

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 75 Lake Shore Avenue, Assessor's Map 66, Lot 128, R1A Zoning District. Owner Denise Kelly is seeking approval to demolish existing 12 x 15 structure to build a garage and approval for a Finding under Zoning Bylaw Section 5.3.4.5 for dimensional relief from side yard set-back requirements; proposed garage will encroach approx. 1' further. 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. 8.6.24
\$75 paid

**TOWN OF HAMILTON
ZONING BOARD OF APPEALS**

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

Date Submitted: 8/5/2024

Applicant Name: Denise Kelly Phone: 617-584-4997

Applicant Address: 75 Lake Shore Ave, Hamilton, MA

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:

Map 66
Lot 128

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: 9,348 sf +/-

State Briefly what structures are on the property: Existing dwelling with various decks, detached acc. structure

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

Existing 12x15 acc. structure to be razed - new attached 1-car garage to be built.
Ex. acc. structure is non-conforming on side setback. Proposed new garage will encroach approximately 1' further into setback. New steps off existing non-conforming deck in side setback

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: Denise E. Kelly
 Address: 75 Lake Shore Ave
Hamilton, MA
 Phone: 617-584-4997



TOWN OF HAMILTON
ZONING BOARD OF APPEALS

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

Date Submitted: 8/5/24

Applicant Name: Denise Kelly

Non-Conforming Property Located at: 75 Lake Shore Ave

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
Existing structure is non-conforming on side setback. Proposed addition/extension encroaches into setback

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

- Yes: State further encroachment
Proposed extension/alteration will extend approximately 1' further into setback
- 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:

Existing shed/garage is not large enough for modern vehicles and is propose to be enlarged. The proposed garage will be attached to the home. Although slightly taller, the proposed garage is very similar to the existing and has no additional effect on the neighborhood.

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 extension will have the same use but be attached to the home. The further encroachment is minimal and can barely be seen. The front of the garage stays in the same location. For these reasons, it is not substantially more detrimental to the neighborhood.

Signed: Denise E. Kelly

Address: 75 Lake Shore Ave
Hamilton, MA

Phone: 617-584-4997

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Bruce Gingrich, Chair

No issues.

*Greg Bernard
Hamilton Septic Inspector*

August 8, 2024

MAP 66 LOT 128

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:

75 Lake Shore Ave

So. Hamilton

Dated August 8, 2024

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

Jane Dooley
Assistant Assessor

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

LAING SHEILA MCDOWELL
1 BEECH ST
SOUTH HAMILTON, MA 01982

RUGGIERO WILLIAM
RUGGIERO JOANN
48 VILLAGE LN
SOUTH HAMILTON, MA 01982

BARAS NICHOLAS J
MICHELLE D
344 FOREST ST
SOUTH HAMILTON, MA 01982

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

SAMPSONIS CHRISTINA E
113 LAKE SHORE AVE
HAMILTON, MA 01982

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

LESTIENNE CAROLE A
38 BEECH ST
SOUTH HAMILTON, MA 01982

TALBOT MICHAEL A
NANCY A
95 LAKE SHORE AV
SOUTH HAMILTON, MA 01982

CONNORS PETER J
CONNORS LINDA M
85 VILLAGE LN
SOUTH HAMILTON, MA 01982

LEWIS ERIN MCNAUGHTON & M
356 FOREST ST
SOUTH HAMILTON, MA 01982

THOMPSON KENNETH
JOAN, MOWER BONNIE
355 FOREST ST
SOUTH HAMILTON, MA 01982

DOHERTY BRIAN
DOHERTY JESSICA
2 BEECH ST
SOUTH HAMILTON, MA 01982

MIMMO ERIC
MIMMO ELIS
3 BEECH ST
SOUTH HAMILTON, MA 01982

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

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

O'DONNELL KELLY
CAMPBELL RYAN
345 FOREST ST
SOUTH HAMILTON, MA 01982

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

FELIX VIRGINIA E.
359 FOREST ST
SOUTH HAMILTON, MA 01982

POLISSON GEORGE
KELLY
16 BEECH ST
SOUTH HAMILTON, MA 01982

GRANZ JONATHAN
KELLY
46 BEECH ST
SOUTH HAMILTON, MA 01982

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

IVES BRIAN M
DEBORAH E
103 LAKE SHORE AV
SOUTH HAMILTON, MA 01982

RANEY KAREN
111 LAKE SHORE AV
SOUTH HAMILTON, MA 01982

KEATING III HAROLD J
CAROLE
112 LAKE SHORE AV
SOUTH HAMILTON, MA 01982

REEVES BARBARA C
70 VILLAGE LN
SOUTH HAMILTON, MA 01982