

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

A Public Hearing will be held at 7 PM, on Wednesday September 4, 2024, at the H-W Public Library, 14 Union Street & via Zoom. The application is for the property owned by Erika & Frank Tortorici for the property located at 85 Woodland Mead, Assessor's Map 47, Lot 224, Zoning District R1B. Applicants are seeking approval for a Special Permit, Zoning Bylaw 3.6 Accessory Apartment, to construct an 895 sq ft detached accessory dwelling unit with an attached one bay garage, storage shed, and two porches. 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: 8/9/2024

Applicant Name: Erika & Frank Tortorici Phone: 781-608-8343

Applicant Address: 85 Woodland Mead, 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) Accessory Apartment
- 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: R1B

Existing Lot Size: 5.13 Acres

State Briefly what structures are on the property:

One single family residence.

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

The petitioner seeks to erect a detached accessory apartment for their parents.

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: 85 Woodland Mead  
Hamilton, MA

Phone: 781-608-8343

ftortorici at hotmail com

APPLICATION CHECK SHEET  
HAMILTON ZONING BOARD OF APPEALS

SPECIAL PERMIT

8 copies of all Materials. Refer to Instruction Sheet.

Section of the Zoning By-Law covering desired Board action(s)     Section 3.6. Accessory Apartment

**Special Permit Requested. Check all that apply.**

District:	Type Use:
<input checked="" type="checkbox"/> Residential District	<input type="checkbox"/> Single Family Dwelling
<input type="checkbox"/> Business District	<input type="checkbox"/> _____
<input type="checkbox"/> Conservancy District	<input type="checkbox"/> _____
<input type="checkbox"/> Elder Housing District	<input type="checkbox"/> _____
<input type="checkbox"/> Groundwater Protection Overlay	<input type="checkbox"/> _____
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> _____
<input type="checkbox"/> Other. Specify. _____	<input type="checkbox"/> _____

**Time Period Granted for Permit:**

- Temporary Additional Living Area: 4 years
- Adult Entertainment Uses: 1 year
- Special permit will lapse after 1 year if substantial use or construction has not commenced except for good cause.

**Visual Materials Required:**

- Submit at a minimum materials required for Site Plan Review
- Refer to Specific Sections of the By-Law for additional information regarding each district

**Board Reviews Required other than ZBA:**

- Elder Housing District: Requires Planning Board approval
- Residential District – Golf, tennis, swimming, riding, polo, skiing, skating, all other athletic and recreational activities/special events – where charges or admission fees are required: Requires Board of Selectmen approval





**TOWN OF HAMILTON  
ZONING BOARD OF APPEALS**

**REQUEST FOR FINDINGS OF FACT  
PERMIT OR SPECIAL PERMIT**

Date Submitted: 8/9/2024

Applicant Name: Erika & Frank Tortorici

Applicant Address: 85 Woodland Mead, Hamilton, MA

State nature of and location for which Permit or Special Permit is sought:

The applicant is seeking a special permit to construct an accessory apartment detached from the existing single family residence on the property.

State how or why the proposed use would be in harmony with the general purpose and intent of the Zoning By-Law:

The proposed apartment is keeping with the intent of the bylaw stated in 3.6.1., the apartment would be to allow the applicant's parents to live comfortably and with companionship.

State how or why the specific site is an appropriate location for such use:

The lot has the capacity to accommodate both the existing residence and the proposed accessory apartment in a manner that will conform to the setback requirements and maintain an excess of 25' between the structures.

State whether the specific site has adequate public sewerage and water facilities or suitable soil for an on lot sewerage and water systems:

The proposed apartment will have a separate on-site septic system, that can be seen in the attached site plan by Griffin Engineering Group.

State how or why the use as developed will not adversely affect the neighborhood:

The proposed accessory structure will comply to setback requirements, additionally the scale and the aesthetic treatment of the accessory is to appear secondary to the existing residence on the property to not adversely affect the character of the site.

State why there will not be a nuisance or serious hazard to vehicles or pedestrians using the following streets for the purpose of this permit:

Streets: Woodland Mead

There will be no impact on traffic and the proposed apartment will have adequate separate on-site parking.

State how and what adequate and appropriate facilities will be provided for the proposed use:

The proposed apartment will have get its water & electric service from the existing residence, as can be seen in the attached site plan by Griffin Engineering Group.

Signed: 

Address: 85 Woodland Mead

Hamilton, MA

Phone: 781-608-8343