

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

A Public Hearing will be held on Wednesday, September 4, 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 20 Rust Street, Assessor's Map 55, Lot 132A, in the R1A Zoning District, owned by Araz Havan. Applicant is seeking a Finding under Zoning Bylaw Section 5.3.4.5 for dimensional relief from side yard set-back requirements in order to demolish existing deck and build a 13' x 16' 6" one story addition. 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: 8-6-24

Applicant Name: ARAZ HAVAN Phone: 781 547 1242

Applicant Address: 20 RUST STREET

Applicant respectfully petitions the Board of Appeal for the following:

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

Section 5-3-4-5

- Variance: (State Type)
- Extension or Alteration of a Non-Conforming Use, Structure, or Lot
- 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: R-1A
Existing Lot Size: 6,755.4 SF

State Briefly what structures are on the property: HOUSE, GARAGE, STEED

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

REMOVE Rear Deck, BUILD 1 STORY ADDITION - 13'x16'-6"

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: AU

Address: 20RUST01982@GMAIL.COM

Phone: _____

R1A
MAP 55 -132A

\$ 75 paid
Check # 153
Rec. 8.6.24

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



TOWN OF HAMILTON
ZONING BOARD OF APPEALS

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

Date Submitted: 8-6-24

Applicant Name: ARAZ HAVAN

Non-Conforming Property Located at: 20 RUST ST.

Note the Existing Non-Conformity (check all that apply): SECTION 5-3.4.5

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

Will the proposed extension or alteration meet current zoning requirements:

- Yes
- No: State non-compliance of extension/alteration
THE NEW ADDITION WILL MAINTAIN
SET-BACK OF EXISTING DECK. 7.7'

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

- Yes: State further encroachment
- No will maintain current non-conformity
set-back.

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 ADDITION WILL ADD LIVING SPACE TO
EXISTING HOUSE (BATH, OFFICE, & MUDROOM).

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:

THIS WILL BE NOT MORE DETRIMENTAL TO
THE NEIGHBORHOOD.

Signed: [Signature]

Address: 20 RUST ST (OFF)

20RUST01982@GMAIL.COM

Phone: _____

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Bruce Gingrich, Chair

No Issues.

*Greg Bernard
Hamilton Septic Inspector*

August 8, 2024

MAP 55 LOT 132A-A

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:

20 Rust St

So. Hamilton

Dated August 8, 2024

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

Jane Dooley
Assistant Assessor

BEAULIEU COREY
CAROLINE
13 PLEASANT ST
SOUTH HAMILTON, MA 01982

EVERSON MICHAEL M
DOBRUSIN FALLYN E
113 RAILROAD AV
SOUTH HAMILTON, MA 01982

HUGHES JARED EDWARD
MICHAILA LEE
118 RAILROAD AV
SOUTH HAMILTON, MA 01982

CARD GEOFFREY
SHARI JT
33 RUST ST
SOUTH HAMILTON, MA 01982

FANNING JAMES R (LE)
FANNING THERESA M (LE)
122 RAILROAD AV
SOUTH HAMILTON, MA 01982

JOHNSON MARY E INDIVIDUAL
11 HAMILTON AV
SOUTH HAMILTON, MA 01982

COOK DOUGLAS
SARA
11 RUST ST
SOUTH HAMILTON, MA 01982

FARRELL SHAWN M
MARTHA A HALE
15 HAMILTON AV
SOUTH HAMILTON, MA 01982

KENNEDY JESSICA L
31 RUST ST
SOUTH HAMILTON, MA 01982

COYLE PATRICK M
COYLE ABIGAIL P
16 RUST ST
SOUTH HAMILTON, MA 01982

GANEY ALEXANDER P
141 RAILROAD AV
SOUTH HAMILTON, MA 01982

KENT HEATHER A
28 ELLIOTT ST
SOUTH HAMILTON, MA 01982

CRONIN DIANNA H
136 WILLOW ST
SOUTH HAMILTON, MA 01982

GLADCHUN MICHAEL F
TIGHE LEAH
176 WILLOW ST
SOUTH HAMILTON, MA 01982

KENT JAMES C
KALLAS JULIANNA
34 HAMILTON AV
SOUTH HAMILTON, MA 01982

CROWTHER ROBERT
22 HAMILTON AV
SOUTH HAMILTON, MA 01982

HAGSTROM ANDERS G
NICHOLE J
8 RUST ST
SOUTH HAMILTON, MA 01982

KLEIN JAMES
NOBLE MEGHAN
14 RUST ST
SOUTH HAMILTON, MA 01982

DELORME ANDREW J
MINNETYAN MARTA
110 RAILROAD AV
SOUTH HAMILTON, MA 01982

HAMILTON HOUSING AUTHORIT
117 RAILROAD AV
SOUTH HAMILTON, MA 01982

LAURANZANO JOSEPH
SARAH L
128 RAILROAD AV
SOUTH HAMILTON, MA 01982

DESIMONE JOHN S
SAMIA TE
25 HAMILTON AV
SOUTH HAMILTON, MA 01982

HAMILTON HOUSING AUTHORIT
121 RAILROAD AV
SOUTH HAMILTON, MA 01982

LEBLANC SCOTT A
ABIGAIL S
47 UNION ST
SOUTH HAMILTON, MA 01982

EDWARDS MICHAEL A
ELISE R
9 HAMILTON AV
SOUTH HAMILTON, MA 01982

HARGROVE CHRISTIAN P
CHRISTINA M
29 HOME ST
SOUTH HAMILTON, MA 01982

MAIDMENT DONALD & SANDRA
29 HAMILTON AV
SOUTH HAMILTON, MA 01982

EIRIKSSON ARI TE
SUDACHI HIROMI TE
38 RUST ST
SOUTH HAMILTON, MA 01982

HEARON THOMAS MICHAEL
BISSON ALLISON
134 RAILROAD AVE
HAMILTON, MA 01982

MARY K ARDON TRUST
MARY K ARDON TRUSTEE
17 HAMILTON AV
SOUTH HAMILTON, MA 01982

MOYNIHAN JAMES M
JACQUELYN M TE
25 RUST ST
SOUTH HAMILTON, MA 01982

THOMPSON MICHAEL C
SHELBY R
16 HAMILTON AV
SOUTH HAMILTON, MA 01982

NEILL TIMOTHY
NEILL COURTNEY
15 RUST ST
SOUTH HAMILTON, MA 01982

WHITNEY TERESA L
116 WILLOW ST
SOUTH HAMILTON, MA 01982

NOLAN JOYCE L TRSTEE LJN
24 ELLIOTT ST
SOUTH HAMILTON, MA 01982

ZACHARSKI STEVEN E & PIGU
26 HAMILTON AV
SOUTH HAMILTON, MA 01982

OZAHOWSKI STEVEN G
CHRISTINE
156 WILLOW ST
SOUTH HAMILTON, MA 01982

PADOVANI KRISANNE M
S/O PADOVANI STEVEN M & K
17 RUST ST
SOUTH HAMILTON, MA 01982

POSTERNACK MICHAEL
POSTERNACK JULIE
100 WILLOW ST
S HAMILTON, MA 01982

ROGAL CHARLES R
ELAINE
19 RUST ST
SOUTH HAMILTON, MA 01982

SWANSON DAVID A
SWANSON BADALUCCA AMY
9 PLEASANT ST
SOUTH HAMILTON, MA 01982

THE 10-12 HAMILTON AVE RL
RODNEY A MAURICE TRUSTEE
142 BRAVE BOAT HARBOR RD
KITTERY POINT, ME 03905

THOMAS EILEEN
33 HOME ST
SOUTH HAMILTON, MA 01982