said premises within the past two years. If yes, give details:

N/A

Signed: 
Address: 24 Orchard Rd.
S. Hamilton, MA 01902
Phone: 978.766.4473

APPLICATION CHECK SHEET
HAMILTON ZONING BOARD OF APPEALS

EXTENSION OR ALTERATION OF NON-CONFORMING USE

8 copies of all Materials. Refer to Instruction Sheet.
Section of the Zoning By-Law covering desired Board action(s)

Existing Non-Conformity – Check all that apply

- Lot size
- Lot coverage
- Side yard setback
- Front yard setback
- Rear yard setback
- Frontage
- Other. Specify. _____

Extension/Alteration of a single or 2-family residential structure is allowed as a matter of right if the extension or alteration meets either of the following:

- Existing structure is on a conforming lot but is non-conforming because it encroaches on a setback. The proposed alteration or extension will not change the setbacks that fail to conform. The entire structure meets all other requirements of the by-law.
- Existing structure is non-conforming solely because it is located on a lot which is non-conforming as to size and/or frontage as a result of a zoning change. Existing structure and alteration/extension meet all other current requirements of the zoning by-law (setbacks, height, lot coverage, etc).

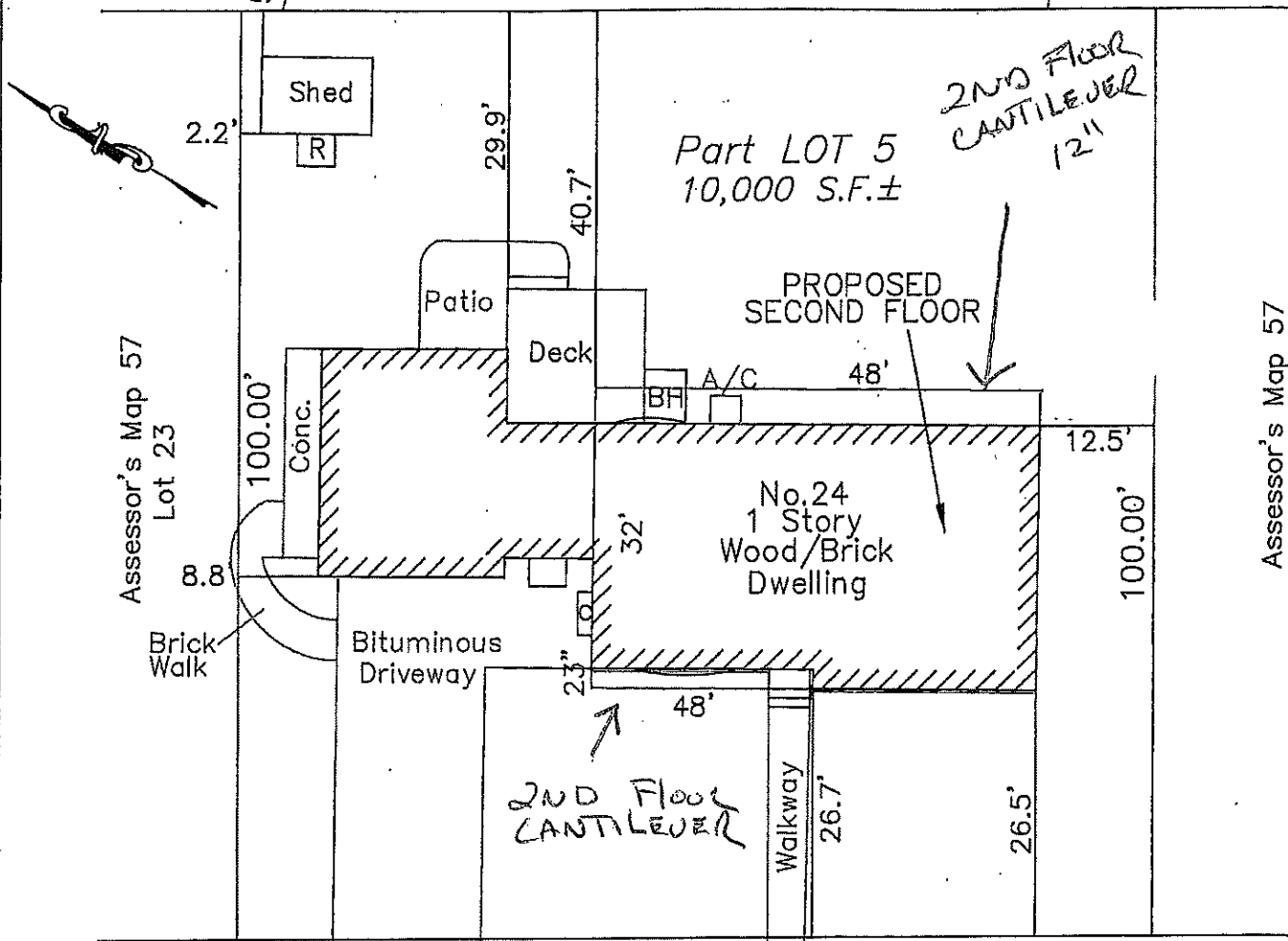
Visual Materials Required - Scaled drawings showing at a minimum the following

1. Site Plan: Include at a minimum:
 - Plan showing total parcel of land
 - Title block with Date
 - Scale
 - North Arrow
 - All property lot lines with dimensions
 - Area of parcel of land
 - All building locations with dimensions of structures and dimensions to lot lines
 - Location and use of all adjacent structures with dimensions to lot lines if applicant is seeking relief to construct within 20 feet of another building or if applicant is seeking to meet the average front yard setback requirements in lieu of the 25 foot setback.
 - Zoning District including Watershed Protection areas and Historic District areas. If property falls within more than one district, plan shall show all district lines.
 - Location of wetlands protected areas.
2. Exterior Elevations of the Building
3. Scaled floor plan of both new and existing structure

Assessor's Map 57
Lot 21

Assessor's Map 57
Lot 20

Assessor's Map 57
Lot 19



ORCHARD ROAD



PLOT PLAN OF LAND SOUTH HAMILTON, MA.

PREPARED FOR:

**CHRISTOPHER O'SHEA &
LINDSAY O'GRADY
24 ORCHARD ROAD**

SCALE: 1"=20' DATE: JUNE 6, 2024

**DAVID P. TEREZONI, P.L.S.
4 ALLEN ROAD, PEABODY, MA. 01960**

Zoning District: R1A
Deed Reference: Book 39419, Page 177
Assessor's Map 57, Lot 24
Proposed Lot Coverage = 25.3% ±



MASSACHUSETTS EXCISE TAX
Southern Essex District ROD
Date: 01/15/2021 02:41 PM
ID: 1421622 Doc# 20210115006520
Fee: \$2,667.60 Cons: \$585,000.00

Reserved for Registry Use

Quitclaim Deed

Barbara A. Raymond, Trustee of the 24 Orchard Road Realty Trust u/d/t dated November 8, 2014, pursuant to Trustee's Certificate recorded with the Essex South District Registry of Deeds in Book 33659, Page 143

For Consideration paid and in full consideration of Five Hundred Eighty-Five Thousand and 00/100 (\$585,000.00) Dollars

grant to Christopher T. O'Shea and Lindsay E. O'Grady, Husband and Wife, Tenants by the Entirety, now of 24 Orchard Road, Hamilton, Essex County, Massachusetts

with QUITCLAIM COVENANTS,

the land situated in Hamilton, Essex County, Massachusetts, having an address of 24 Orchard Road, with the buildings thereon, bounded and described as follows:

- SOUTHWESTERLY by Orchard Road, 100 feet;
- NORTHWESTERLY by the remainder of Lot #5, as shown on the plan hereinafter mentioned, 100 feet;
- NORTHEASTERLY by land now or formerly of Weis, 100 feet;
- SOUTHEASTERLY by Lot #6 on said plan, 100 feet.

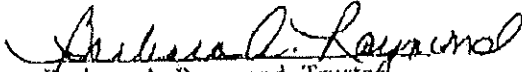
Being the greater part of Lot #5 on a plan recorded with the Essex South District Registry of Deeds at Plan Book 74, Plan 80.

Grantor hereby releases any and all rights of homestead in said premises and states under the pains and penalties of perjury that there are no other persons entitled to an estate of homestead in the premises being conveyed herein.

Meaning and intending to describe and convey the same premises conveyed to the within Grantor Trust by deed dated November 7, 2014 and recorded with said Registry in Book 33659, Page 145. Francis H. Perry died on September 9, 2020. Essex County probate docket #ES20P3040EA.

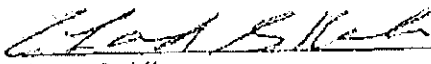
Property Address: 24 Orchard Road, Hamilton, MA

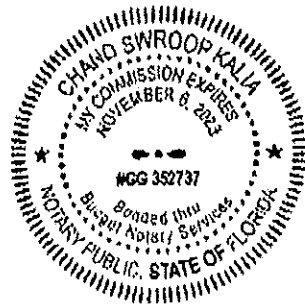
Executed as a sealed instrument this 14th day of January 2021.


Barbara A. Raymond, Trustee
24 Orchard Road Realty Trust

State of Florida

On this 14th day of January 2021, before me, the undersigned notary public, personally appeared **Barbara A. Raymond, as Trustee of the 24 Orchard Road Realty Trust**, proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License, to be the person whose name is signed on the preceding document, and acknowledged to me that she signed it voluntarily for its stated purpose as **trustee of the trust**.


Notary Public
My commission expires: 11-06-23



July 3, 2024

MAP 57 LOT 24

TOWN OF HAMILTON
Zoning Board of Appeals
CERTIFICATE OF PARTIES IN INTEREST

Pursuant to Massachusetts General Laws, Chapter 40A, Section 11, the undersigned Assessor of the Town of Hamilton, hereby certifies that the names and addresses appearing on the list appended hereto are those of the:

- (a) abutters 100'
- (b) owners of land directly opposite on any public or private street or way
- X (c) owners of land within 300' of the property line of the property at:

24 Orchard Road

So. Hamilton

Dated **July 3, 2024**

Prepared by Assessor's Office of the Town of Hamilton.

Jane Dooley
Assistant Assessor



300 feet Abutters List Report

Hamilton, MA
July 03, 2024

Subject Property:

Parcel Number: 57-0024
CAMA Number: 57-000-0024
Property Address: 24 ORCHARD RD

Mailing Address: O Shea Christopher T OGrady
Lindsay E
24 Orchard Rd
South Hamilton, MA 01982

Abutters:

Parcel Number: 49-0033
CAMA Number: 49-000-0033
Property Address: 14 BRIDGE ST

Mailing Address: SEARS Daniel H Robin D
14 Bridge St
South Hamilton, MA 01982

Parcel Number: 49-0034
CAMA Number: 49-000-0034
Property Address: 24 BRIDGE ST

Mailing Address: BYNUM SR Alton C Bynum Bridge
Street Realty Trt
24 Bridge St
Hamilton, MA 01982

Parcel Number: 49-0035
CAMA Number: 49-000-0035
Property Address: 30 BRIDGE ST

Mailing Address: 30 BRIDGE ST REALTY TRUST
KLOSOWSKI Heather
142 Brave Boat Harbor Rd
Kittery Point, ME 03905

Parcel Number: 49-0036
CAMA Number: 49-000-0036
Property Address: 13 BRIDGE ST

Mailing Address: SABOURIN Justin P Megan M
13 Bridge St
South Hamilton, MA 01982

Parcel Number: 49-0037
CAMA Number: 49-000-0037
Property Address: 545 BAY RD

Mailing Address: INSTITUTION FOR SAVINGS NWBRYP
93 State Street
Newburyport, MA 01950

Parcel Number: 49-0039
CAMA Number: 49-000-0039
Property Address: 10 ORCHARD RD

Mailing Address: TODD Matthew P TE Todd Kristin A
TE
10 Orchard Rd
South Hamilton, MA 01982

Parcel Number: 57-0016
CAMA Number: 57-000-0016
Property Address: 47 BRIDGE ST

Mailing Address: RYAN Jonathan M Amy B TE
47 Bridge St
South Hamilton, MA 01982

Parcel Number: 57-0017
CAMA Number: 57-000-0017
Property Address: 43 BRIDGE ST

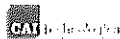
Mailing Address: BAUN Max T.
43 Bridge St
South Hamilton, MA 01982

Parcel Number: 57-0018
CAMA Number: 57-000-0018
Property Address: 39 BRIDGE ST

Mailing Address: ALLEN Joseph A Bethany A
39 Bridge St
South Hamilton, MA 01982

Parcel Number: 57-0019
CAMA Number: 57-000-0019
Property Address: 33 BRIDGE ST

Mailing Address: PURINGTON Mary
33 Bridge St
South Hamilton, MA 01982



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7/3/2024

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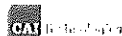
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300 feet Abutters List Report

Hamilton, MA
July 03, 2024

| | |
|---|--|
| Parcel Number: 57-0020 CAMA Number: 57-000-0020 Property Address: 29 BRIDGE ST | Mailing Address: PROVOST ADAM PROVOST KIMBERLY LYN 29 BRIDGE ST SOUTH HAMILTON, MA 01982 |
| Parcel Number: 57-0021 CAMA Number: 57-000-0021 Property Address: 25 BRIDGE ST | Mailing Address: ONEILL MICHAEL F JAYNE 25 BRIDGE ST SOUTH HAMILTON, MA 01982 |
| Parcel Number: 57-0022 CAMA Number: 57-000-0022 Property Address: 16 ORCHARD RD | Mailing Address: CONNOR NANCY L LT 16 ORCHARD RD SOUTH HAMILTON, MA 01982 |
| Parcel Number: 57-0023 CAMA Number: 57-000-0023 Property Address: 18 ORCHARD RD | Mailing Address: FOSTER THOMAS R MARY S 18 ORCHARD RD S HAMILTON, MA 01982 |
| Parcel Number: 57-0025 CAMA Number: 57-000-0025 Property Address: 30 ORCHARD RD | Mailing Address: MOYNIHAN KATHLEEN M 30 ORCHARD RD SOUTH HAMILTON, MA 01982 |
| Parcel Number: 57-0026 CAMA Number: 57-000-0026 Property Address: 36 ORCHARD RD | Mailing Address: CHARRON RICHARD N ELAYNE J PO BOX 2058 SOUTH HAMILTON, MA 01982 |
| Parcel Number: 57-0027 CAMA Number: 57-000-0027 Property Address: 40 ORCHARD RD | Mailing Address: MCKEE JEFFREY PAMELA 40 ORCHARD RD SOUTH HAMILTON, MA 01982 |
| Parcel Number: 57-0028 CAMA Number: 57-000-0028 Property Address: 2 PILGRIM RD | Mailing Address: TUCKEY CORINNA 2 PILGRIM RD SOUTH HAMILTON, MA 01982 |
| Parcel Number: 57-0029 CAMA Number: 57-000-0029 Property Address: 6 PILGRIM RD | Mailing Address: GRAVES KATHERINE 6 PILGRIM RD SOUTH HAMILTON, MA 01982 |
| Parcel Number: 57-0030 CAMA Number: 57-000-0030 Property Address: 9 PILGRIM RD | Mailing Address: THOMSON ELLIOT B 9 PILGRIM RD SOUTH HAMILTON, MA 01982 |
| Parcel Number: 57-0031 CAMA Number: 57-000-0031 Property Address: 31 ORCHARD RD | Mailing Address: GURDJIAN MICHAEL VANESSA M 31 ORCHARD RD SOUTH HAMILTON, MA 01982 |
| Parcel Number: 57-0032 CAMA Number: 57-000-0032 Property Address: 25 ORCHARD RD | Mailing Address: LAZARAKIS CHARLES W LAZARAKIS PAMELA B 25 ORCHARD RD SOUTH HAMILTON, MA 01982 |



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300 feet Abutters List Report

Hamilton, MA

July 03, 2024

Parcel Number: 57-0033
CAMA Number: 57-000-0033
Property Address: 19 ORCHARD RD

Mailing Address: BUTTS FREDERIC NOLAN KATHERINE
19 ORCHARD RD
SOUTH HAMILTON, MA 01982

Parcel Number: 57-0034
CAMA Number: 57-000-0034
Property Address: 13 ORCHARD RD

Mailing Address: DICIOCCIO FLAVIO DICIOCCIO
KATHLEEN M
13 ORCHARD RD
SOUTH HAMILTON, MA 01982

Parcel Number: 57-0035
CAMA Number: 57-000-0035
Property Address: 9 ORCHARD RD

Mailing Address: GALLINELLI ROBERT Y BETHANY
9 ORCHARD RD
SOUTH HAMILTON, MA 01982

Parcel Number: 57-0037
CAMA Number: 57-000-0037
Property Address: 525 BAY RD

Mailing Address: RENNICKS EDWARD J IV, INDIV
525 BAY RD
SOUTH HAMILTON, MA 01982

Parcel Number: 57-0038
CAMA Number: 57-000-0038
Property Address: 18 NORMAN RD

Mailing Address: MESERVE SCOTT DENISE
18 NORMAN RD
SOUTH HAMILTON, MA 01982

Parcel Number: 57-0039
CAMA Number: 57-000-0039
Property Address: 22 NORMAN RD

Mailing Address: PARSONS JILL A
22 NORMAN RD
SOUTH HAMILTON, MA 01982

Parcel Number: 57-0040
CAMA Number: 57-000-0040
Property Address: 28 NORMAN RD

Mailing Address: WALKER JOHN WHISTLER KATHERINE
28 NORMAN RD
SOUTH HAMILTON, MA 01982

Parcel Number: 57-0041
CAMA Number: 57-000-0041
Property Address: 32 NORMAN RD

Mailing Address: SMITH-VAUGHAN MICHAEL SMITH-
VAUGHAN ASHLEY
32 NORMAN RD
SOUTH HAMILTON, MA 01982

Parcel Number: 57-0042
CAMA Number: 57-000-0042
Property Address: 36 NORMAN RD

Mailing Address: WATSON JEFFREY B VIRGINIA C
36 NORMAN RD
SOUTH HAMILTON, MA 01982

Parcel Number: 57-0043
CAMA Number: 57-000-0043
Property Address: 12 PILGRIM RD

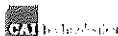
Mailing Address: YU AND ZHANG TRUST JIAN YU &
AIHUA ZHANG TRUSTEES
12 PILGRIM RD
SOUTH HAMILTON, MA 01982

Parcel Number: 57-0045
CAMA Number: 57-000-0045
Property Address: 33 NORMAN RD

Mailing Address: KING DENISE MARY
33 NORMAN RD
SOUTH HAMILTON, MA 01982

Parcel Number: 57-0046
CAMA Number: 57-000-0046
Property Address: 29 NORMAN RD

Mailing Address: CLARK SUZANNE K JT BAUGHN JASON
JT
29 NORMAN RD
SOUTH HAMILTON, MA 01982



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7/3/2024

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300 feet Abutters List Report

Hamilton, MA

July 03, 2024

Parcel Number: 57-0047
CAMA Number: 57-000-0047
Property Address: 23 NORMAN RD

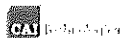
Mailing Address: BRONK KARL R VELDE LINDA
23 NORMAN RD
SOUTH HAMILTON, MA 01982

Parcel Number: 57-0125
CAMA Number: 57-000-0125
Property Address: 36 BRIDGE ST

Mailing Address: PYNE, MARK E
118 PARK ST
BEVERLY, MA 01915

Parcel Number: 57-0126
CAMA Number: 57-000-0126
Property Address: 52 BRIDGE ST

Mailing Address: RAMANIS IRISA RAMANIS KRISTA INA
52 BRIDGE ST
SOUTH HAMILTON, MA 01982



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Abutters List Report - Hamilton, MA

30 BRIDGE ST REALTY TRUST
KLOSOWSKI HEATHER
142 BRAVE BOAT HARBOR RD
KITTERY POINT, ME 03905

FOSTER THOMAS R
MARY S
18 ORCHARD RD
S HAMILTON, MA 01982

ONEILL MICHAEL F
JAYNE
25 BRIDGE ST
SOUTH HAMILTON, MA 01982

ALLEN JOSEPH A
BETHANY A
39 BRIDGE ST
SOUTH HAMILTON, MA 01982

GALLINELLI ROBERT Y
BETHANY
9 ORCHARD RD
SOUTH HAMILTON, MA 01982

PARSONS JILL A
22 NORMAN RD
SOUTH HAMILTON, MA 01982

BAUN MAX T.
43 BRIDGE ST
SOUTH HAMILTON, MA 01982

GRAVES KATHERINE
6 PILGRIM RD
SOUTH HAMILTON, MA 01982

PROVOST ADAM
PROVOST KIMBERLY LYN
29 BRIDGE ST
SOUTH HAMILTON, MA 01982

BRONK KARL R
VELDE LINDA
23 NORMAN RD
SOUTH HAMILTON, MA 01982

GURDJIAN MICHAEL
VANESSA M
31 ORCHARD RD
SOUTH HAMILTON, MA 01982

PURINGTON MARY
33 BRIDGE ST
SOUTH HAMILTON, MA 01982

BUTTS FREDERIC
NOLAN KATHERINE
19 ORCHARD RD
SOUTH HAMILTON, MA 01982

INSTITUTION FOR SAVINGS N
93 STATE STREET
NEWBURYPORT, MA 01950

PYNE, MARK E
118 PARK ST
BEVERLY, MA 01915

BYNUM SR ALTON C
BYNUM BRIDGE STREET REALT
24 BRIDGE ST
HAMILTON, MA 01982

KING DENISE MARY
33 NORMAN RD
SOUTH HAMILTON, MA 01982

RAMANIS IRISA
RAMANIS KRISTA INA
52 BRIDGE ST
SOUTH HAMILTON, MA 01982

CHARRON RICHARD N
ELAYNE J
PO BOX 2058
SOUTH HAMILTON, MA 01982

LAZARAKIS CHARLES W
LAZARAKIS PAMELA B
25 ORCHARD RD
SOUTH HAMILTON, MA 01982

RENNICKS EDWARD J IV, IND
525 BAY RD
SOUTH HAMILTON, MA 01982

CLARK SUZANNE K JT
BAUGHN JASON JT
29 NORMAN RD
SOUTH HAMILTON, MA 01982

MCKEE JEFFREY
PAMELA
40 ORCHARD RD
SOUTH HAMILTON, MA 01982

RYAN JONATHAN M
AMY B TE
47 BRIDGE ST
SOUTH HAMILTON, MA 01982

CONNOR NANCY L LT
16 ORCHARD RD
SOUTH HAMILTON, MA 01982

MESERVE SCOTT
DENISE
18 NORMAN RD
SOUTH HAMILTON, MA 01982

SABOURIN JUSTIN P
MEGAN M
13 BRIDGE ST
SOUTH HAMILTON, MA 01982

DICIOCCIO FLAVIO
DICIOCCIO KATHLEEN M
13 ORCHARD RD
SOUTH HAMILTON, MA 01982

MOYNIHAN KATHLEEN M
30 ORCHARD RD
SOUTH HAMILTON, MA 01982

SEARS DANIEL H
ROBIN D
14 BRIDGE ST
SOUTH HAMILTON, MA 01982

SMITH-VAUGHAN MICHAEL
SMITH-VAUGHAN ASHLEY
32 NORMAN RD
SOUTH HAMILTON, MA 01982

THOMSON ELLIOT B
9 PILGRIM RD
SOUTH HAMILTON, MA 01982

TODD MATTHEW P TE
TODD KRISTIN A TE
10 ORCHARD RD
SOUTH HAMILTON, MA 01982

TUCKEY CORINNA
2 PILGRIM RD
SOUTH HAMILTON, MA 01982

WALKER JOHN
WHISTLER KATHERINE
28 NORMAN RD
SOUTH HAMILTON, MA 01982

WATSON JEFFREY B
VIRGINIA C
36 NORMAN RD
SOUTH HAMILTON, MA 01982

YU AND ZHANG TRUST
JIAN YU & AIHUA ZHANG TRU
12 PILGRIM RD
SOUTH HAMILTON, MA 01982