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

A Public Hearing will be held on Wednesday, March 6, 2024, at 577 Bay Road, Hamilton, MA, Town Hall, Memorial Room, & via Zoom, to commence at 7:00 PM. The application is for the property owned by Brian & Jessica Doherty, for the property located at 2 Beech Street, Assessor's Map 66, Lot 03. Applicants are seeking a Finding under Zoning Bylaw Section 5.3.4.5 for dimensional relief in order to reconstruct and extend a front porch and side stairs, and extend front roof, on a non-conforming lot and non-conforming structure. 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

APPLICATION FOR ZONING BOARD OF APPEALS HEARING

To be completed by all Applicants

Date Submitted: February 16, 2024

Applicant Name: : Jessica Doherty and Brian Doherty, Deed dated December 28, 2022, recorded at ESRD a Book 41389, Page 152. Attached as Exhibit A.
Applicant Address: 114 Lothrop Street, Beverly, MA Phone: 508-596-1252 and 781-948-8719
Applicant respectfully petitions the Board of Appeal for the following: That he/she is seeking (check all that apply):
<ul> <li>□ Variance: (State Type)</li> <li>X Extension or Alteration of a Non-Conforming Use, Structure, or Lot</li> <li>□ Site Plan Review</li> </ul>
☐ Abbreviated Site Plan Review
<ul> <li>□ Special Permit: (State Type)</li> <li>□ Appeal of Decision of the Building Inspector</li> </ul>
☐ Conversion for Temporary Living Area ☐ Comprehensive Permit
Other:
Address of Property if different from Applicant Address above: 2 Beech Street, Hamilton, MA
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: R-1A Existing Lot Size: 2 Beech Street is 4,320 square feet (.106 acres) lot shaped like a Trapezoid. 2 Beech Street is Lot 24 on the "Lake View Park" subdivision approved and recorded in 1931 with ESRD at Plan Book 60/39.
State Briefly what structures are on the property: Single Family Ranch Style home built in 1940 and accessory structure (shed)
State in detail what the petitioner desires to do at said subject property: Petitioner is updating and renovating the existing structure, including but not limited to, the roof and side deck and stairs and the front deck and stairs. Architectural Plans will be available for Board review. Petitioner is represented by Architect, Craig Bosworth, Engineer Meridian Associates and Attorney Wm. Heney. The Petitioner has been working with Hamilton Conservation Committee and on February 14, 2024 the Conservation Committee issued a Negative Determination of Applicability for the front and side steps as well as the generator. There are 3 standard conditions, control invasives, add more erosion controls around side steps, and prevent fuel spills or leaks from any construction vehicles
State whether any petition as to the said premises has been submitted to this Board within the last five years. If so, give details: NONE
State if any Building Permit has been granted to said premises within the past two years. If yes, give details: Yes, permit to replace and repair roof.
Signed: Dohn And Brian Dohn by By Wm. Heney, Attorney for Jessiea Doherty and Brian Doherty Heney and Associates, LLC

86 Dodge Street Beverly MA 01915

978-921-1050



## TOWN OF HAMILTON ZONING BOARD OF APPEALS

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

Date Submitted: February 16, 2024 Applicant Name: : Jessica Doherty and Brian Doherty, Deed dated December 28, 2022, recorded at ESRD at Book 41389, Page 152. Attached as Exhibit A. Non-Conforming Property Located at: 2 Beech Street, Hamilton, MA Note the Existing Non-Conformity (check all that apply): □ Lot Size X Front Yard Setback X Side Yard Setback □ Rear Yard Setback ☐ Lot Coverage □ Property/Building Use □ Other: \_\_\_\_\_ Will the proposed extension or alteration meet current zoning requirements: □ Yes xNo: State non-compliance of extension/alteration minor impacts on front yard setback Zone R-1A, minimum Front Yard setback and Side Yard set back. Will the proposed extension or alteration further encroach on the existing non-conformity X Yes: State further encroachment Front Yard set back Required 25 ft Existing 11.9 ft, Proposed 10.7 ft (deck) Front Yard Setback Required 25 ft, Existing 19.7, Proposed 15.7 (roof overhang front left and front right) Side Yard Setback Required 15ft, Existing 1.3, Proposed 1.0 (side deck and stairs) □ 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:

The use is not changing. The home will be in keeping with other homes in the neighborhood, smaller than most. The proposed improvements are minimal, commensurate with the neighborhood. The proposed renovation is respectful of the neighborhood and environment considering that as a matter of right the applicant could put on a second story impacting light and views of Chebacco Lake. The renovation is tasteful and necessary to bring a 1940s ranch style home more current. The impact on the proposed setbacks are so minimal that they will be indistinguishable visually from the current setbacks.

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:

The alteration will be an overall improvement with a positive impact on neighborhood aesthetics, safety and real estate values. Additional benefits of the project are site plan review by the Hamilton Conservation Commission, code compliance, a generator, safer entrance/exits and the overhang will provide for roof

runoff with minimal impact on environmentally sensitive areas. The overall renovation will provide a nicer visual appearance for neighbors travelling on Beech Street or down the Association path to Chebacco Lake.

Signed:	1	1	for Tessea Dohel	and Bran Dolyly
By Wm. Heney, Attorney for	Jes	ica	Doherty and Brian Doherty	~
Heney and Associates, LLC				

86 Dodge Street Beverly MA 01915

978-921-1050



SO ESSEX #209 Bk:41389 Pg:152 01/06/2023 01:30 PM DEED Pg 1/3 eRecorded

MASSACHUSETTS EXCISE TAX Southern Essex District ROD Date: 01/106/2023 01/30 PM ID: 1561355 Doc# 20230106002090 Fee: \$2,850.00 Cons: \$625,000.00

# OUITCLAIM DEED

I, DENISE E. KELLY, an unmarried woman of Hamilton, Massachusetts for consideration paid and in full consideration of SIX HUNDRED TWENTY-FIVE THOUSAND and 00/100 DOLLARS (\$625,000.00), grant to BRIAN DOHERTY AND JESSICA DOHERTY, husband and wife, as tenants by the entirety, of 114 Lothrop Street, Beverly, Massachusetts,

with QUITCLAIM COVENANTS

the land in Hamilton, known as 2 Beech Street (formerly Lakeview Avenue) bounded and described as follows:

NORTHERLY

by the "Reservation" shown on a plan hereinafter

referred to, seventy-seven and five tenths (77.5) feet;

EASTERLY

by Chebacco Lake, fifty-two (52) feet;

SOUTHERLY

by Lot No. 25 on said plan, about one hundred fourteen

(114) feet; and

NORTHWESTERLY

by Lot 23 on said plan, now or formerly owned by Smith,

fifty (50) feet.

Being Lot No. 24 on plan of "Lake View Park" made by Thomas A. Appleton, C.E., dated July 28, 1931 and recorded with Essex South District Registry of Deeds in Plan Book 60, Plan 39, together with the right to use in common with others for all purposes for which public ways may be used said "Reservation" and Beech Street (formerly Lakeview Avenue) adjoining and Camp Road shown on said plan and to and over and upon the existing way over and upon land formerly of Knowlton now or late of the Lake Shore Realty Co., to the public way known as Essex Street, but subject to the right of others entitled thereto to use for like purposes the way over the granted premises shown on said plan.

Subject to and together with all easements, restrictions and conditions of record insofar as the same may now be in force and applicable including an easement to Essex County Electric Co. and New England Telephone & Telegraph Co. dated August 26, 1955 and recorded with Essex South Registry of Deeds in Book 4220, Page 387.

The Grantor hereby releases any and all rights of Homestead she may have in the premises being conveyed herein and further states under the penalties of perjury that no current or former spouse, civil partner or third party is entitled to claim the benefit of any estate of homestead in and to the property being conveyed hereunder.

Meaning and intending to convey the same premises conveyed to Grantor by deed dated July 27, 2012 and recorded with the Essex South District Registry of Deeds in Book 31560, Page 95.

# DOHERTY RESIDENCE

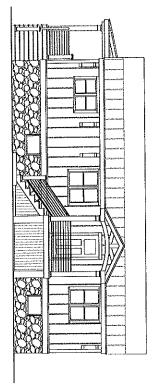
2 BEECH STREET HAMILTON, MA 01982



PREPARED BY:

BOSWORTH ARCHITECT L.L.C.

78 FRONT STREET MARBLEHEAD, MA 01945



# LIST OF DRAWINGS

# ARCHITECTURAL

COVER SHEET

EX1 EXISTING FLOOR PLANS
EX2 EXISTING EXTERIOR ELEVATIONS

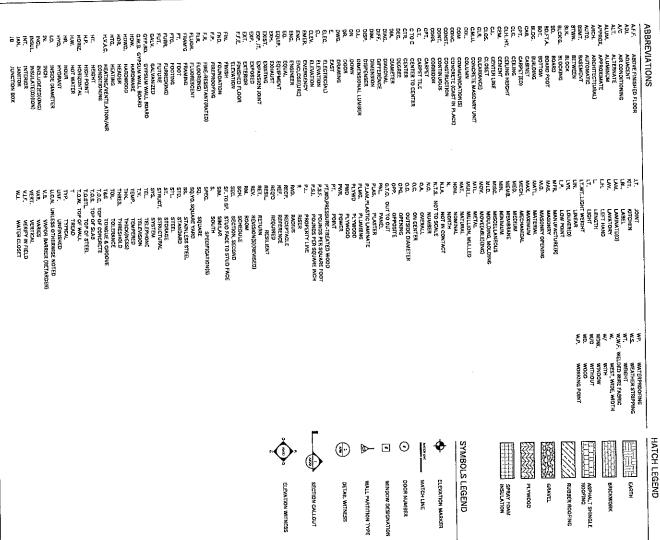
A100 PROPOSED FLOOR PLANS, DOOR & WINDOW SCHEDULE A200 PROPOSED EXTERIOR ELEVATIONS A300 BULDING SECTION A A301 PORCH SECTIONS B & C

ST FORCH SECTIONS DEC

S1 FRAMING PLANS
S2 GENERAL NOTES AND STRUCTURAL SECTIONS

E100 ELECTRICAL LAYOUT

DATE: NOVEMBER 1, 2023



EXISTING CONCRETE MASONRY UNIT ICE & WATER BARRIER

COMPOSITE MATERIAL CEDAR SHINGLE SIDING

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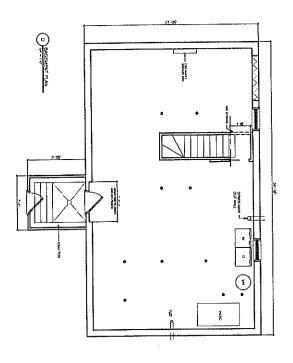
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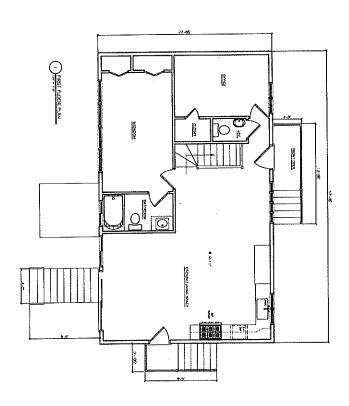
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EXISTING FLOOR PLANS

Scale: 1/4" = 1'-8"

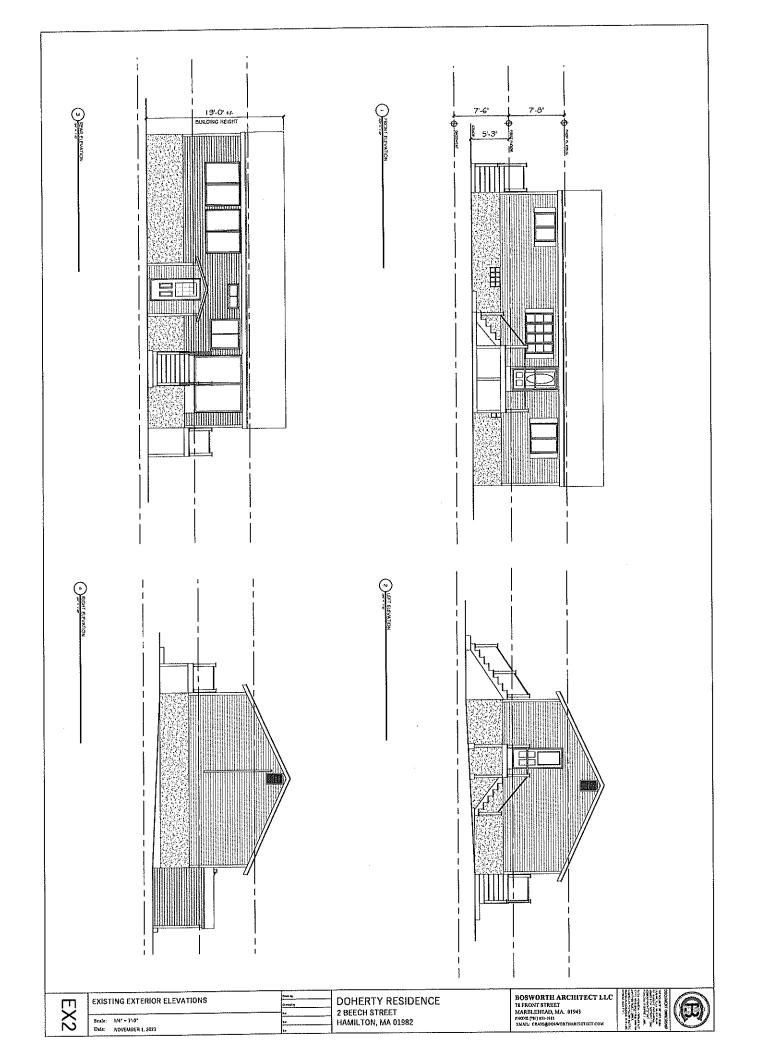
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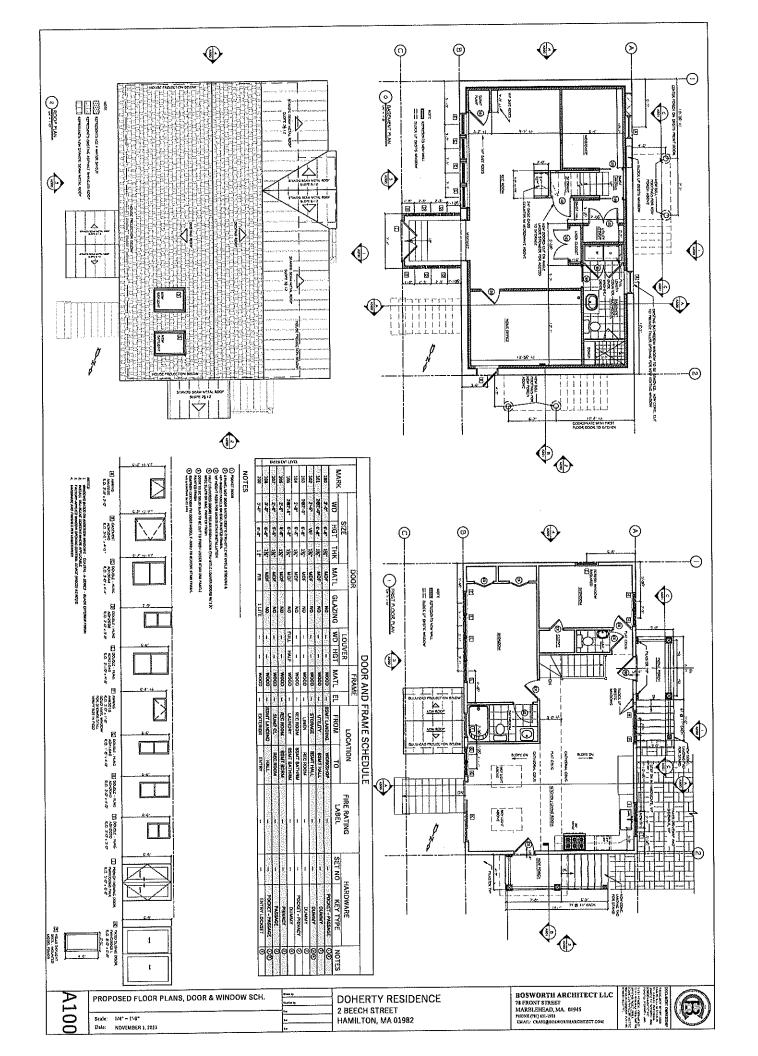
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2 BEECH STREET
HAMILTON, MA 01982

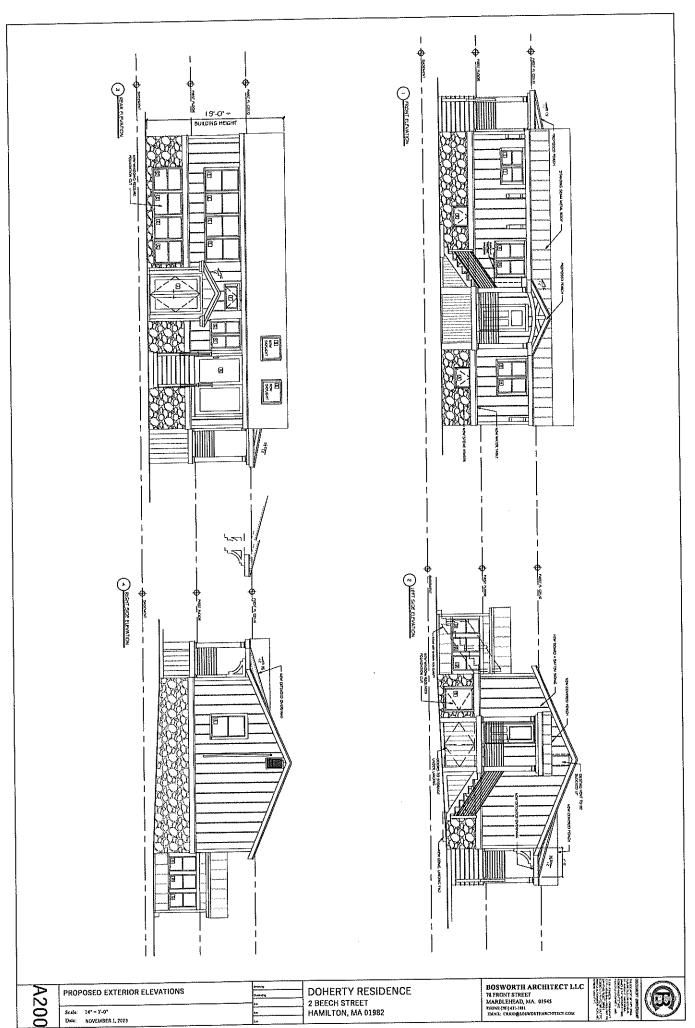
BOSWORTH ARCHITECT LLC
74 FRONT STREET
MARRICHEAD, MA. 01945
HINDE (71) 03-381
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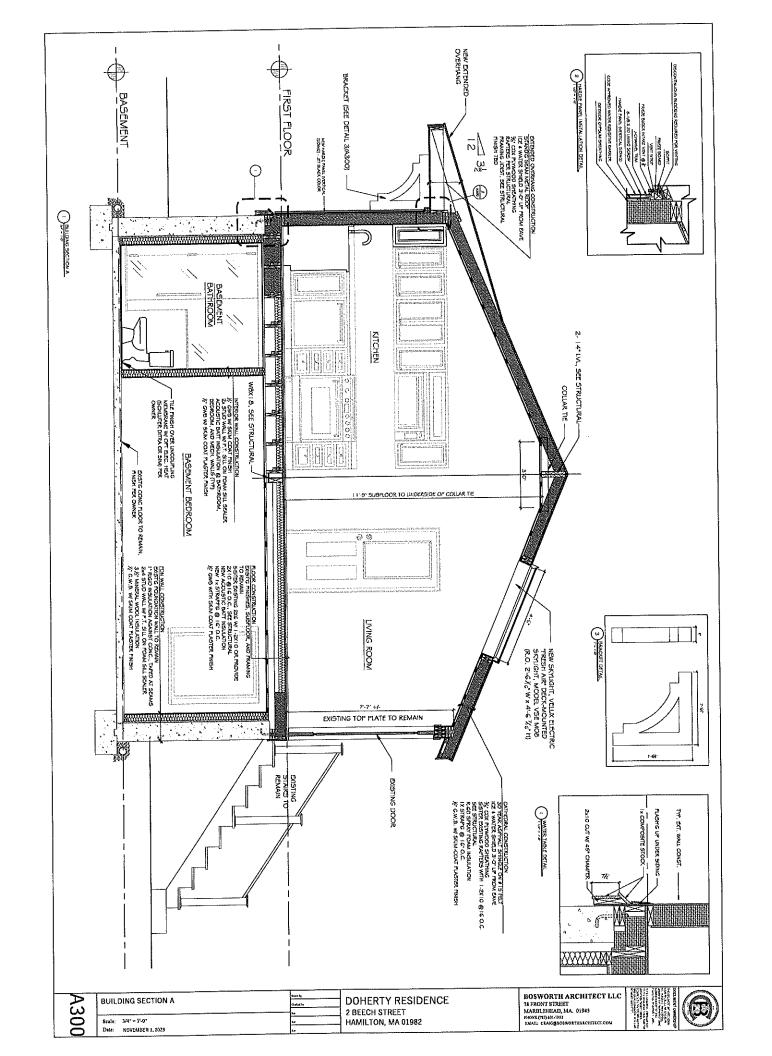


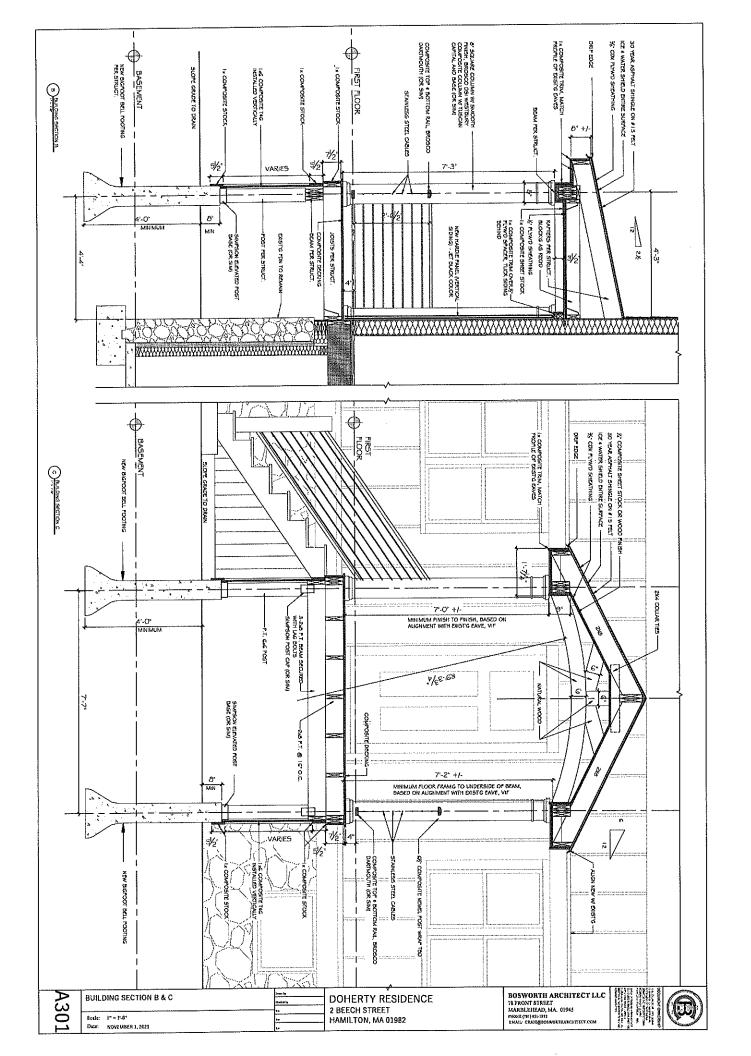


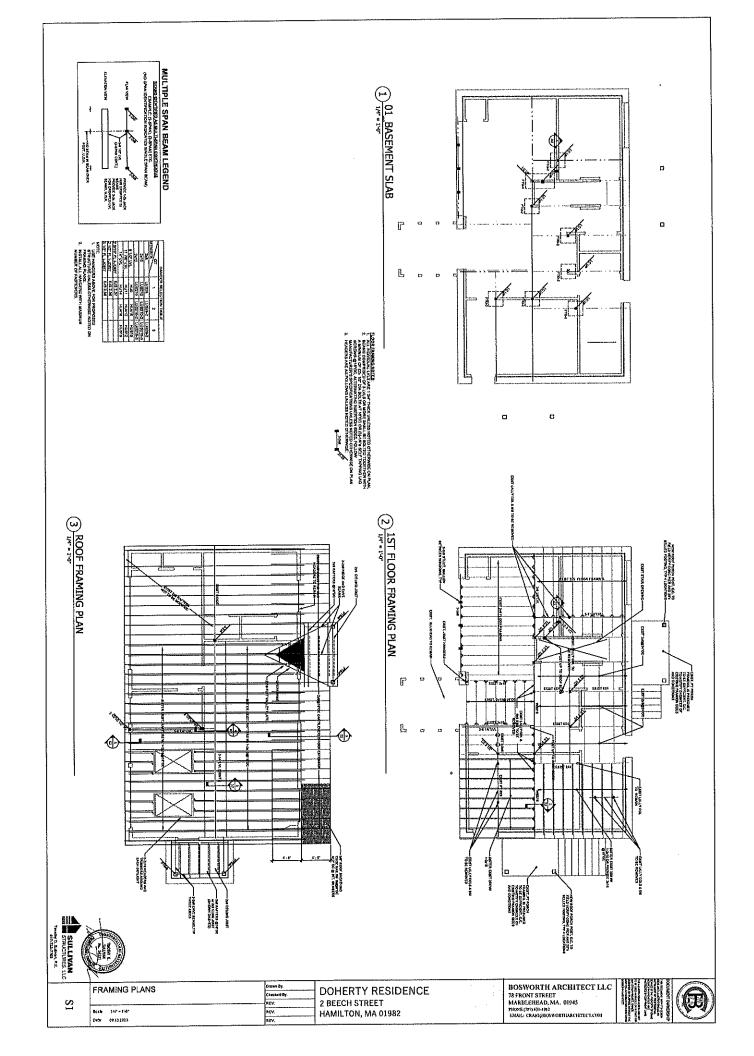


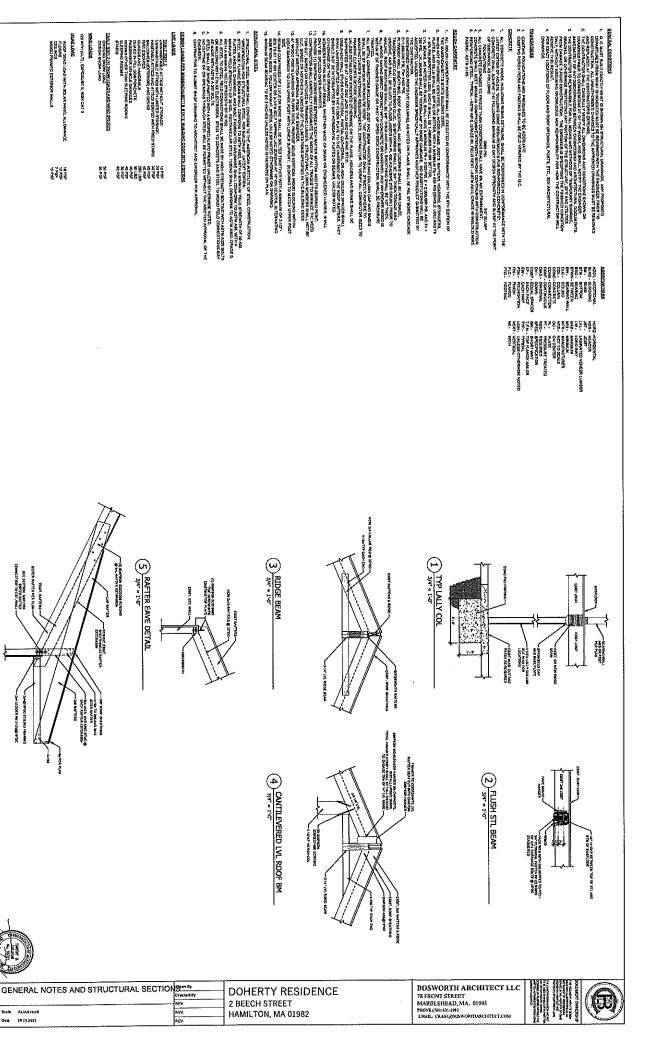






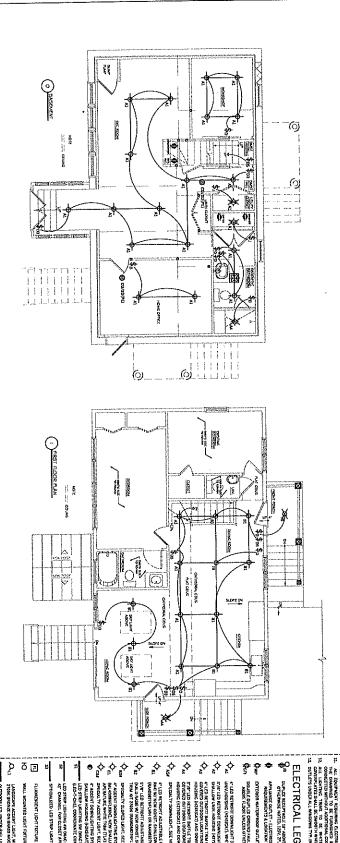






STRUCTURES, LLC

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# **ELECTRICAL NOTES**

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# ELECTRICAL LEGEND

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ELECTRICAL LAYOUT BASEMENT & FIRST FLOOR PLANS

DOHERTY RESIDENCE 2 BEECH STREET HAMILTON, MA 01982

BOSWORTH ARCHITECT LLC 78 FRONT STREET MARDLEHEAD, MA. 01945 FRONT (711) 01-1321 LMAIL CRANGE BOSMORTHARCHITECT COM



# **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
- owners of land within 300' of the property line of the property at: Х (c)

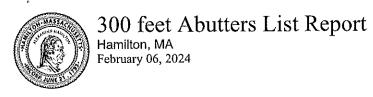
# 2 Beech St

So. Hamilton

Dated February 7, 2024

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

Jane Dooley **Assistant Assessor** 



### Subject Property:

Parcel Number:

66-0003

CAMA Number:

66-000-0003

Property Address: 2 BEECH ST

Mailing Address: DOHERTY BRIAN DOHERTY JESSICA

2 BEECH ST

SOUTH HAMILTON, MA 01982

Abutters:

Parcel Number: CAMA Number:

66-0001

66-000-0001

Property Address: 24 BEECH ST EXT

Parcel Number: CAMA Number: 66-0002 66-000-0002

Property Address: 37 BEECH ST EXT

Parcel Number:

66-0004

CAMA Number: Property Address:

66-000-0004 16 BEECH ST

Parcel Number:

66-0005

CAMA Number:

66-000-0005 Property Address: 38 BEECH ST

Parcel Number:

66-0127

CAMA Number:

66-000-0127

Property Address: 77 LAKE SHORE AV

Parcel Number:

66-0128 CAMA Number: 66-000-0128

Property Address: 75 LAKE SHORE AV

Parcel Number:

66-0129 66-000-0129

CAMA Number:

Property Address: 73 LAKE SHORE AV

Parcel Number:

66-0130

CAMA Number:

66-000-0130

Property Address: 1 BEECH ST

Parcel Number:

66-0131

CAMA Number: Property Address: 21 BEECH ST

66-000-0131

Parcel Number: CAMA Number:

2/6/2024

66-0132 66-000-0132

Property Address: 0 LAKE SHORE AV

Mailing Address: JODOIN MICHAEL E TANJA L

24 BEECH ST EXT

SOUTH HAMILTON, MA 01982

Mailing Address: VACCARI PATRICIA A BISAILLON

**DENISE A** 

37 BEECH ST EXT

SOUTH HAMILTON, MA 01982 POLISSON GEORGE KELLY Mailing Address:

16 BEECH ST

SOUTH HAMILTON, MA 01982

Mailing Address: LESTIENNE CAROLE A

38 BEECH ST

SOUTH HAMILTON, MA 01982

Mailing Address: DONOVAN CHARLES P SANDRA M TE

77 LAKE SHORE AV

SOUTH HAMILTON, MA 01982

Mailing Address: KELLY DENISE E

75 LAKE SHORE AV

HAMILTON, MA 01982

Mailing Address: LASH DAVID STEVENS LYNN B TE

73 LAKE SHORE AV

SOUTH HAMILTON, MA 01982

Mailing Address: LAING SHEILA MCDOWELL

1 BEECH ST

SOUTH HAMILTON, MA 01982

Mailing Address: CHEBACCO PARK LLC

73 LAKE SHORE AVE

SOUTH HAMILTON, MA 01982

Mailing Address: CHEBACCO PARK LLC

73 LAKE SHORE AVE

SOUTH HAMILTON, MA 01982



20 BEECH STREET LLC 100 CONIFER HILL DRIVE #512 DANVERS, MA 01923

ALPERS MOSES C/O JOHN BIANCHI 16 BIRCH RD WENHAM, MA 01984

AUEN ROBERT A 22 BEECH ST EXT SOUTH HAMILTON, MA 01982

CHEBACCO PARK LLC 73 LAKE SHORE AVE SOUTH HAMILTON, MA 01982

DONOVAN CHARLES P SANDRA M TE 77 LAKE SHORE AV SOUTH HAMILTON, MA 01982

JODOIN MICHAEL E TANJA L 24 BEECH ST EXT SOUTH HAMILTON, MA 01982

KELLY DENISE E 75 LAKE SHORE AV HAMILTON, MA 01982

LAING SHEILA MCDOWELL 1 BEECH ST SOUTH HAMILTON, MA 01982

LASH DAVID STEVENS LYNN B TE 73 LAKE SHORE AV SOUTH HAMILTON, MA 01982

LESTIENNE CAROLE A 38 BEECH ST SOUTH HAMILTON, MA 01982 MIMMO ERIC MIMMO ELIS 3 BEECH ST SOUTH HAMILTON, MA 01982

POLISSON GEORGE KELLY 16 BEECH ST SOUTH HAMILTON, MA 01982

POULO DAVID KENNEDY LOREN 86 VILLAGE LN SOUTH HAMILTON, MA 01982

REEVES BARBARA C 70 VILLAGE LN SOUTH HAMILTON, MA 01982

TRACEY B COCHRAN HUTCHINS HUTCHINSON TRACEY B COCH 8 KIMBALL AVENUE WENHAM, MA 01984

VACCARI PATRICIA A BISAILLON DENISE A 37 BEECH ST EXT SOUTH HAMILTON, MA 01982

# External Email Warning RE: IMPORTANT: 2 Beech Street

closings <closings@heneylaw.com>

Fri 2/16/2024 11:56 AM

To:Bill Heney <bill@heneylaw.com>
Cc:Mary Ellen Feener <permitting@hamiltonma.gov>

Mary Ellen Hope this helps.

# Your Future Notices

These notices have been paid for and will run in the next 30 days

Single of Bellein Branton - Them of securities and securities and

Ad Number: W01187690

Template:Generic Public Notice

February 21, 2024

The Salem News Public Notices:

February 28, 2024

The Salem News Public Notices:

- View Details
- Modify Notice
- Reschedule Notice
- Cancel Notice
- Reorder Notice

Order Number: **W0118769**Order Status: Submitted
Creation Date: 2/16/24 10:04

AM

Last Modified: 2/16/24 10:04

AM

By: heneylaw1

### Heney & Associates, LLC

86 Dodge Street, Route 1A North Beverly, MA 01915

Tel: 978-921-1050 / Fax: 978-921-7877

closings@heneylaw.com www.heneylaw.com

By communicating personal data via email, which is inherently not secure, with this Firm, Client knowingly waives any and all privacy rights—including but not limited to protections pursuant to M.G.L. Ch. 9H and 201 CMR 17.00—and agrees to hold Firm harmless for any use of Client's personal information. Should you wish to communicate through a more secure form of communication, please contact this Firm immediately.