

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 22 Elliott Street, Assessor's Map 55, Lot 69, R1A Zoning District. Owner Scott Regan is seeking approval for a Finding under Zoning Bylaw Section 5.3.4.5 for dimensional relief from side yard set-back requirements in order to expand existing deck. 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

Rec. 8-1-24
Paid \$75
check # 135

TOWN OF HAMILTON
ZONING BOARD OF APPEALS

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

Date Submitted: 8-1-2024

Applicant Name: Scott Regan Phone: 617-710-1437

Applicant Address: 22 Elliott St Hamilton MA 01982

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
- 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: Findings 5.3.4.5 - Sideyard set back

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: 5,600 SF

State Briefly what structures are on the property:

Residential house

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

Expand existing deck

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

No

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

No

Signed: 

Address: 22 Elliott St

Hamilton MA 01982

Phone: 617-710-1437



TOWN OF HAMILTON
ZONING BOARD OF APPEALS

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

Date Submitted: 8-1-2024

Applicant Name: Scott Regan

Non-Conforming Property Located at: 22 Elliott St 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: _____

Will the proposed extension or alteration meet current zoning requirements:

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

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:

The proposed modification will not be substantially more detrimental than the existing non conforming structure to the neighborhood, and reflects the nature and purpose of the previous use

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 proposed modification will not be substantially more detrimental than the existing nonconforming structure to the neighborhood

Signed: [Signature]

Address: _____

regansw@gmail.com

Phone: _____

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. _____

findings

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

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Bruce Gingrich, Chair

No Issues,

*Craig Bernard
Hamilton Septic Inspector*

August 8, 2024

MAP 55 LOT 69

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:

22 Elliott St

So. Hamilton

Dated August 8, 2024

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

Jane Dooley
Assistant Assessor

KNUDSEN JAMES R
KNUDSEN KATHERINE A
14 ELLIOTT ST
SOUTH HAMILTON, MA 01982

SMITH DAVID BRYAN
SMITH TERRI LEE
27 HOME ST
SOUTH HAMILTON, MA 01982

KOWALSKI DONALD E. & MARY
39 BROADWAY
PO BOX 3182
BEVERLY, MA 01915

SOUTHARD ROBERT G & SARAH
HUSTAD BRUCE & BETH
137 LINDEN ST
HAMILTON, MA 01982

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

SULLIVAN PAULINE CLAIRE
SULLIVAN JOHN
105 LINDEN ST
HAMILTON, MA 01982

MAATMAN JACK
MAATMAN ERICKA
128 LINDEN ST
SOUTH HAMILTON, MA 01982

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

MATHISON SCOTT L
LYNCH LAUREN M
62 WILLOW ST
SOUTH HAMILTON, MA 01982

THOMAS EILEEN
33 HOME ST
SOUTH HAMILTON, MA 01982

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

TOBYNE MATTHEW T
ROACH KATI L
14 PLEASANT ST, UNIT 2
SOUTH HAMILTON, MA 01982

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

TRIPP LYLE
HAZEL ARLENE
79 PLEASANT ST
WENHAM, MA 01984

RICHARDS JOHN R
RICHARDS THERESE J
24 HOME ST
SOUTH HAMILTON, MA 01982

VARNEY KAREN W & KNIGHT L
4 PLEASANT ST
SOUTH HAMILTON, MA 01982

RINDELS ALEXANDER MICHAEL
RINDELS BAYLI RUTH
118 LINDEN ST
SOUTH HAMILTON, MA 01982

WHITNEY TERESA L
116 WILLOW ST
SOUTH HAMILTON, MA 01982

RYCKEWAERT ELIZABETH
RYCKEWAERT LEVI
14-16 PLEASANT ST UNIT 3
SOUTH HAMILTON, MA 01982

BEAULIEU COREY
CAROLINE
13 PLEASANT ST
SOUTH HAMILTON, MA 01982

EHRENBERG NICHOLAS
EHRENBERG NICOLE
111 LINDEN ST
HAMILTON, MA 01982

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

BONGIORNO THOMAS A
BONGIORNO CAROL A
136 LINDEN ST
SOUTH HAMILTON, MA 01982

ENGLAND LINDSAY M
131 LINDEN ST
SOUTH HAMILTON, MA 01982

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

BURKE THOMAS S
BURKE TYLER J
114 LINDEN ST
SOUTH HAMILTON, MA 01982

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

HERLINGER ARIANA
12 PLEASANT ST UNIT 2
SOUTH HAMILTON, MA 01982

CHACE SULLIVAN ELLEN S
DAVID W
103 LINDEN ST
SO. HAMILTON, MA 01915

FALCONER RAYMOND G
CATHER CORINNE
140 RAILROAD AV
SOUTH HAMILTON, MA 01982

HORNER CAROLINE P
GREGORY R TE
28 HOME ST
SOUTH HAMILTON, MA 01982

CONVEY STEPHANIE P
115 LINDEN ST
SOUTH HAMILTON, MA 01982

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

HOWATT M ELISE
269 LINDEN ST
SOUTH HAMILTON, MA 01982

COOK EMILY L TR
COOK FAMILY IRREVOC TR
110 LINDEN ST
SOUTH HAMILTON, MA 01982

FINNEY SUZANNE & RENZIE R
127 LINDEN ST
SOUTH HAMILTON, MA 01982

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

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

GEARY MICHAEL
10 PLEASANT ST UNIT 1
SOUTH HAMILTON, MA 01982

JOHNSON BRETT
ZABLOCKI KATHERINE
25 HOME ST
SOUTH HAMILTON, MA 01982

DEROCHER STEVEN
HILDRETH NATALIE
121 LINDEN ST
SOUTH HAMILTON, MA 01982

HAMILTON HOUSING AUTHORIT
117 RAILROAD AV
SOUTH HAMILTON, MA 01982

KASSNER TREVOR W
27 UNION ST
SOUTH HAMILTON, MA 01982

DUFFY WILLIAM E
DUFFY JEANNE-MARIE
122 LINDEN ST
S HAMILTON, MA 01982

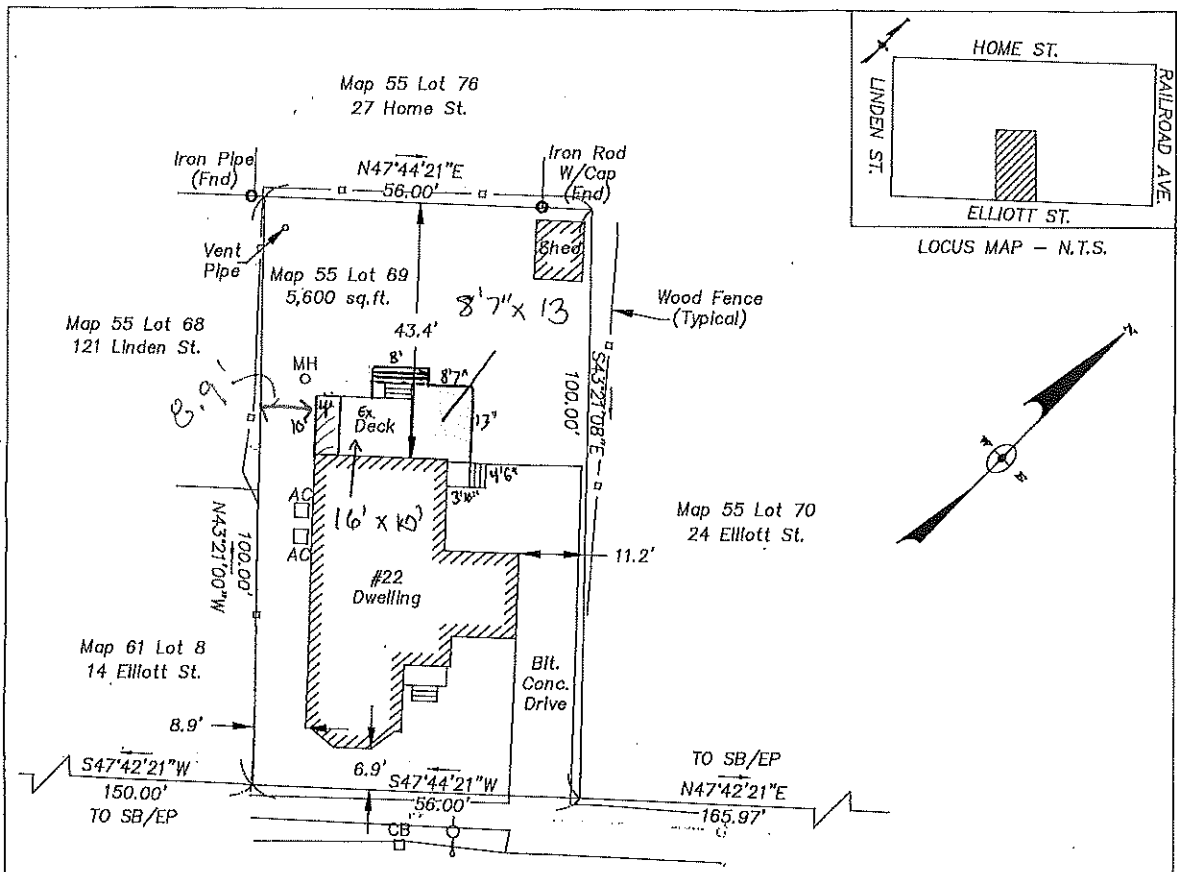
HAMILTON HOUSING AUTHORIT
121 RAILROAD AV
SOUTH HAMILTON, MA 01982

KENERSON JANICE A
1300 S. OCEAN BLVD UNIT 201
POMPANO BEACH, FL 33062

DYER VICTOR E II
16 PLEASANT ST
SOUTH HAMILTON, MA 01982

HAMILTON HOUSING AUTHORIT
129 RAILROAD AVE
SOUTH HAMILTON, MA 01982

KENT HEATHER A
28 ELLIOTT ST
SOUTH HAMILTON, MA 01982



ELLIOTT STREET

Zoning District: R-1a			
	Required	Existing	Proposed
Lot Area:	20,000 s.f.	5,600 s.f.(1)	5,600 s.f.(1)
Frontage:	125'	56.00' (1)	56.00' (1)
SETBACKS			
Min. Front:	25'/50'	6.9'	
Min. Side:	15'	8.9'	
Min. Rear:	15'	43.4'	
Bldg. Height	35'	---	
Stories	3	2.5	
Bldg. Cover.	25%	22%	24.5%

- REFERENCES:**
- 1) Dead Book 39382 Page 389
 - 2) Plan Book 214 Plan 90
 - 3) Plan Book 214 Plan 91
 - 4) "Plot Plan, 27 Home Street, Hamilton, MA, Land of David & Terri Smith, by Kane Land Surveyors dated December 22, 2015"

LEGEND

- WATER GATE
- CATCH BASIN
- MANHOLE
- UTILITY POLE
- UTILITY POLE W/LIGHT
- TREE
- STONE BOUND
- IRON PIPE OR ROD
- PROPERTY LINE
- WOOD FENCE
- UNDERGROUND GAS LINE

**EXISTING SITE PLAN
22 ELLIOTT STREET
HAMILTON, MASSACHUSETTS**

Prepared By
LeBlanc Survey Associates, Inc.
161 Holten Street
Danvers, MA 01923
(978) 774-6012

July 25, 2024 Scale: 1"=20'



HOR. SCALE IN FEET
0 20 50 100