

1. Agenda

Documents:

[10-29-2020_BOARD_OF_APPEALS.PDF](#)

2. Meeting Materials

Documents:

[013-2020_HELLWIG.PDF](#)

[012-2020_CIAMPA.PDF](#)

[015-2020_LYNDS_AND_ROLANDER.PDF](#)

[014-2020_BREVARD.PDF](#)



RECEIVED
2020 OCT -8 P 5:39

TOWN OF WINTHROP
BOARD OF APPEALS
Town Hall, One Metcalf Square, Winthrop, Massachusetts 02152-3096
Telephone: (617) 846-1742 Ext. 3 Fax: (617) 539-0812
Joanne M. DeMato, Clerk
NOTICE OF BOARD OF APPEALS PUBLIC HEARING

You are invited to a Zoom webinar.
When: October 29 AT 07:00 PM Eastern Time (US and Canada)
Topic: Winthrop Board of Appeals Meeting

Please click the public Zoom link below to join the webinar:

<https://us02web.zoom.us/j/84452031253>

Or iPhone one-tap:

US: +16465588656,84452031253# or +13017158592,84452031253#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799

Webinar ID: 844 5203 1253

International numbers available: <https://us02web.zoom.us/j/kdQZBrqYbe>

Attn applicants: Please begin the zoom as an attendee and we can bring you over immediately to speak.

The listing of matters is those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may be brought up for discussion to the extent permitted by law.

Item No.	Appl. #	Applicant	Address	Appeal	Voting
1.	Chairman opens hearing: Old Business:				
2.	#011-2020	Michael Carney, 12-16 Revere St Realty Trust	12-16 Revere St.	Variance from Chapter 17.12.040 for mixed use. Variance from 17.16.020 Height variance, Variance chapter 17.20.060 Parking relief t	
3.	#012-2020	Joseph Ciampa	38 Franklin St.	Variance from Sect. 17.160020.J minimum lot area to construct 2 family dwelling	
4.	#013-2020	Sandra Hellwig	79 Summit Ave.	Variance from Sec. 17.16.020, setbacks and 17.28 alteration of preexisting nonconforming structure	
5.	#014-2020	Nathanlel Brevard	145 Washington Ave.	SP Chapter 17.49 Bed & Breakfast license application	
6.	#015-2020	John G. Rolander	25 Locust St.	Variance & SP Chapter 17.16.020. J. 1 Dim Regs 17.20.060 Off St Parking	

7. Approval of minutes

8. Motion to adjourn

Application No. #D13-2020
Date: 10/1/2020

Town of Winthrop, Massachusetts
Zoning Board of Appeals
Application For Special Permit and Variances

RECEIVED
2020 OCT -7 P 1:48

TOWN CLERK
WINTHROP, MASS.

All parts of this application shall be completed. Plans and plot plans must accompany this application. The applicant must present evidence that tends to indicate that the circumstances relating to soil conditions, the shape of topography specifically affecting the land of structures but not the zoning district in general, and the literal enforcement of the provisions of this title would involve substantial hardship, financial or otherwise, to the petitioner or appellant; that desired relief may be granted without nullifying or substantially derogating from the intent or purpose of this ordinance; and that the relief requested would not create substantial detriment to the public good.

ADDRESS OF PROPERTY: 79 SUMMIT AVENUE, WINTHROP

I hereby request a hearing before the Winthrop Board of Appeals:

1. Applicant Submitting this application is:

Name: Ana Maria Hellwig & Sandra Hellwig

Address: 79 Summit Avenue

City/Town: WINTHROP, MASSACHUSETTS 02152

Telephone: 781-521-5494

2. Applicant is:

Owner: X Lessee Prospective Purchaser

3. The following person is hereby designated to represent the applicant in matters arising hereunder:

Name: James J. Cipoletta, Esq.

Address: 385 Broadway, Revere, MA 02151

Telephone: 781.289.7777

4. The land for which this application is submitted is owned by:

Ana Maria Hellwig and Sandra Hellwig

5. The land described in this application is recorded in Suffolk County Registry of Deeds or Land Court Section at:

Book: 60954 Page: 114

6. Plans describing and defining the Variance or Appeal are included herewith and made a part hereof.

See Plan Attached

7. A map describing the land uses of adjacent and nearby properties shall be included and made a part hereof.

Check here to indicate inclusion (x).

8. A locus map (8 1/2" x 11") copy of the Town of Winthrop or USGS topographic sheet with site marked for which permit is requested is included and made a part of this application.

Check here to indicate inclusion (x).

9. Is the site of this application subject to the Wetlands Protection Act. (M.G.L., Chapter 131, Sec. 40A or Chapter 130, Sec. 105)?

No

- 9b. Is the location of the site of this application within 100 feet of: a coastal beach; salt marsh; land under the ocean ?

No

10. Describe the property for which this application is being submitted, including dimensions of land, existing buildings, if any, availability of utilities, sewer, water, etc.

The lot consists of a total of 10,000 square feet of land in the Residence A (RA) zoning district. Currently there is a 2 1/2 story residence and a garage measuring approximately 18' x 19'. The lot is serviced by working sewer, water, and power utilities.

11. What is the EXACT nature of the appeal or relief requested in this application?

The appellants request relief in the form of a variance from the provisions of Section 17.16.020, minimum side setback and Section 17.28, alteration or extension of a pre-existing nonconforming structure in order to allow the owners to remove the existing unsafe garage and rebuild it on the same footprint with an additional storage space above. The total height of the new structure will not exceed 20 feet and will not exceed 2 stories. The foregoing dimensions are those proposed on the project plan.

12. Describe the soil conditions, shape or topography affecting the land or structure(s) in question, but not affecting generally the zoning district in which the land or structures are located.

The topography of the land is uneven and presents difficult building techniques. The new garage will be located the same spot as the old garage and is the only reasonable place to rebuild as there is an existing concrete pad that will remain when the existing structure is razed.

13. Describe how the enforcement of the provisions of the Zoning Ordinances would involve substantial hardship, financial or otherwise, to the undersigned.

Providing the requested relief will allow the replacement of an existing structure that is in poor shape with one that is on the same footprint and will have increased usefulness with the addition of the storage level above.

14. Describe how the desired relief may be granted without substantial detriment to the public good.

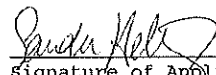
The owner does not proposed to add an additional building but seeks to replace it with a safer, more aesthetically appealing structure with a workshop, desk, and tool area on the first level and storage on the second level. No further expansion of the encroachment into the side yard setback will take place.

15. Describe how the variance desired may be granted without nullifying or substantially derogating from the intent or purpose of the Zoning By-Law.

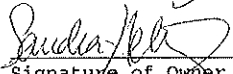
Granting the relief will not create undue stress on municipal services and will not increase density in the BA District and will not burden the abutting or surrounding properties. The request by the owners satisfies all of the conditions precedent to the issuance of a variance pursuant to the Zoning Ordinance of the Town of Winthrop.

Date of DENIAL, signed by the Building Inspector: 9/29/2020

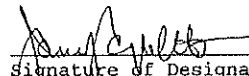
I hereby certify that the foregoing information contained in this application is true and complete.


Signature of Applicants

10/7/2020
Date


Signature of Owner

10/7/2020
Date


Signature of Designated Representative

10-7-2020
Date

ALL MUST SIGN THIS APPLICATION

RECEIPT

Received from above applicant, the sum of \$375 to apply against administrative, and mailing costs.

Date: 10/7/20

By: 

Carla Vitale

SUPPLEMENT TO APPLICATION
[79 Summit Avenue]

The Applicants supplement the application for variances by supplying the following additional information that might not be clearly set forth in the project plans or elsewhere:

1. The height of the existing garage is 13'. The finished height of the proposed garage will be 20' thereby increasing the overall height by 7'.
2. The owners plan to run electrical service to the garage but are NOT installing plumbing. It is not intended for living or sleeping quarters, and will not be a residential dwelling unit.

SCHEDULE OF ATTACHMENTS AND EXHIBITS TO APPLICATION

1. Site Plan
2. GIS Map
3. Building Plans
4. Denial Letter
6. Quitclaim Deed
7. Abutter List
8. Copy of Section 17.16.020 - Table of Dimensional Regulations
9. Copy of Section 17.28 - Nonconforming Uses and Structures
10. Representative Photographs

PLAN OF LAND
CERTIFIED PLOT PLAN
LOCATED IN
79 SUMMIT AVENUE
WINTHROP, MA
SCALE 1"=20'
SEPTEMBER 3, 2020
PREPARED BY

DATE: 5-14-64 TIME: 1:00 PM

I HONESTLY BELIEVE THAT THIS PLAY IS BASED ON MY ACTUAL FIELD SURVEY AND WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE RECORDERS OF DEEDS.

END OF BOOK 1601

PLAN REFERENCES

RTS A

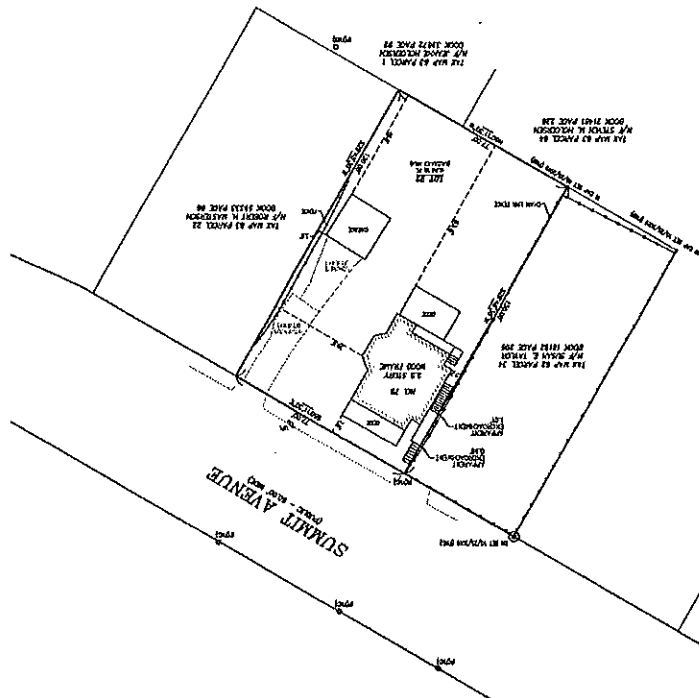
FAX HAS 63 PAGES 23 -

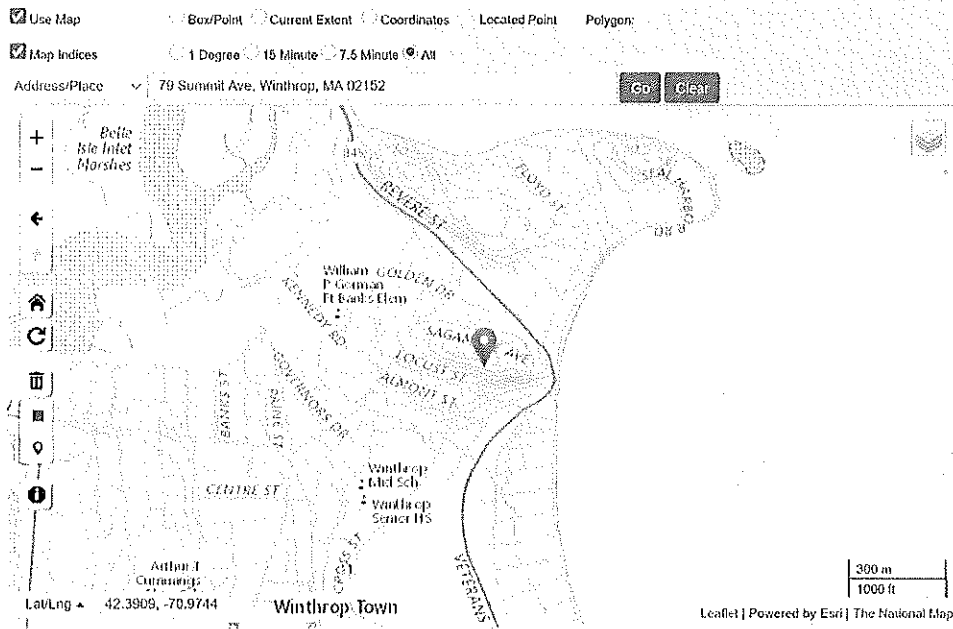
ZONING DISTRICT

AYA MARIA MELLINO & SONS
QTEB BOOK 60354 PAGE 11

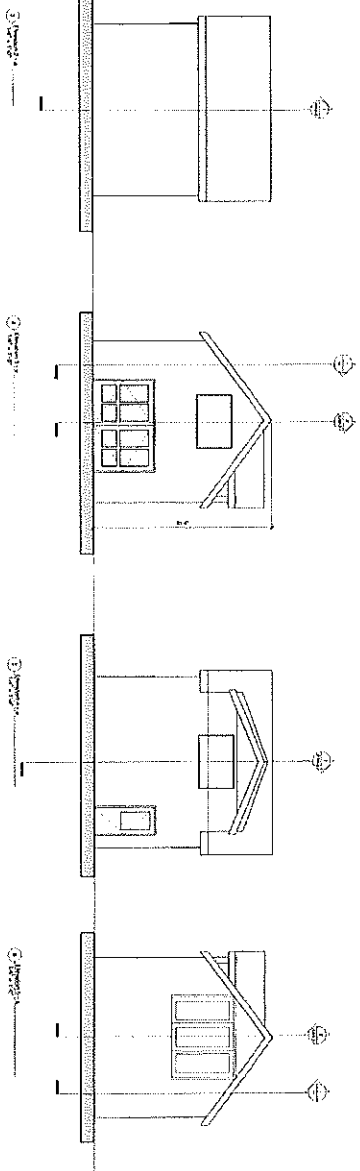
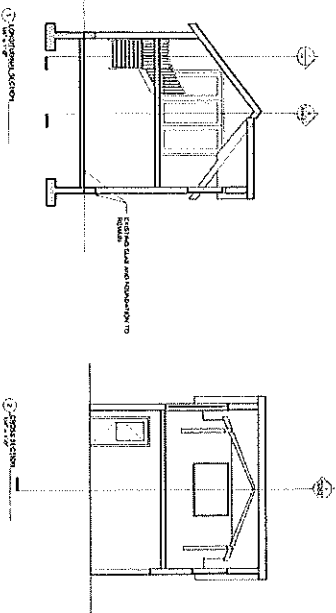
880325-10-00000

ZONING TABLE		
RES-A	REQUIRED	EXISTING
10' SET	7,500 SQ. FT.	14,000 SQ. FT.
FRONTAGE		
MINIMUM FRONT SETBACK	15'	75'
MINIMUM SIDE SETBACK	10'	OVER 140'
MINIMUM REAR SETBACK	20'	85.5'





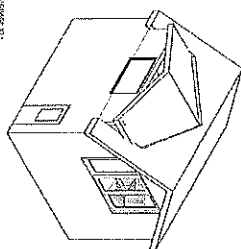
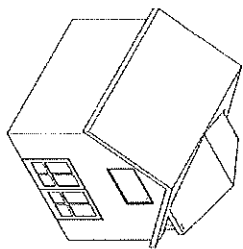




STILL PHOTO LOCATING ELEVATION

71 SUMMIT AVE Garage, Winthrop, MA
12/15/2018

00P-0-0-00





**TOWN OF WINTHROP
OFFICE OF THE BUILDING COMMISSIONER**

100 Kennedy Drive, Winthrop, MA 02152 Telephone: 617-846-1341 Fax: 617-539-1545
Email address: buildingdept@town.winthrop.ma.us

Dear Property Owner/Authorized Agent

You have requested that a Building Permit, Enforcement Action be issued / taken in accordance with the appropriate provisions of the Town of Winthrop Zoning Ordinance, Chapter 17.

For the reason(s) outlined below your request for such permit / enforcement action is respectfully **DENIED**.

You have the right to request the issuance of a Variance – Special Permit from the Zoning Board of Appeals in compliance with Massachusetts General Laws, Chapter 40A.

Property Address: 79 Summit Ave.

Person Requesting: Sandra Hellwig

REASON FOR DENIAL:

The applicant seeks a permit to build a 18' x 19' two (2) story garage on the existing foundation at the above referenced address. According to the proposed building plan, looking for relief of 6'4" on the left side of the structure also the changes in height and design would make this structure "nonconforming" as per section 17.28 nonconforming uses.

The permit was denied due to the following reason.

1. Noncompliance of proposed structure with respect to minimum side yard setback of 10 feet (section 17.16.020 J. 1.) Dimensional Regulations.
2. Change in height and design make this structure "nonconforming" as per section 17.28 nonconforming uses.

Albert Legee
Commissioner of Inspectional Services
Sept 29th, 2020

QUITCLAIM DEED

Property Address: 79 Summit Avenue, Winthrop, MA

I, Ana Maria Hellwig, of 79 Summit Avenue, Winthrop, MA 02152, for consideration of LESS THAN ONE HUNDRED 00/100 DOLLARS (<\$100.00), grant to Ana Maria Hellwig and Sandra Hellwig, as Joint Tenants with Rights of Survivorship, of 79 Summit Avenue, Winthrop, MA 02152

with quitclaim covenants the following property in Suffolk County, Massachusetts

The land in said Winthrop, Suffolk County, Massachusetts with the buildings thereon as is more particularly described below:

A certain parcel of land in said Winthrop with the buildings thereon, comprising Lot 15, and a portion of Lot 16, in Block "V" on plan entitled "Plan of Lands belonging to the Winthrop Shore Land Co. Winthrop, Mass. May 1, 1889," recorded with Suffolk Deeds, at the end of Book 1873, said parcels being together bounded and described as follows, viz:

NORTHERLY by Summit Ave., as shown on said plan, seventy-seven (77) feet; Erroneously shown as fifty-five (55) feet on Deed from Arthur E. Carty to Arthur E. Carty, et ux recorded in Suffolk Registry of Deeds, Book 8163, Page 312 and prior Deeds in chain of title;

EASTERLY by the remaining portion of said Lot 16, one hundred thirty (130) feet;

SOUTHERLY by land of owners unknown seventy-seven (77) feet; and

WESTERLY by Lot 11 said Block and Plan, one hundred thirty (130) feet.

Containing together 10,010 square feet of land. Said Lot 16 is also shown as Lot 12 in Block "V" on plan recorded with Suffolk Deeds at the end of Book 1801.

Said premises are subject to the right of the Town of Winthrop to maintain a sewer along the southerly portion of said premises. See Suffolk Deeds Book 2129, Page 74.

ADDRESS OF PREMISES: 79 Summit Avenue, Winthrop, MA

AND

A certain parcel of land in Winthrop being a portion of Lot 16 in Block "V" as shown on a "Plan of Lands belonging to the Winthrop Shore Land Company, Winthrop, Massachusetts, May 1, 1889" recorded with Suffolk Deeds at the end of Book 1873, bounded and described as follows:

EASTERLY by Summit Avenue, twenty-two (22) feet; thence turning and running

SOUTHERLY by the remaining portion of Lot 18 being land now or formerly of Coppan One Hundred Thirty (130) feet; thence turning and running

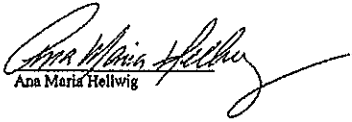
WESTERLY by land of owners unknown, Twenty-two (22) feet; thence turning and running;

NORTHERLY by land now or formerly of Carty, One Hundred Thirty (130) feet to the point of beginning.

Containing Two Thousand Eight Hundred Sixty (2860) square feet of land more or less.

Meaning and Intending to describe the same premises conveyed by deed dated 4/8/1996 and recorded 4/17/1996 with Suffolk County Registry of Deeds in Book 20494 Page 164.

WITNESS my hand and seal this 5th day of April, 2019.


Ana Maria Hellwig

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss

On this 5 day of April, 2019, before me, the undersigned notary public, Ana Maria Hellwig personally appeared, proved to me through satisfactory evidence of identification, which were Worcester, MA, to be the person(s) whose name(s) is/are signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily, as his/her free act and deed, for its stated purpose.

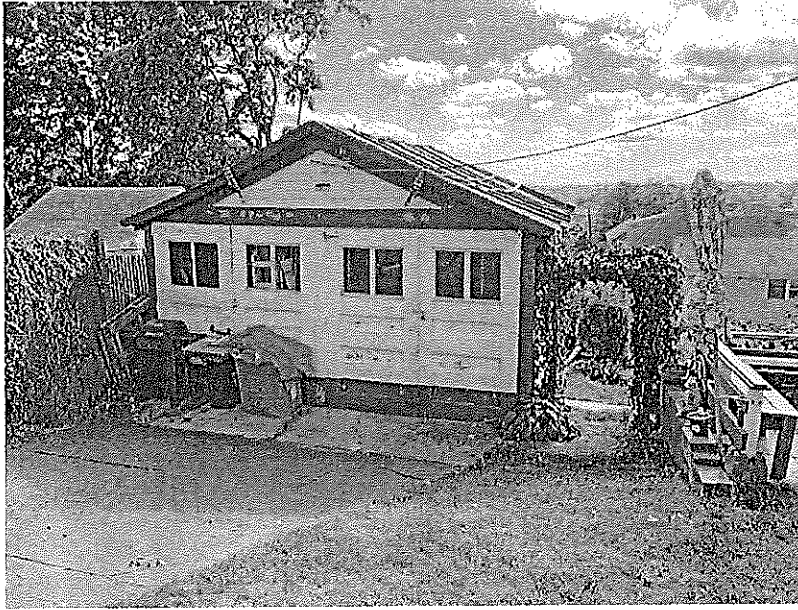
(Seal)



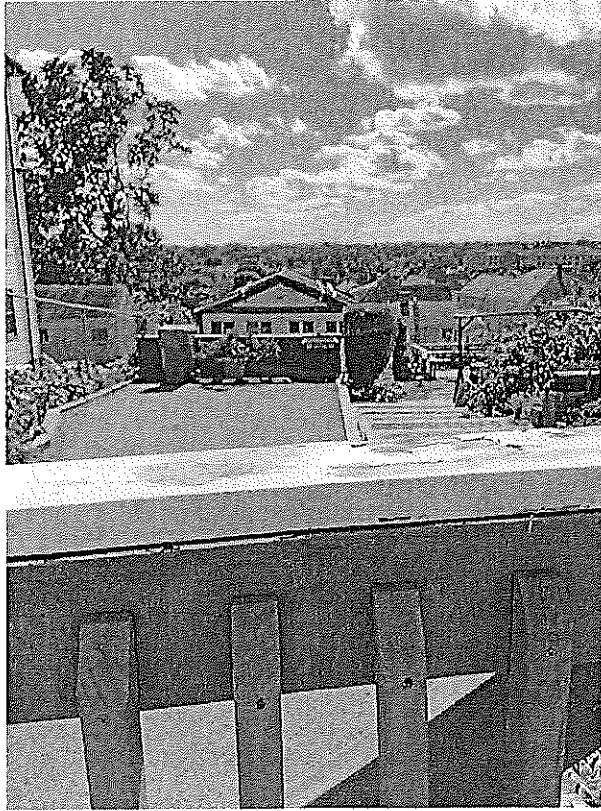


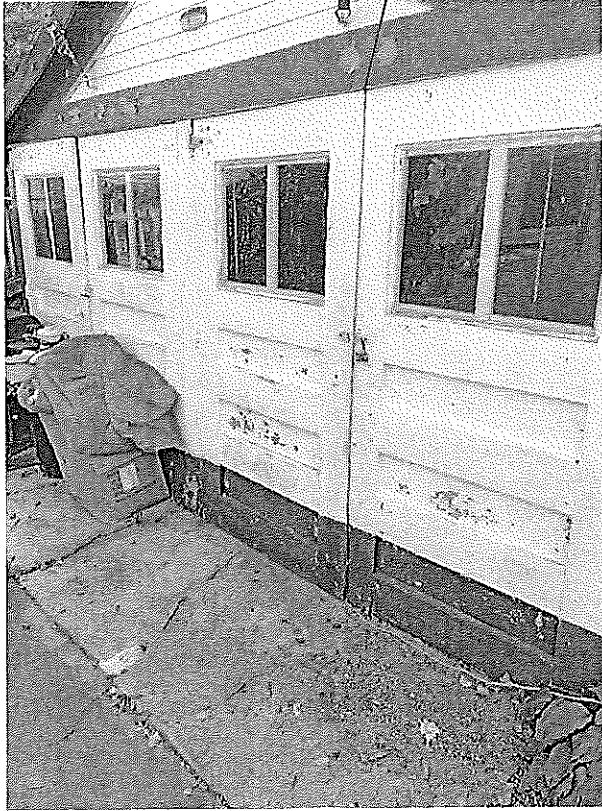
Notary Public

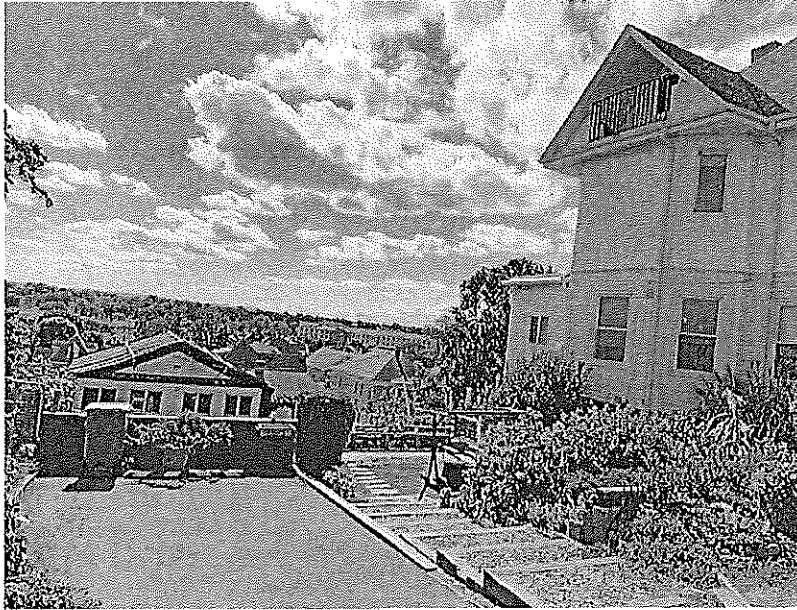
My commission expires: 3/14/22











SECTION 17.16.020

may be altered to exceed two and one-half stories, not to exceed thirty-five feet.

1. Lots subdivided prior to November 3, 1955.

Minimum	One- or Two-Family Dwelling
Lot area	5,000 square feet
Street frontage	50 feet
Front yard	15 feet
Side yard	10 feet
Rear yard	1/5 lot depth or 24 feet (whichever is less)

17.28.030 - Nonconforming uses, structures and lots.



- A. Nonconformity by Initial Enactment or Amendment. The provisions of this section apply to actions in connection with nonconforming uses, structures and lots as created by the initial enactment of this chapter or by any subsequent amendment. It is the purpose of this chapter to discourage the perpetuity of nonconforming uses whenever possible. The lawful use of any building or land existing at the time of the enactment of this chapter may be continued except as otherwise provided.
- B. Extension and Alteration.
1. Any nonconforming use, except for agriculture, horticulture or floriculture, of any open space on a lot outside a structure or of a lot not occupied by a structure shall not be extended.
 2. Any nonconforming principal use of a structure shall not be extended.
 3. Any nonconforming accessory use of a portion of a structure or any conforming accessory use of a portion of a nonconforming structure may be extended up to a maximum of twenty-five (25) percent of the floor area of the existing structure.
 4. Any nonconforming structure may be altered and the use extended throughout the altered portion, provided that any resultant alteration shall not cause the structure to violate the dimensional and density regulations of the district in which it is located.
 5. Any nonconforming structure or portion thereof which has come into conformity shall not again become nonconforming.
- C. Reduction or Increase.
1. Any nonconforming lot or nonconforming open space on a lot, including yards and setbacks, if already smaller than that required, shall not be further reduced so as to be in greater nonconformity.
 2. No building area or floor area, where already nonconforming, shall be increased so as to be in greater nonconformity.
 3. Any off-street parking or loading spaces, if already equal to or less than the number required to serve their intended use, shall not be further reduced in number.
- D. Transfer.



TOWN OF WINTHROP

OFFICE OF THE BUILDING COMMISSIONER

100 Kennedy Drive, Winthrop, MA 02152 Telephone: 617-846-1341 Fax: 617-539-1545
Email address: buildingdept@town.winthrop.ma.us

Dear Property Owner/Authorized Agent

You have requested that a Building Permit, Enforcement Action be issued / taken in accordance with the appropriate provisions of the Town of Winthrop Zoning Ordinance, Chapter 17.

For the reason(s) outlined below your request for such permit / enforcement action is respectfully **DENIED**.

You have the right to request the issuance of a Variance – Special Permit from the Zoning Board of Appeals in compliance with Massachusetts General Laws, Chapter 40A.

Property Address: 79 Summit Ave.

Person Requesting: Sandra Hellwig

REASON FOR DENIAL:

The applicant seeks a permit to build a 18' x 19' two (2) story garage on the existing foundation at the above referenced address. According to the proposed building plan, looking for relief of 6'4" on the left side of the structure also the changes in height and design would make this structure "nonconforming" as per section 17.28 nonconforming uses.

The permit was denied due to the following reason.

1. Noncompliance of proposed structure with respect to minimum side yard setback of 10 feet (section 17.16.020 J. 1.) Dimensional Regulations.
2. Change in height and design make this structure "nonconforming" as per section 17.28 nonconforming uses.

Albert Legee
Commissioner of Inspectional Services
Sept 29th, 2020

781-521-5494

Application No. 012-2020

Date: Oct. 5, 2020

RECEIVED

2020 OCT -5 P 2:10

TOWN CLERK
WINTHROP, MASS.

Town of Winthrop, Massachusetts
Zoning Board of Appeals
Application For Special Permit and Variances

All parts of this application shall be completed. Plans and plot plans must accompany this application. The applicant must present evidence that tends to indicate that the circumstances relating to soil conditions, the shape of topography specifically affecting the land of structures but not the zoning district in general, and the literal enforcement of the provisions of this title would involve substantial hardship, financial or otherwise, to the petitioner or appellant; that desired relief may be granted without nullifying or substantially derogating from the intent or purpose of this ordinance; and that the relief requested would not create substantial detriment to the public good.

ADDRESS OF PROPERTY: 38 FRANKLIN STREET, WINTHROP

I hereby request a hearing before the Winthrop Board of Appeals:

1. Applicant Submitting this application is:

Name: JOSEPH CIAMPA

Address: 4 JOEY ROAD

City/Town: REVERE, MASSACHUSETTS 02152

2. Applicant is:

Owner: X Lessee Prospective Purchaser

3. The following person is hereby designated to represent the applicant in matters arising hereunder:

Name: James J. Cipoletta, Esq.

Address: 385 Broadway, Revere, MA 02151

Telephone: 781.289.7777

4. The land for which this application is submitted is owned by:

JOSEPH CIAMPA

5. The land described in this application is recorded in Suffolk County Registry of Deeds or Land Court Section at:

Book: 39478 Page: 111

6. Plans describing and defining the Variance or Appeal are included herewith and made a part hereof.

See Plan Attached

7. A map describing the land uses of adjacent and nearby properties shall be included and made a part hereof.

Check here to indicate inclusion (x).

8. A locus map (8 1/2" x 11") copy of the Town of Winthrop or USGS topographic sheet with site marked for which permit is requested is included and made a part of this application.

Check here to indicate inclusion (x).

9. Is the site of this application subject to the Wetlands Protection Act. (M.G.L., Chapter 131, Sec. 40A or Chapter 130, Sec. 105)?

No

- 9b. Is the location of the site of this application within 100 feet of: a coastal beach, salt marsh, land under the ocean ?

No

10. Describe the property for which this application is being submitted, including dimensions of land, existing buildings, if any, availability of utilities, sewer, water, etc.

The proposed plan is to develop a two unit dwelling on vacant land at Lot # 42, Franklin Street. All utilities, sewer, water, etc are at the site and operational.

11. What is the EXACT nature of the appeal or relief requested in this application?

The Applicant requests a variance from the provisions of Section 17.16, minimum lot area in the RB zone. Pursuant to the provisions of Section 17.16.020 J, the lot having been created by a subdivision prior to November 3, 1955, the requirement for the construction of a two unit dwelling is 5000 square feet. The locus contains 4634 square feet of land.

12. Describe the soil conditions, shape or topography affecting the land or structure(s) in question, but not affecting generally the zoning district in which the land or structures are located.

The building lot is slightly angled in the rear, thereby not forming a perfect rectangle that would add square footage to the lot.

13. Describe how the enforcement of the provisions of the Zoning Ordinances would involve substantial hardship, financial or otherwise, to the undersigned.

The two unit dwelling is allowed by right in the RB zone. Four off-street parking spaces are provided by way of one driveway on each side of the house. All setbacks required by the Table of Dimensional Regulations are met.

14. Describe how the desired relief may be granted without substantial detriment to the public good.

The lots and uses in the neighborhood are of the same or similar size and usage. There will be no additional requirement for street parking as all parking is on-site

15. Describe how the variance desired may be granted without nullifying or substantially derogating from the intent or purpose of the Zoning By-Law.

The Purpose of the Zoning Ordinance, Section 17 is set out as follows:

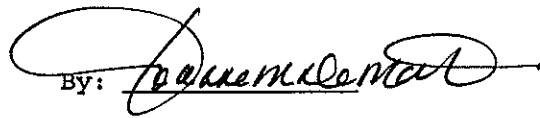
The purpose of this title is to promote the health, safety, convenience, morals and welfare of the inhabitants of the town; to lessen congestion in the streets; to conserve health; to secure safety from fire, panic and other danger;

ALL MUST SIGN THIS APPLICATION

RECEIPT

Received from above applicant, the sum of \$375 to apply against administrative, and mailing costs.

Date: 10/5/20

By: 

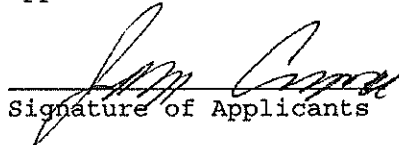
Carla Vitale

to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the town; to achieve optimum environmental quality through review and cooperation by the use of design review; and to preserve and increase town amenities and to encourage an orderly expansion of the tax base by proper utilization and development of land. It is made with reasonable consideration of the character of the districts and their peculiar suitability for particular uses, with a view to giving direction or effect to land development policies and proposals of the planning board, including the making of Winthrop a more viable and more pleasing place to live, work and play.

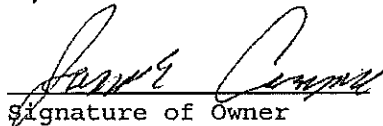
Granting the relief will not create undue stress on municipal services and will not increase density in the RB District but will enhance the location and surroundings by construction of an upgraded, modern home.

Date of DENIAL, signed by the Building Inspector: 9.30.2020

I hereby certify that the foregoing information contained in this application is true and complete.


Signature of Applicants

10-1-2020
Date


Signature of Owner

10-1-2020
Date


Signature of Designated Representative

10.1.2020
Date

PROPERTY APPRAISAL (TAX/APN) PARCEL IDENTIFICATION NUMBER
56/ 90/ 11

SPECIAL/LIMITED WARRANTY DEED

Fannie Mae a/k/a Federal National Mortgage Association, whose mailing address is PO Box 650043, Dallas, TX 75265, hereinafter grantor, for \$225,100.00 (Two Hundred Twenty Five Thousand One Hundred Dollars and Zero Cents) in consideration paid grants with covenants of limited warranty to Joseph Ciampa, Individually, hereinafter grantee, whose tax mailing address is 42 Joey Road, Revere, MA 02151, the following real property:

That certain parcel of land situate in Winthrop in the County of Suffolk and Commonwealth of Massachusetts, bounded and described as follows:

Southerly by Franklin Street, fifty (50) feet;

Westerly by land now or formerly of George Pappas, Sr., et al, ninety-one and 53/100 (91.53) feet;

Northerly by lands now or formerly of Luigi Guarino and of Omer A. Cantara, et al, fifty and 05/100 (50.05) feet; and

Easterly by land now or formerly of the Winthrop Land Trust Co., ninety-three and 83/100 (93.83) feet.

All of said boundaries are determined by the Court to be located as shown on a plan drawn by Joseph Selwyn, Civil Engineer, dated September 16, 1957, as modified and approved by the Court, filed in the Land Registration Office as Plan No. 27894-A, a copy of a portion of which is filed with Certificate of Title No. 64584.

SUBJECT TO ANY AND ALL RESTRICTIONS, EXCEPTIONS, RESERVATIONS, STIPULATIONS, CONDITIONS, RIGHTS OF WAY AND EASEMENTS OF RECORD.

Property Address is: 38 Franklin Street, Winthrop, MA 02152

Prior instrument reference: Document No. 903270/Certificate No. 136513

Property address: 38 Franklin Street, Winthrop, MA 02152

Grantor makes no representations or warranties, of any kind or nature whatsoever, other than those set out above, whether expressed, implied, implied by law, or otherwise, concerning the condition of the title of the property prior to the date the grantor acquired title.

The real property described above is conveyed subject to and with the benefit of: All easements, covenants, conditions and restrictions of record; in so far as in force applicable.

The real property described above is conveyed subject to the following: All easements, covenants, conditions and restrictions of record; All legal highways; Zoning, building and other laws, ordinances and regulations; Real estate taxes and assessments not yet due and payable; Rights of tenants in possession.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title interest, lien equity and claim whatsoever of the said grantor, either in law or equity, to the only proper use, benefit and behalf of the grantee forever.

Executed by the undersigned under seal on Feb 21st, 2020:

This conveyance does not constitute the sale or transfer of all or substantially all of the grantor's assets within the Commonwealth of Massachusetts

Fannie Mae w/k/a Federal National Mortgage Association, by Continental Real Estate Services, Inc., its Attorney in Fact

By: Lidia Walker

Its: Closing Supervisor

POA recorded on 2/21/2020 as Document No. 904102 in the Land Court Records of Suffolk County

STATE of Missouri

COUNTY of St. Louis

On this 21st day of Feb, 2020, before me, the undersigned notary public, personally appeared Lidia Walker, who proved to me through satisfactory evidence of identification, drivers license, to be the Closing Supervisor of Continental Real Estate Services, Inc., as Attorney in Fact for Fannie Mae w/k/a Federal National Mortgage Association, the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.



Stephanie Dumas
Notary Public August 15, 2023

This instrument prepared by

Nowell Bloomenthal Esq., (Massachusetts Bar Number: 046760), 935 Main Street # 3, Waltham, MA 02451-7437 and Jay A. Rosenberg, Esq., Rosenberg LPA, Attorneys At Law, 3805 Edwards Road, Suite 550, Cincinnati, Ohio 45209, (513) 247-9605 Fax: (866) 611-0170.

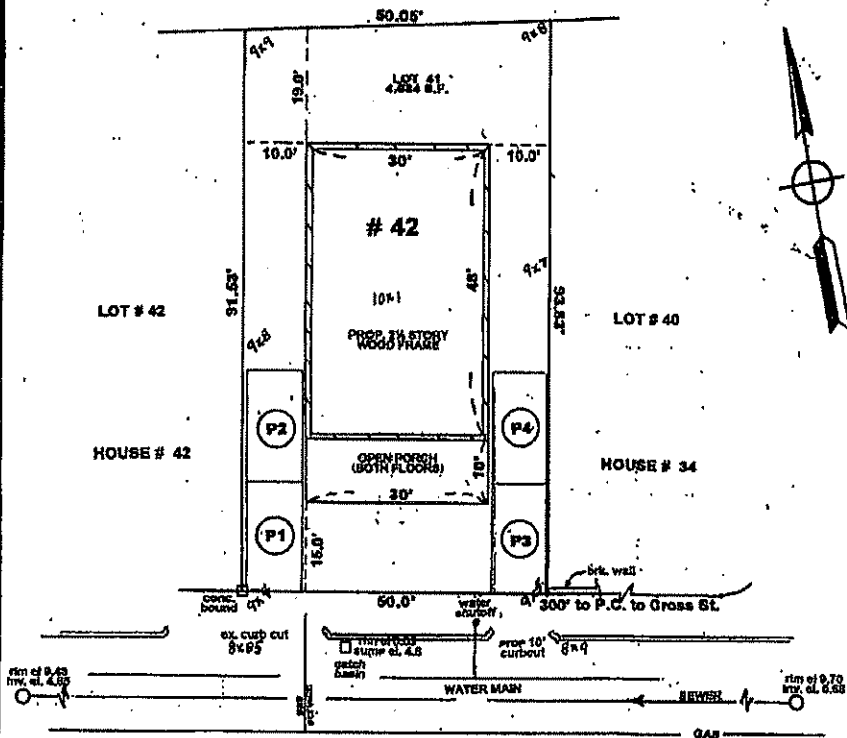
PLAN SHOWING PROPOSED 30' x 48' TWO FAMILY DWELLING

MARCH 4, 2020

FEMA BENCH MARK RM 3 ELEV. 39.68

PARKING SPACES 4 @ 9'x 18'

ELEVATIONS SHOWN, CONVERTED TO NAVD 1988 (- 0.5)



FRANKLIN STREET

PLAN REFERENCE LC 2789A

ASSESSORS ID: MAP 66 PARCEL 89

DBED REFERENCE BK 30478 PG 111

OWNER: JOSEPH CIAMPA

I CERTIFY THAT THIS PLAN HAS BEEN
PREPARED IN CONFORMANCE WITH THE RULES
AND REGULATIONS OF THE REGISTRY OF DEEDS



ALEXANDER CRUCIOLI

DATE _____

PLAN OF LAND
IN
WINTHROP, MASS.

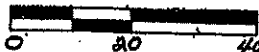
SCALE: 1" = 20'

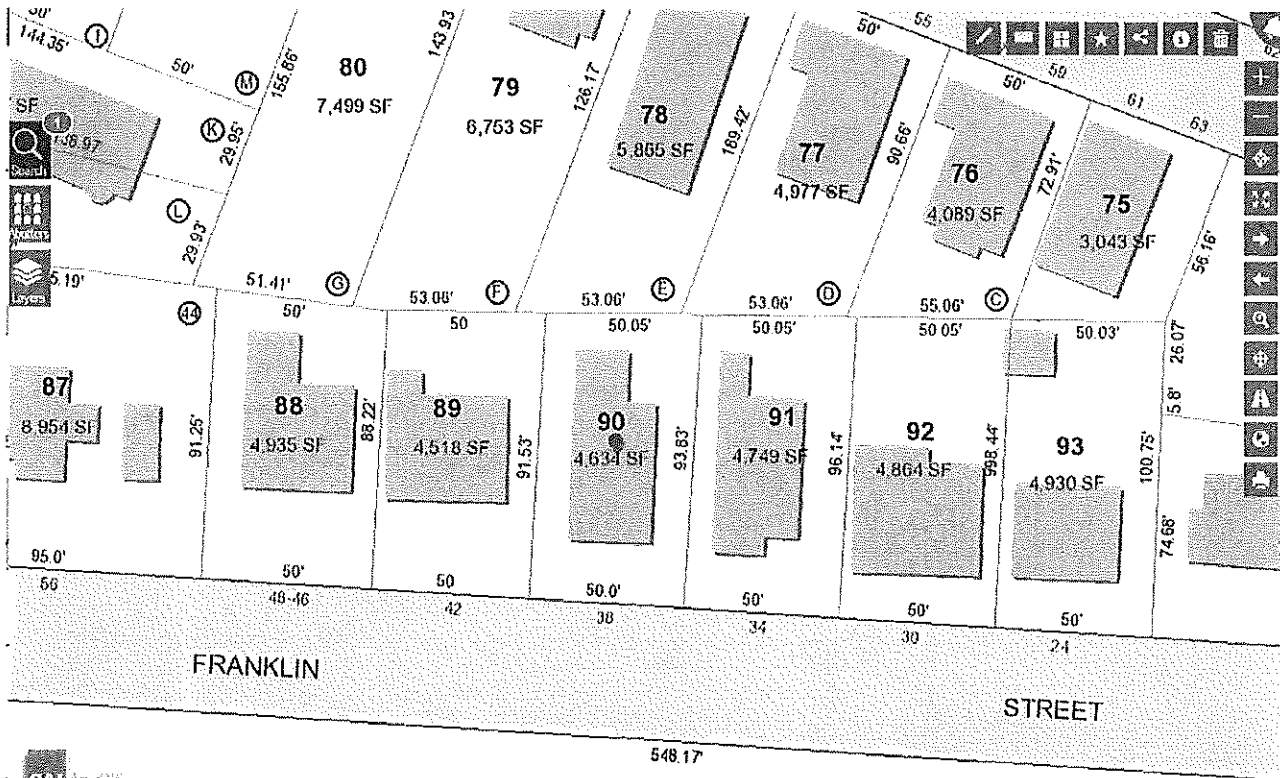
SURVEYOR ALEXANDER CRUICK

ACRES ENGINEERS, SURVEYORS

ST WINTHROP RD. CHELSEA, MA.
PHONE 617-884-2713

GRAPHIC SCALE





Appendix to

Chapter 17.16

Table of Dimensional Regulations

(Minimum requirements in feet, unless otherwise indicated)

EXPAND											
Residential A ¹											
1-family	7,500	-	75	75	15	10	20 ³	2.5	35 ¹³	-	-
2-family	10,000	-	100	100	20	15	25 ³	2.5	35 ¹³	-	-
Residential B ⁴											
Multifamily	20,000	1 unit per 2,500 square feet	100	100	25	25	40	35	35	30%	25
Residential C ⁴											
Mid-rise	20,000	1 unit per	100	100	50 ⁶	50	50	6	65	20%	50

- J. Preexisting Lots. One-family and two-family dwellings on lots subdivided prior to July 1, 1982, shall be regulated as follows: any alterations to existing structures on lots subdivided before July 1, 1982, come under subsection (J)(2) of this section. No existing building may be altered to exceed two and one-half stories, not to exceed thirty-five (35) feet.

1. Lots subdivided prior to November 3, 1955.

Minimum	One- or Two-Family Dwelling
Lot area	5,000 square feet
Street frontage	50 feet
Front yard	15 feet
Side yard	10 feet
Rear yard	1/5 lot depth or 24 feet (whichever is less)



TOWN OF WINTHROP OFFICE OF THE BUILDING COMMISSIONER

100 Kennedy Drive, Winthrop, MA 02152 Telephone: 617-846-1341 Fax: 617-539-1545
Email address: buildingdept@town.winthrop.ma.us

Dear Property Owner/Authorized Agent

You have requested that a Building Permit, Enforcement Action be issued / taken in accordance with the appropriate provisions of the Town of Winthrop Zoning Ordinance, Chapter 17.

For the reason(s) outlined below your request for such permit / enforcement action is respectfully **DENIED**.

You have the right to request the issuance of a Variance – Special Permit from the Zoning Board of Appeals in compliance with Massachusetts General Laws, Chapter 40A.

Lot #
Property Address: 42 Franklin Street (*38 Franklin St.*)

Person Requesting: Joeseeph Ciampa

The owner has applied to construct a two family house on a vacant lot at #42 Franklin Street, Winthrop. The application is denied for the following reasons.

1. The lot size is comprised of 4,636 square feet of land.
2. Lots subdivided prior to November 3, 1955 require 5000 square feet of land in order to construct a one or two family dwelling. See Section 17.16.020J
3. The owner may appeal this denial to the Winthrop Board of Appeals for a variance from the provisions of this section, minimum lot size out of Table of Dimensional Regulations, Chapter 17.16.

Dated this 30th day of September 2020

Russ Sanford
Chief Building Inspector



TOWN OF WINTHROP OFFICE OF THE BUILDING COMMISSIONER

100 Kennedy Drive, Winthrop, MA 02152 Telephone: 617-846-1341 Fax: 617-539-1545
Email address: buildingdept@town.winthrop.ma.us

Dear Property Owner/Authorized Agent

You have requested that a Building Permit, Enforcement Action be issued / taken in accordance with the appropriate provisions of the Town of Winthrop Zoning Ordinance, Chapter 17.

For the reason(s) outlined below your request for such permit / enforcement action is respectfully **DENIED**.

You have the right to request the issuance of a Variance – Special Permit from the Zoning Board of Appeals in compliance with Massachusetts General Laws, Chapter 40A.

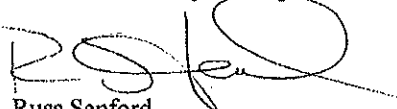
Property Address: ³⁸~~42~~ Franklin Street

Person Requesting: Joeseeph Ciampa

The owner has applied to construct a two family house on a vacant lot at #42 Franklin Street, Winthrop. The application is denied for the following reasons.

1. The lot size is comprised of 4,636 square feet of land.
2. Lots subdivided prior to November 3, 1955 require 5000 square feet of land in order to construct a one or two family dwelling. See Section 17.16.020J
3. The owner may appeal this denial to the Winthrop Board of Appeals for a variance from the provisions of this section, minimum lot size out of Table of Dimensional Regulations, Chapter 17.16.

Dated this 30th day of September 2020


Russ Sanford
Chief Building Inspector

RECEIVED

2020 OCT -8 P 3: 39

Application No. 015-2020

Date Filed: 10/8/2020

TOWN CLERK
WINTHROP, MASS.

**Town of Winthrop
Zoning Board of Appeals
Application for
Special Permit**

Certified for completeness by: _____ Date: _____

NOTICE TO APPLICANTS

Please note that the sections of this application pertaining to this petition must be filled out COMPLETELY and all requirements of the rules and regulations of the Zoning Board of Appeals and of the Zoning By-Laws MUST be complied with. THIS APPLICATION MUST BE CERTIFIED FOR COMPLETENESS BY THE BUILDING COMMISSIONER BEFORE THE APPLICATION CAN BE FILED WITH THE TOWN CLERK.

ADDRESS OF PROPERTY: 25 Locust Street, Winthrop

ASSESSORS MAP NO.: 62 LOT NO.: 7177

I hereby request a hearing before the Winthrop Board of Appeals:

1. Applicant submitting this application is:

Name: John Griffin Rolander

Address: 22 Isabella Street, Apt. 2

City/Town: Boston, MA 02116

Telephone: 513-638-0241

Owner X Lessee _____ Prospective Purchaser _____

2. The following person is hereby designated to represent applicant in matters arising hereunder:

Name: Richard C. Lynds, Esq.

Address: 245 Sumner Street, Suite 110, East Boston, MA 02128

Telephone: 617-207-1190

E-Mail: RCLyndsEsq@gmail.com

3. The land for which this application is submitted is owned by:

Name: John Griffin Rolander

Address: 22 Isabella Street, Apt. 2

Telephone: 513-638-0241

Assessors Map No.: 62 Lot No.: 7177 Zoning District: R5

4. The land described in this application is recorded in Suffolk County Registry of Deeds or Land Court Section at:

Book 62793 Page 312 or Instrument No. _____

5. Plans describing and defining the Special Permit are included herewith and made a part hereof and are entitled:

Plot plan 25 Locust Street, Winthrop, MA and Proposed one to two unit conversion
25 Locus Street, Winthrop, MA

6. A locus map (Assessors Map #62) with site marked for which permit is requested and the land uses of adjacent properties described shall be included and made a part hereof.

7. Is the site of this application subject to *Wetlands Protection Act* (M.G.L. c. 131, § 40A or Chapter 130, § 105)?

Yes _____ No X

8. Is the location of the site of this application within 100 feet of a coastal beach, salt marsh or land under the ocean?

Yes _____ No X

9. Describe the property for which this application is being submitted, including current use, previous uses, dimensions of land, description of existing buildings, if any, and availability of utilities, sewer, water, etc.

The property is currently a one family residential dwelling with all utilites pre-existing.

10. What is the EXACT nature of the Special Permit requested?

Extension of a non conforming structure. Applicant seeks to change occupancy from a single family to a two unit residential dwelling by adding dormers and an addition.

11. Describe how the desired relief may be granted in consideration of the criteria described in Section 17 of the Winthrop Zoning By-Law.

The proposal seeks to add, quality market rate housing to the Town of Winthrop. The proposal is consistent in Use, height, density and lot size to the neighboring properties. Development under the current zoning regulations would require substantial investment that would not yield a feasible return. Accordingly, the site would remain unimproved. Granting the relief for the proposed project would permit the needed investment for the site.

12. Describe how the Special Permit desired may be granted without nullifying or substantially derogating from the intent or purpose of the Zoning By-Law. See Response to number 11 above

13. Describe how the desire relief may be granted without substantial detriment to the public good.

The proposal seeks to add quality market rate housing to the Town of Winthrop. The proposal is consistent in Use, height, density and lot size to the neighboring properties.

NOTE: The law does not permit the Board of Appeals to grant a Special Permit unless all requirements set forth in Massachusetts General Laws Chapter 40A, § 9 are satisfied. Each one of the above categories must be answered in detail.

July 1, 2020

Date of Denial of Building Permit request by Building Commissioner: (updated to _____)



Signature of Applicant

October 8, 2020

Date

John G. Rolander

Signature of Owner

October 8, 2020

Date

John G. Rolander

Signature of Designated Representative

October 8, 2020

Date

ALL MUST SIGN THIS APPLICATION

Received from the above Applicant the sum of \$ 375 to
apply against administrative and mailing costs.

By: Joanne M. Mataro

10/8/2020
Date

Notice of Application to Board of Appeals made herewith.

Carla Vitale

Town Clerk

Application No. 015-2020
Date Filed: 10/8/2020

RECEIVED
2020 OCT -8 P 3:40
TOWN CLERK
WINTHROP, MASS.

**Town of Winthrop
Zoning Board of Appeals
Application for
Variance or Appeal Form
from Decision of Building Commissioner**

All parts of this application shall be completed. Incomplete filings will be rejected and no hearing shall be scheduled.

Applicant must present evidence that tends to indicate that the circumstances relating to soil conditions, shape or topography, specifically the land of structures, but not the zoning district in general and literal enforcement of the provisions of this title would involve substantial hardship, financial or otherwise, to petitioner or applicant, that desired relief may be granted without nullifying or substantially derogating from the intent or purpose of this ordinance and that the relief granted would not create substantial detriment to the public good.

ADDRESS OF PROPERTY: 25 Locust Street, Winthrop

I hereby request a hearing before the Winthrop Board of Appeals.

1. Applicant submitting this application is:

Name: John Griffin Rolander
Address: 22 Isabella Street, Apt. 2
City/Town: Boston, MA 02116
Telephone: 513-638-0241

2. Applicant is:

Owner X Lessee _____ Prospective Purchaser _____

3. The following person is hereby designated to represent applicant in matters arising hereunder:

Name: Richard C. Lynds, Esq.

Address: 245 Sumner Street, Suite 110, East Boston, MA 02128

Telephone: 617-207-1190

4. The land for which this application is submitted is owned by:

Name: John Griffin Rolander

Address: 22 Isabella Street, Apt. 2, Boston, MA 02116

Telephone: 513-638-0241

5. The land described in this application is recorded in Suffolk County Registry of Deeds at:

Book 62793 Page 312 or Instrument No. _____

6. Plans describing and defining the variance or appeal are included herewith and made a part hereof and are entitled:

Plot plan of land located at 25 Locust Street, Winthrop, MA and
One to Two Unit Conversion 25 Locust Street, Winthrop, MA.f

7. A map describing the land uses of adjacent and nearby properties shall be included and made a part hereof.

Check here to indicate inclusion: (X)

8. A locus map (_____) copy of the Town of Winthrop or uses topographic sheet with site marked for which permit is requested is included and made a part of this application.

Check here to indicate inclusion: (X)

- 9(a) Is the site of this application subject to *Wetlands Protection Act* (M.G.L. c. 131, § 40A or Chapter 130, § 105)?

Yes _____ No X

- 9(b) Is the location of the site of this application within 100 feet of a coastal beach: salt marsh land under the ocean?

Yes _____ No X

10. Describe the property for which this application is being submitted, including dimensions of the land, existing buildings, if any, availability of utilities, sewer, water, etc.
Property is currently a single family residential dwelling with all utilities pre-existing.

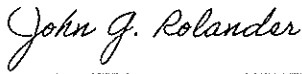
11. What is the EXACT nature of the appeal or variance requested in this application? Change Occupancy from a one to two family residential dwelling with parking for two vehicles.
12. Describe the soil conditions, shape or topography especially affecting the land or structure in question, but affecting generally the zoning district in which the land or structures are located which require applicant to seek this variance.
The soil conditions, shape or topography do not affect the land or structure as the proposal seeks to maintain a residential use.
13. Describe how the enforcement of the provisions of the Zoning Ordinances would involve substantial hardship, financial or otherwise, to the undersigned.
Development at the site under current zoning regulations would require substantial investment that would not yield a feasible return. Accordingly the site would remain unimproved and subject to further deterioration. Granting the relief for the proposed project would permit the needed investment for the site.
14. Describe how the desired relief may be granted without substantial detriment to the public good.
The proposal seeks to add needed market rate housing to the Town of Winthrop. The proposal is consistent in use, height, density and lot size with the surrounding properties.
15. Describe how the variance desired may be granted without nullifying or substantially derogating from the intent of the Zoning Ordinances.
See response to number 14 above.

NOTE: The law does not permit the Board of Appeals to grant a variance unless all requirements set forth in Massachusetts General Laws Chapter 40A, Section 10 are satisfied. Each of the above categories must be listed in detail.

Date of Denial by Building Commissioner and/or Planning Board: July 1, 2020
(updated to _____)


Signature of Applicant

October 8, 2020
Date


Signature of Owner

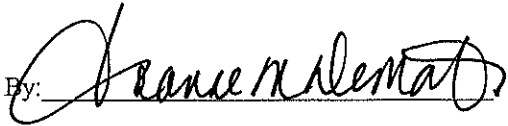
October 8, 2020
Date


Signature of Designated Representative

October 8, 2020
Date

ALL MUST SIGN THIS APPLICATION

Received from the above Applicant the sum of \$ _____ to
apply against administrative and mailing costs.

By: 

10/8/2020
Date

Notice of Application to Board of Appeals made herewith.


Town Clerk

**Town of Winthrop
Building Department
100 Kennedy Drive
Winthrop, MA 02152
617-846-1341**

Board of Appeals Application Check List

The following items need to be filed with the **Town Clerk's Office** by 4:00 p.m. on or before the monthly deadline. You may find the yearly calendar for dates of filing deadlines and meetings on line at www.town.winthrop.ma.us – Boards & Commissions – Board of Appeals – Yearly Meeting Calendar **OR** check the Posted Notices at Town Hall.

10 complete sets of the following must be bound or clipped together:
(Less than 10 will not be accepted)

	Check List
1) Completed Application	<u> X </u>
2) Denial Letter from the Building Commissioner	<u> X </u>
3) Certified Plot Plan with Locus and Table of Dimensional Requirements Preferred maximum size of 11"x17"	<u> X </u>
4) Copy of Deed with book and page number	<u> X </u>
5) Blue Prints (if applicable) – size – 11"x17"	<u> X </u>

Also you must include:

2 sets of Abutter's labels
(Obtained by separate application submitted to the Assessor's Office – Cost \$10) X

Fees:

\$375 – Filing Fee – Payable to the: Town of Winthrop

\$100 – Legal Notice Publication Fee – Payable to the: Winthrop Sun Transcript

The Building Commissioner must review and approve all applications for completion before filing with the Town Clerk's Office, Town Hall, One Metcalf Square, Room 5, Winthrop, MA 02152. An appointment may be necessary, please call 617-846-1341 to schedule.

You may provide photograph and other documentation (Exhibits) after the deadline but prior to the hearing to assist the BOA in making its decision.

Suffolk County Registry of Deeds
Electronically Recorded Document

This is the first page of the document - Do not remove

Recording Information

Document Number : 27299
Document Type : DED
Recorded Date : April 06, 2020
Recorded Time : 02:00:21 PM

Recorded Book and Page : 62793 / 312
Number of Pages(including cover sheet) : 3
Receipt Number : 815080
Recording Fee (including excise) : \$2,024.60

MASSACHUSETTS EXCISE TAX
Suffolk County District ROD # 001
Date: 04/06/2020 02:00 PM
Ctrl# 199310 23884 Doc# 00027299
Fee: \$1,869.60 Cons: \$410,000.00

Suffolk County Registry of Deeds
Stephen J. Murphy, Register
24 New Chardon Street
Boston, MA 02114
617-788-8575
Suffolkdeeds.com

QUITCLAIM DEED

I, Joann Brennan, an unmarried woman, of Winthrop, Suffolk County, Massachusetts,

for consideration paid and in full consideration of **FOUR HUNDRED TEN THOUSAND AND 00/100 (\$410,000.00) DOLLARS,**

grant to John Griffin Rolander, Individually,
now of 80 Sagamore Street, Revere, Suffolk County, Massachusetts, 02151

with **QUITCLAIM COVENANTS**

A certain parcel of land with the buildings thereon, situated in Winthrop, Suffolk County, Massachusetts, being shown as Lot 25A on the plan entitled, "Plan of Land, Winthrop, Mass." by Joseph Selwyn, Civil Engineer, dated September 25, 1960 and recorded with Suffolk Deeds at end Book 7551 and bounded and described as follows:

NORTHEASTERLY by Locust Street as shown on said plan, fifty (50) feet;

SOUTHEASTERLY by Lot 26 as shown on said plan, one hundred ten (110) feet;

SOUTHWESTERLY by part of Lot 44 as shown on said plan, thirty-six (36) feet

NORTHERLY by part of Lot 24A as shown on said plan, forty and 50/100 (40.50) feet;

NORTHWESTERLY by Lot 24A as shown on said plan, seventy two (72) feet.

Containing 5234 square feet of land according to said plan.

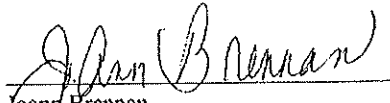
Meaning and intending to convey the same Premises conveyed to the Grantor by deed dated June 26, 2017, recorded with the Suffolk County Registry of Deeds at Book 58197, Page 73.

I, the above Grantor, hereby release and terminate any and all estates of homestead in and to the property conveyed hereunder, whether created automatically pursuant to Massachusetts law or by Declaration.

Signature Follows Next Page

Property Address: 25 Locust Street, Winthrop, Suffolk County, Massachusetts

Witness my hand and seal this 23rd day of March, 2020.

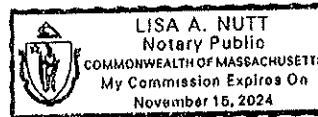

Joann Brennan

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

On this 23rd day of March, 2020, before me, the undersigned Notary Public, personally appeared Joann Brennan, proved to me by satisfactory evidence of identification, being: ☒ driver's license or other state or federal governmental document bearing a photographic image, ☐ oath or affirmation of a credible witness known to me who knows the above signatory, or ☐ my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged the foregoing to be signed by her, as her free act and deed, voluntarily for its stated purpose.


Notary Public: Lisa A. Nutt
My Commission Expires: 11-15-24
Qualified in the Commonwealth of Massachusetts

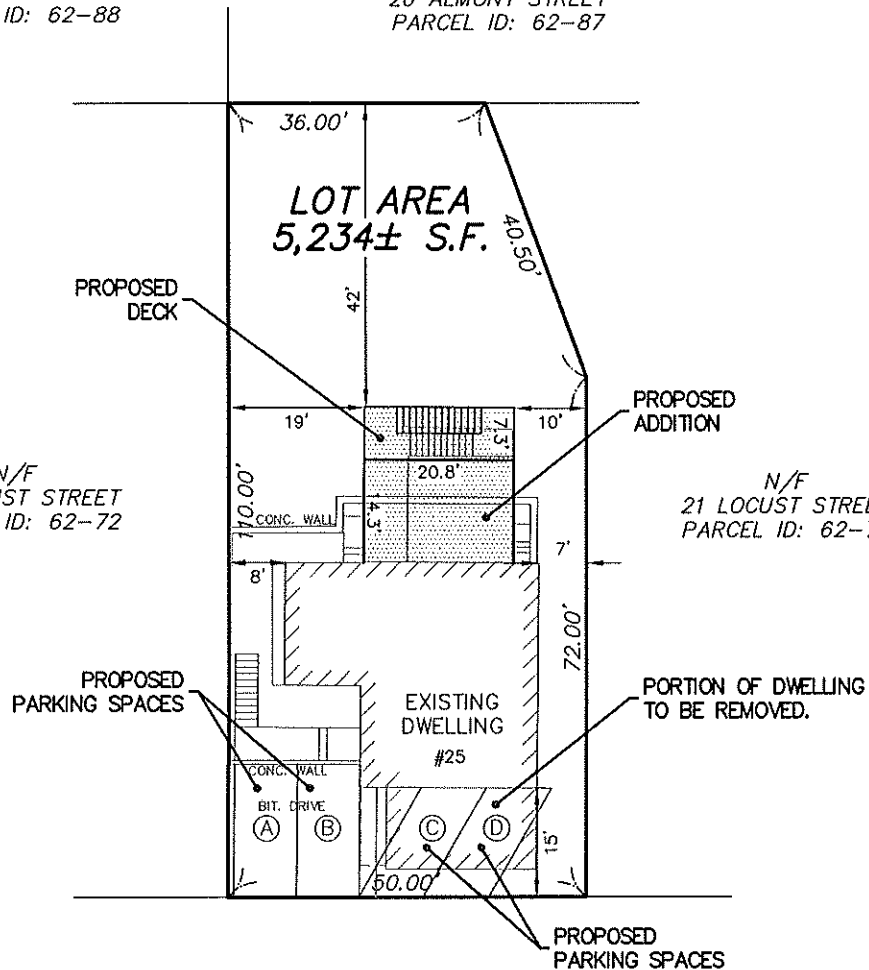


N/F
34 ALMONT STREET
PARCEL ID: 62-88

N/F
26 ALMONT STREET
PARCEL ID: 62-87

N/F
31 LOCUST STREET
PARCEL ID: 62-72

N/F
21 LOCUST STREET
PARCEL ID: 62-74



LOCUST STREET

ZONING SETBACKS: RA

FRONT YARD 15'
SIDE YARD 10'
REAR YARD 20'

RECORD OWNER:

JOANN BRENNAN
BOOK 58197 PAGE 74

PLAN REFERENCE:

LOT 25A ON END OF PLAN 7551

GRAPHIC SCALE



1" = 20'



SCOTT M. CERRA

I HEREBY CERTIFY THAT THIS PLAN IS BASED
ON AN ACTUAL INSTRUMENT SURVEY MADE ON THE
GROUND IN MARCH 2020 AND THE STRUCTURES
DEPICTED HEREON ARE LOCATED AS SHOWN.

4-3-20
DATE

Scott M Cerrato
SIGNATURE

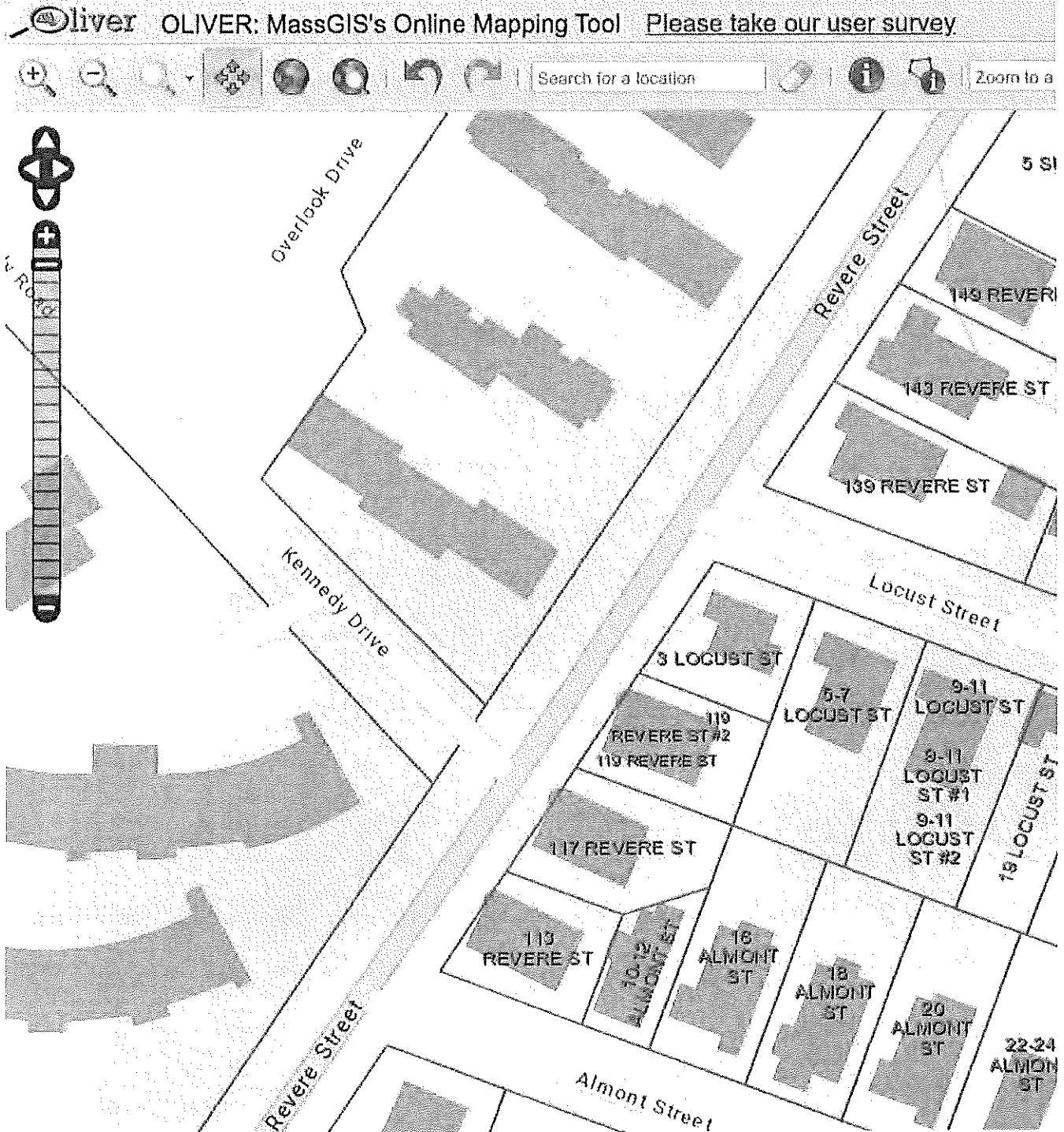


SCOTT M. CERRATO
Professional Land Sur

24 Pleasant View Drive - Exeter, NH 03833 - 78

PLOT PLAN
25 LOCUST STREET
WINTHROP, MASSACHUSETTS
PARCEL ID: 62-73

APRIL 3, 2020



INDEX

1. EXISTING AND PROPOSED BASEMENT PLAI
2. EXISTING AND PROPOSED GROUND FLOOR
3. EXISTING AND PROPOSED FIRST FLOOR P
4. EXISTING AND PROPOSED SECOND AND A
5. EXISTING AND PROPOSED FRONT AND RE
6. EXISTING AND PROPOSED LEFT ELEVATION
7. EXISTING AND PROPOSED RIGHT ELEVATIC
8. FOUNDATION AND DETAILS
9. FRAMING
10. FRAMING
11. CROSS SECTION DETAIL

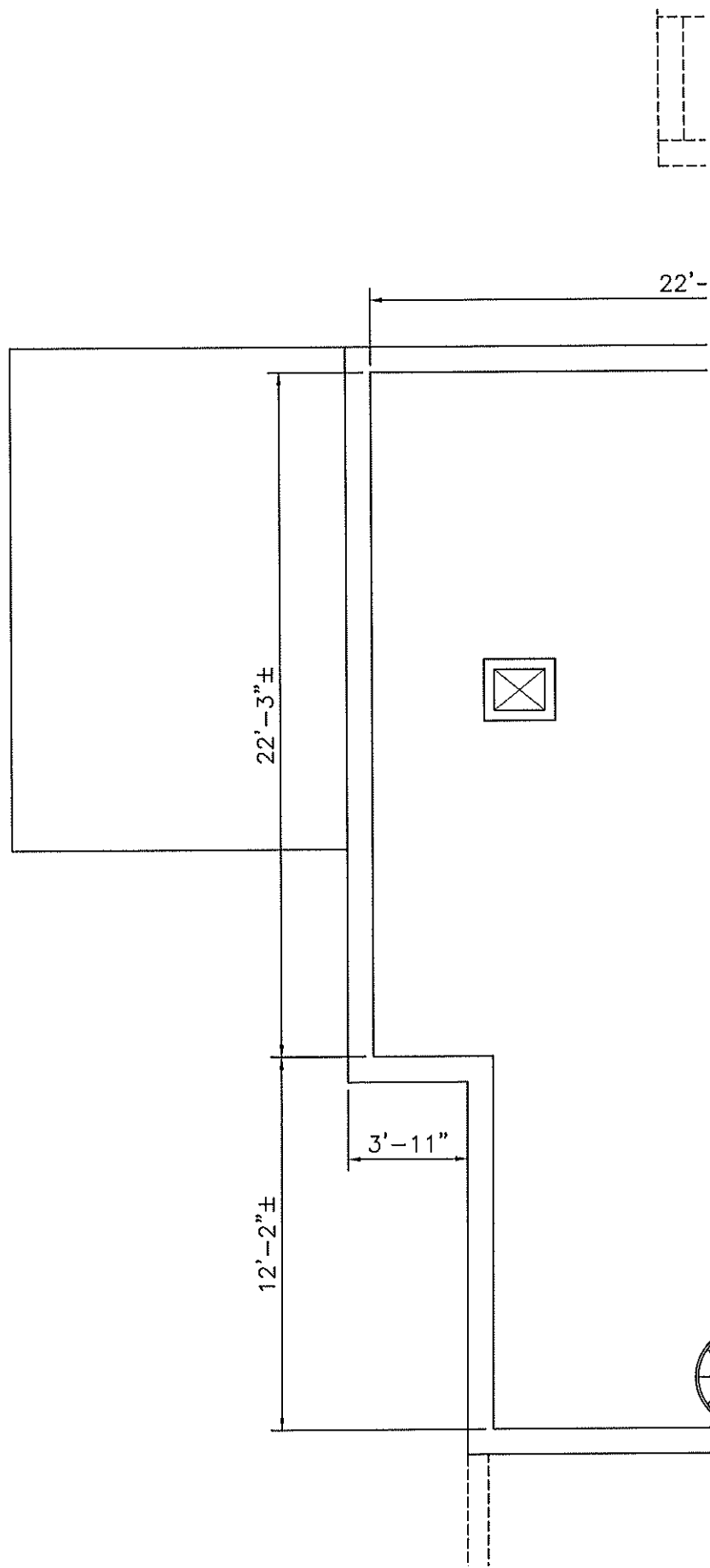
LEGEND

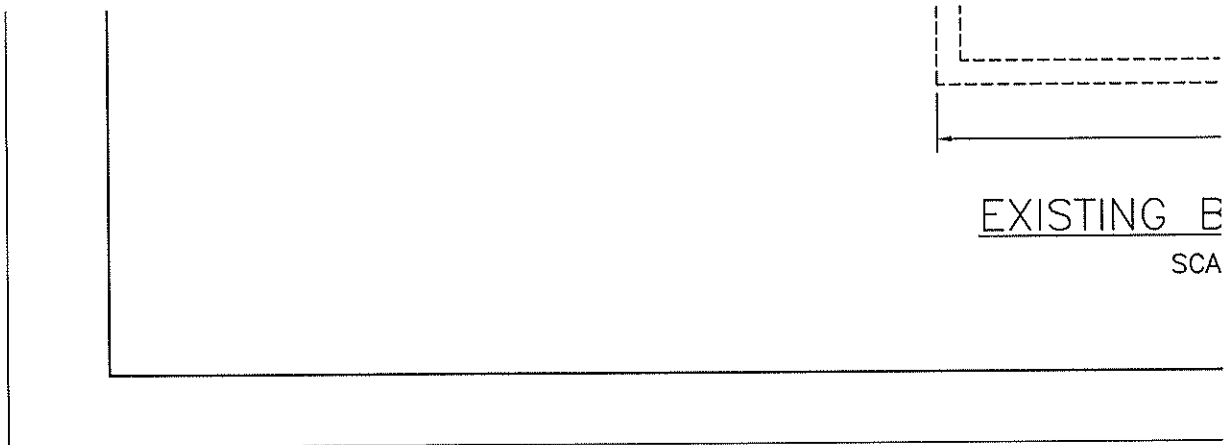
- | | |
|---|---------------------------------|
|  | EXISTING WALL |
|  | NEW WALL CONSTRUCTION |
|  | DEMOLITION WALL CONSTRUCTION |
|  | HARDWIRED SMOKE DETECTOR |
|  | HARDWIRED CARBON/SMOKE DETECTOR |
|  | BATHROOM EXHAUST VENT |

GENERAL NOTES:

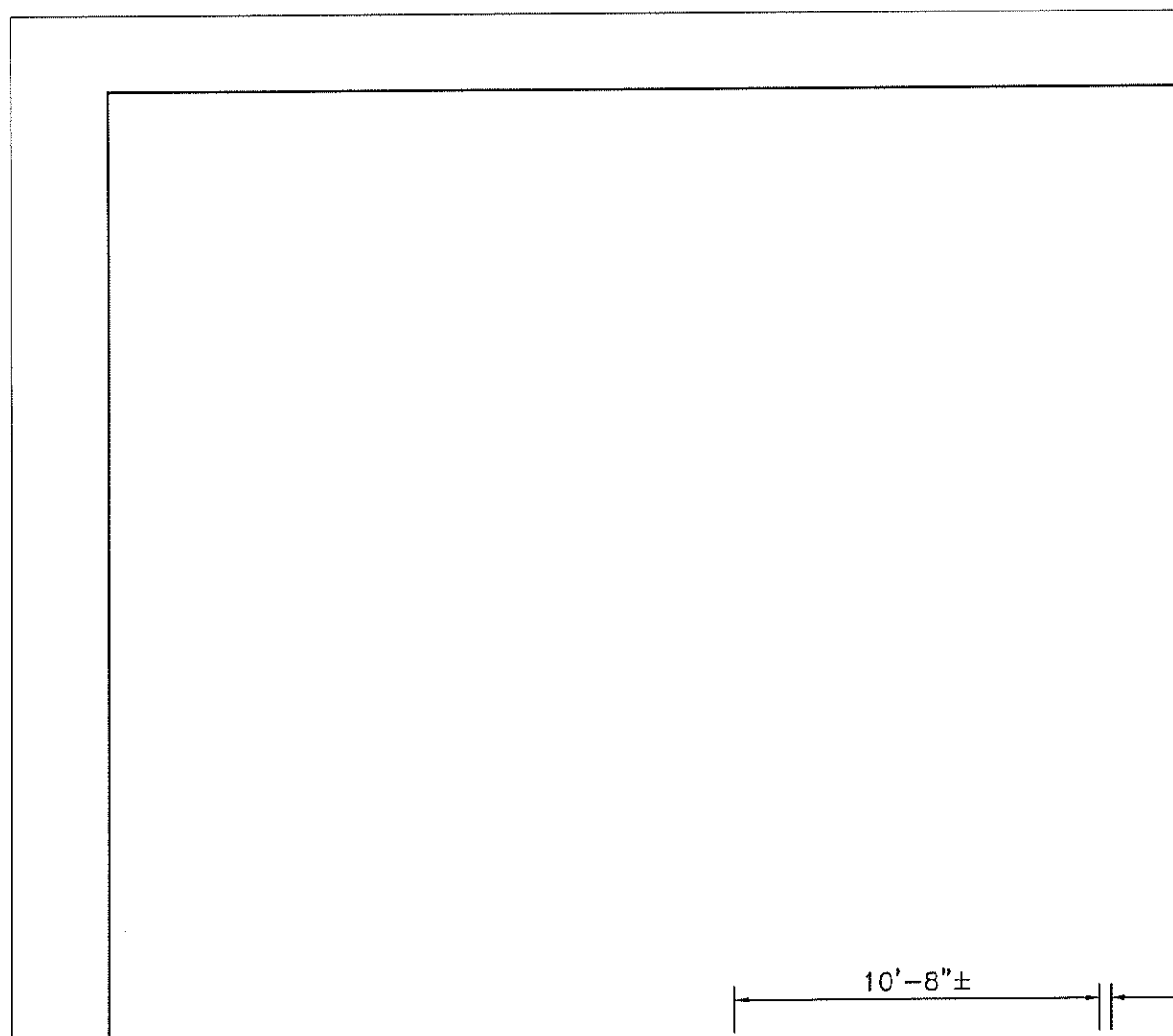
1. THE CONTRACTOR OR OWNER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FOR THIS PROJECT.
2. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL, STATE AND FEDERAL CODES.

- STATE BUILDING CODE (IRC 2015, 780 CMR 9TH EDITI
3. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR MEANS SAFETY FOR THIS PROJECT.
 4. DIMENSIONS ARE NOT GUARANTEE, THE CONTRACTOR S WORK.
 5. THE CONTRACTOR SHALL WARRANTEE HIS WORK FOR A COMPLETION.
 6. THE CONTRACTOR SHALL REPORT ANY DISCREPANCIES TO T DESIGN IMMEDIATELY.
 7. CONCRETE AND REBAR STRENGTH SHALL HAVE MINIMUI
 8. BATHROOM WINDOW MUST BE TEMPERED GLASS
 9. NEW WINDOW MUST HAS DOUBLE PANE AND U FACTOR

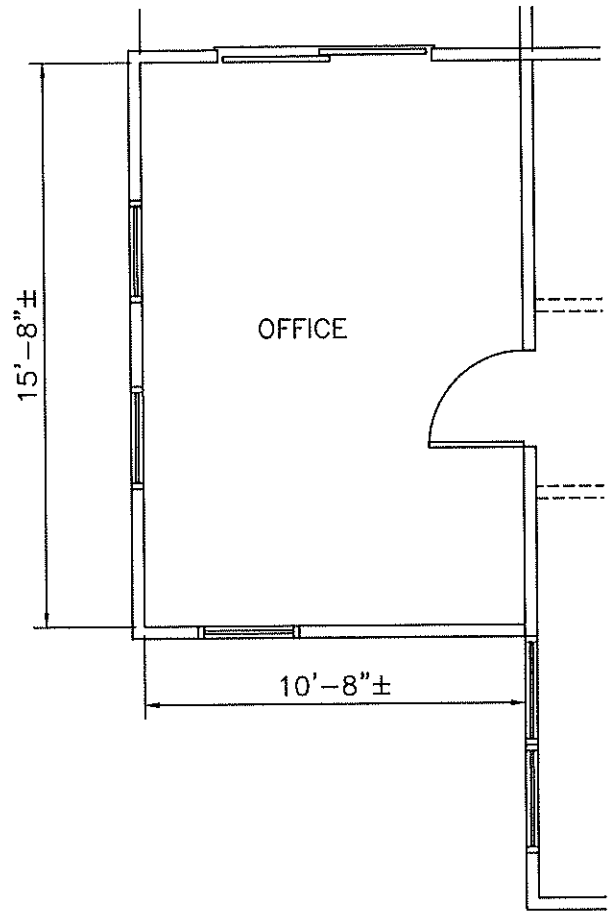


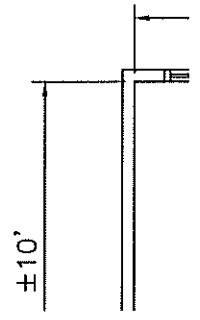
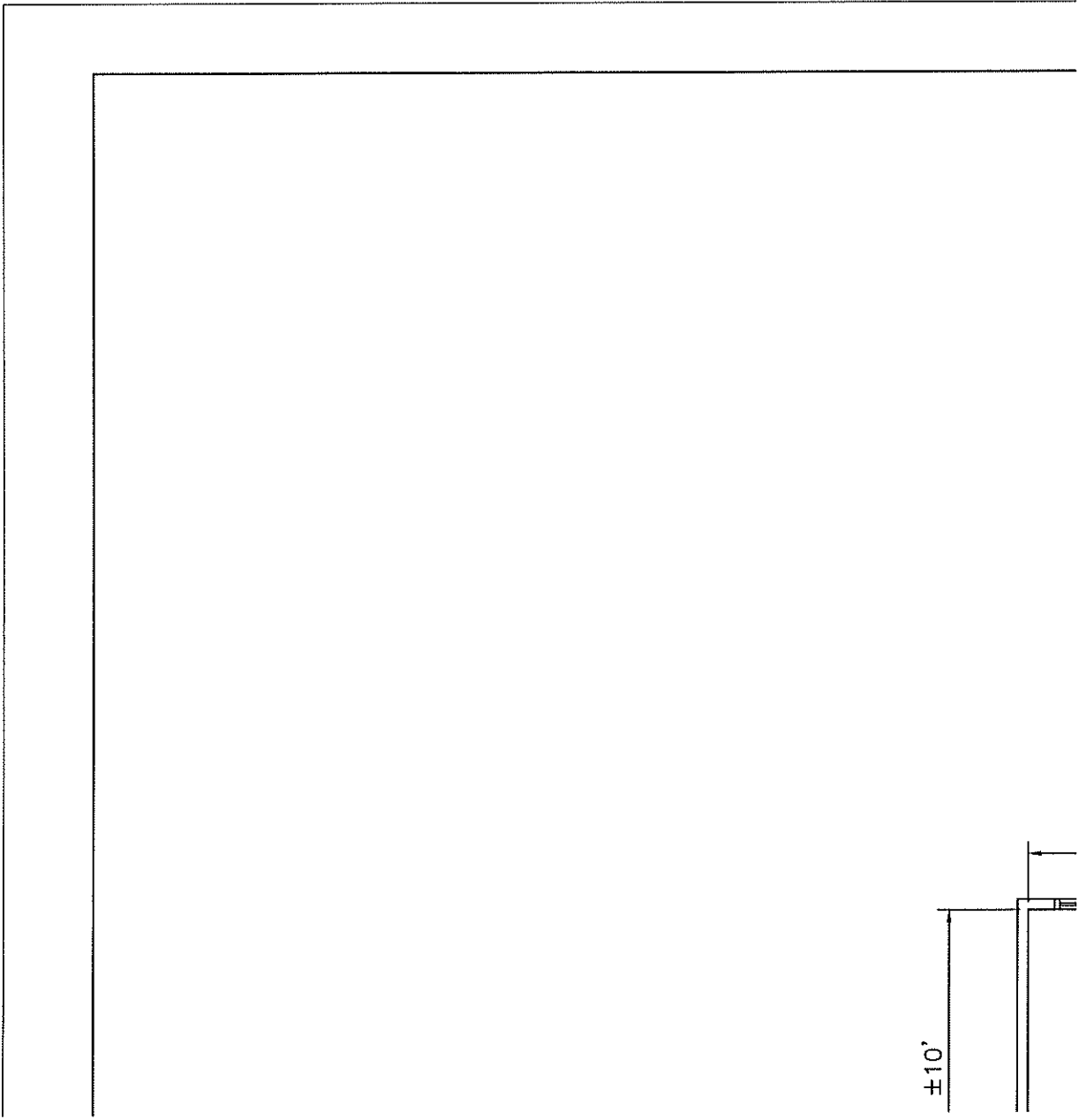
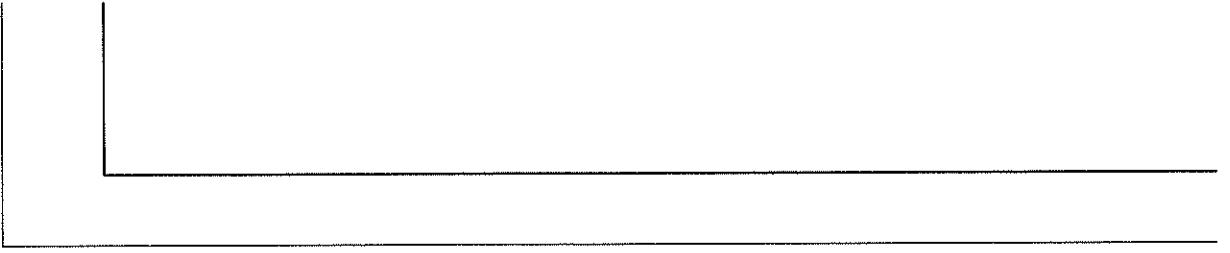


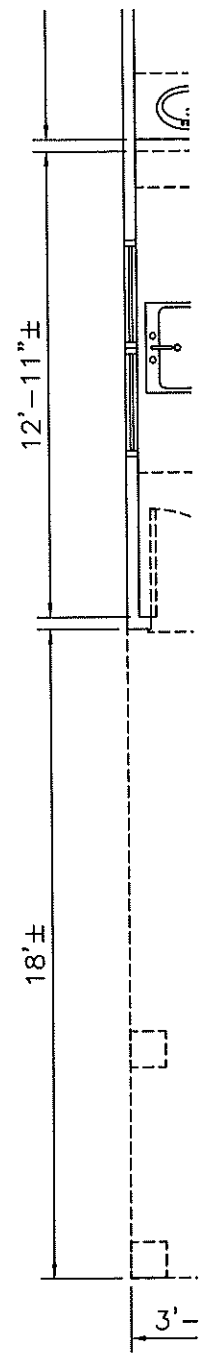
EXISTING E
SCA

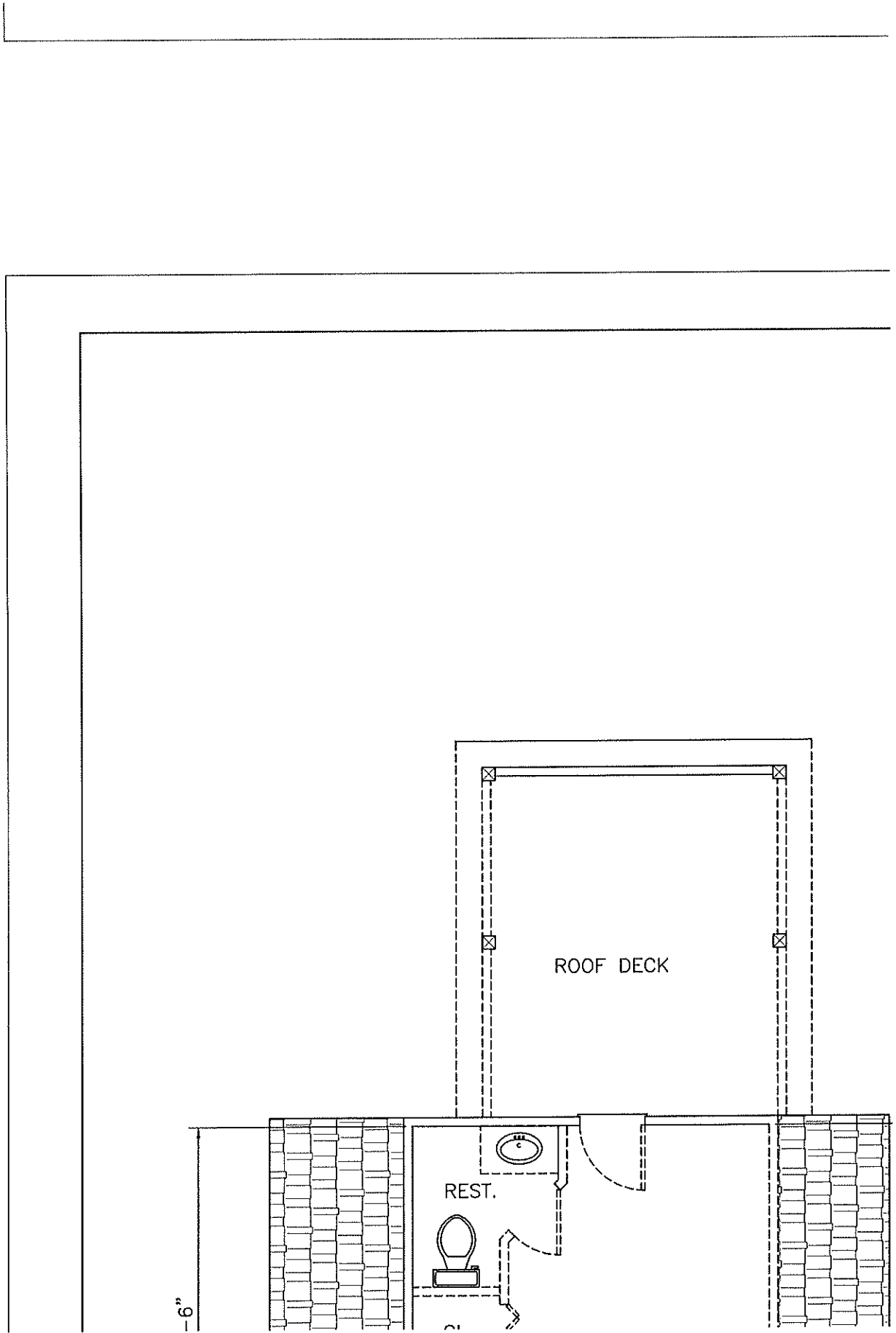


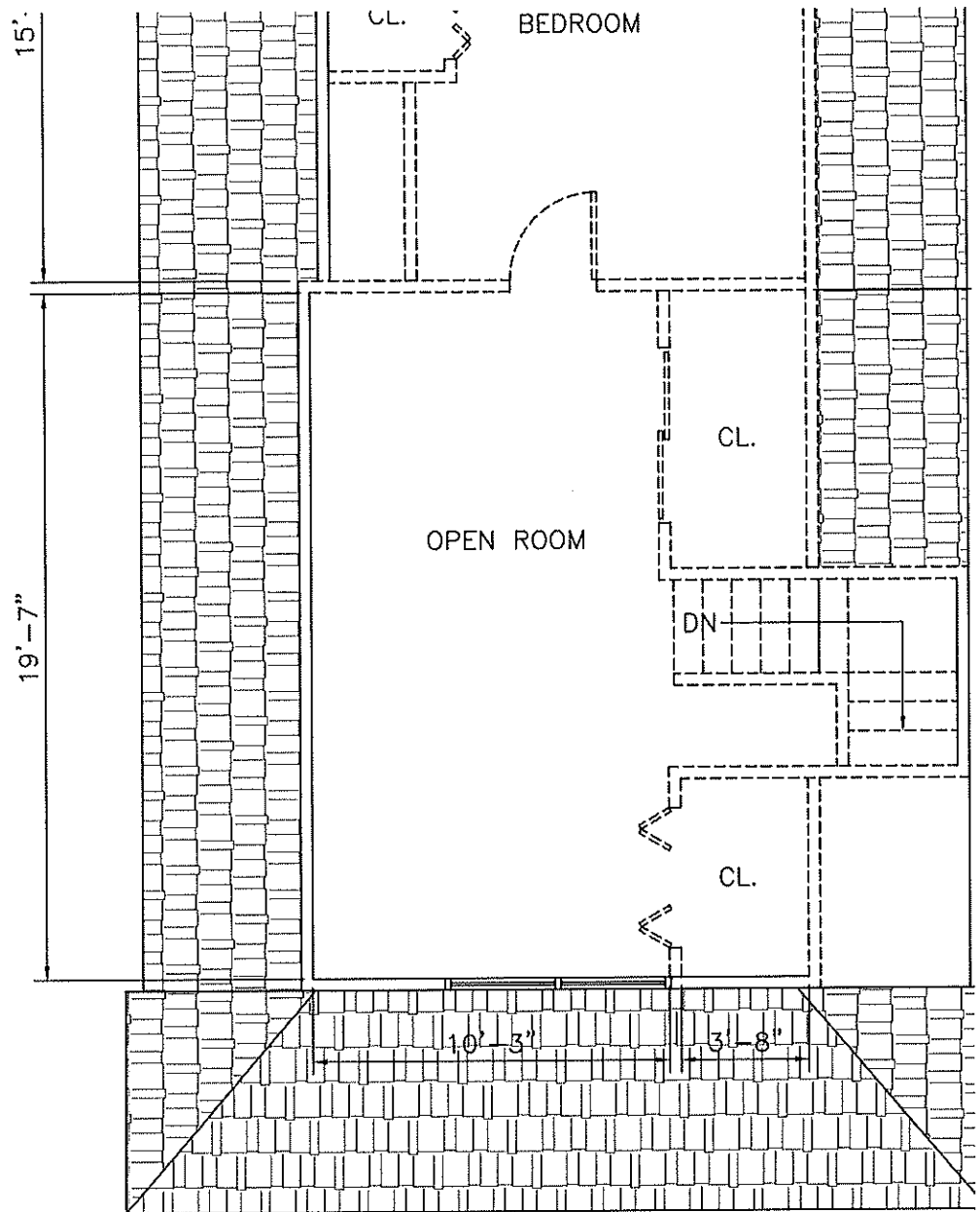
10'-8"±











EXISTING ATTIC PLAN

SCALE: $\frac{1}{4}" = 1'-0"$

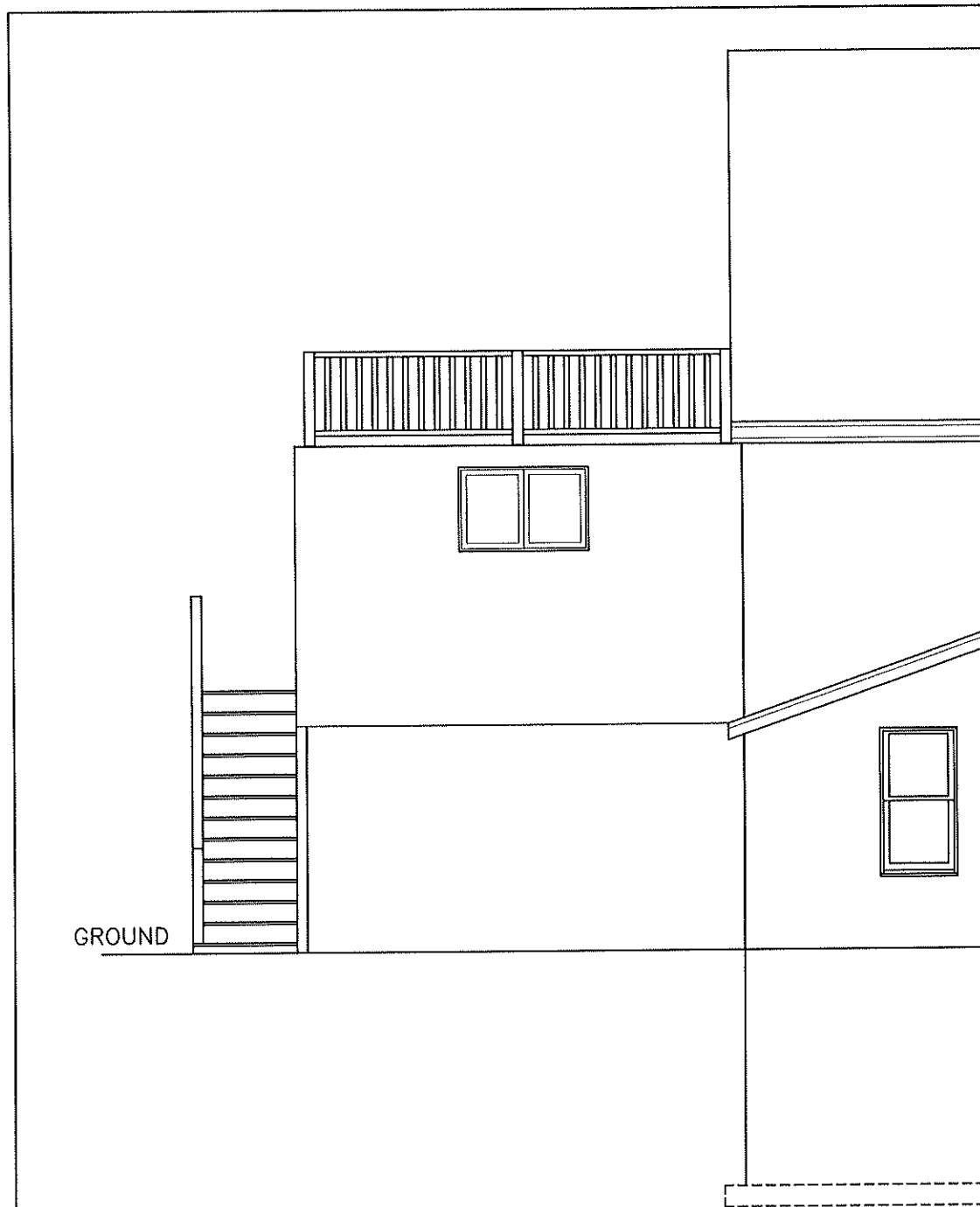


EXISTING FRONT EL



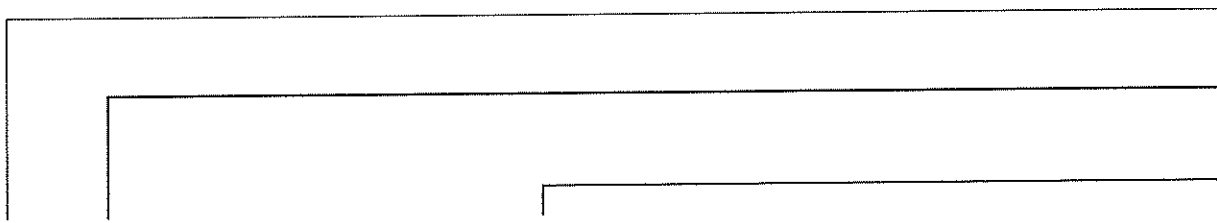
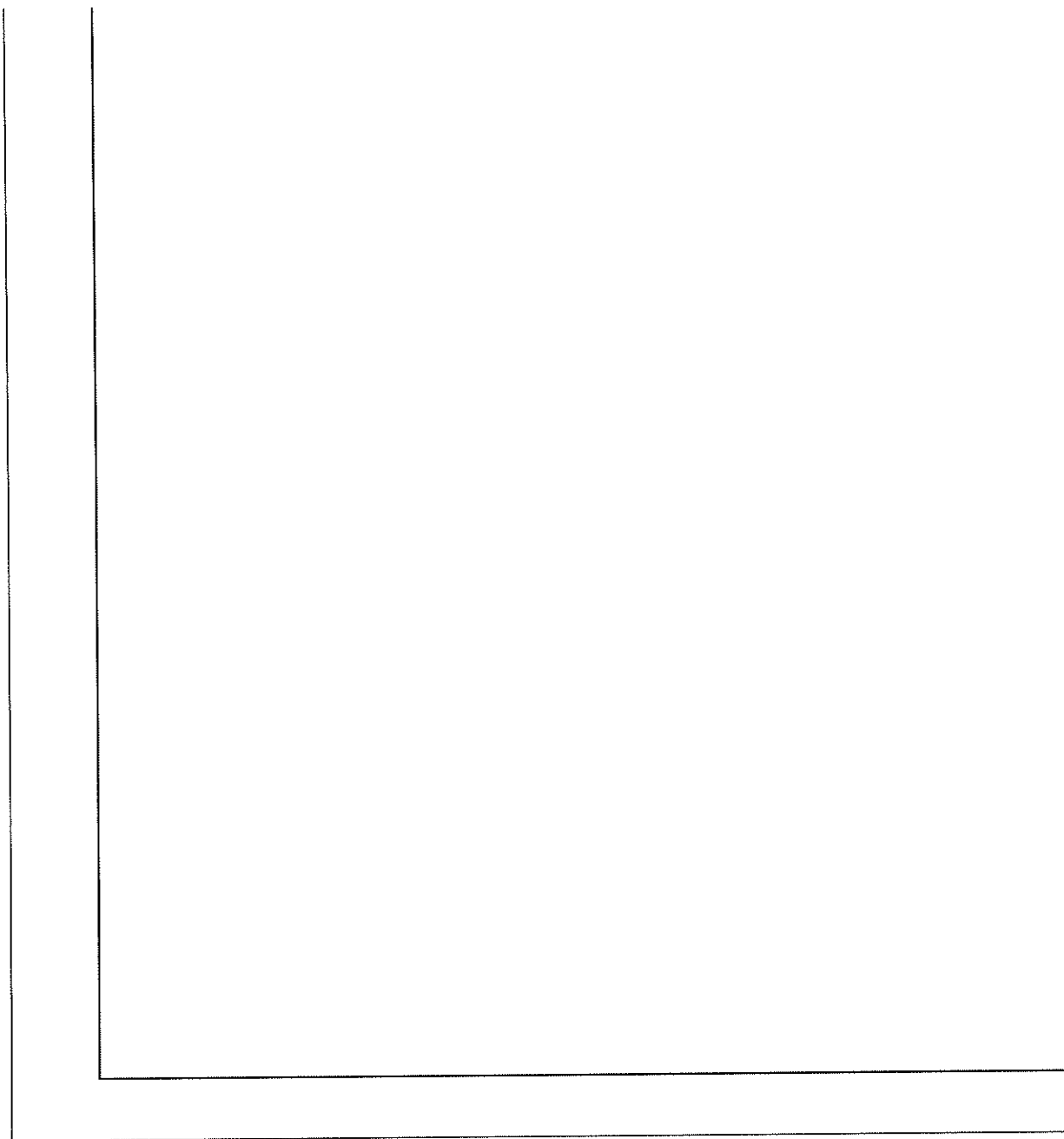


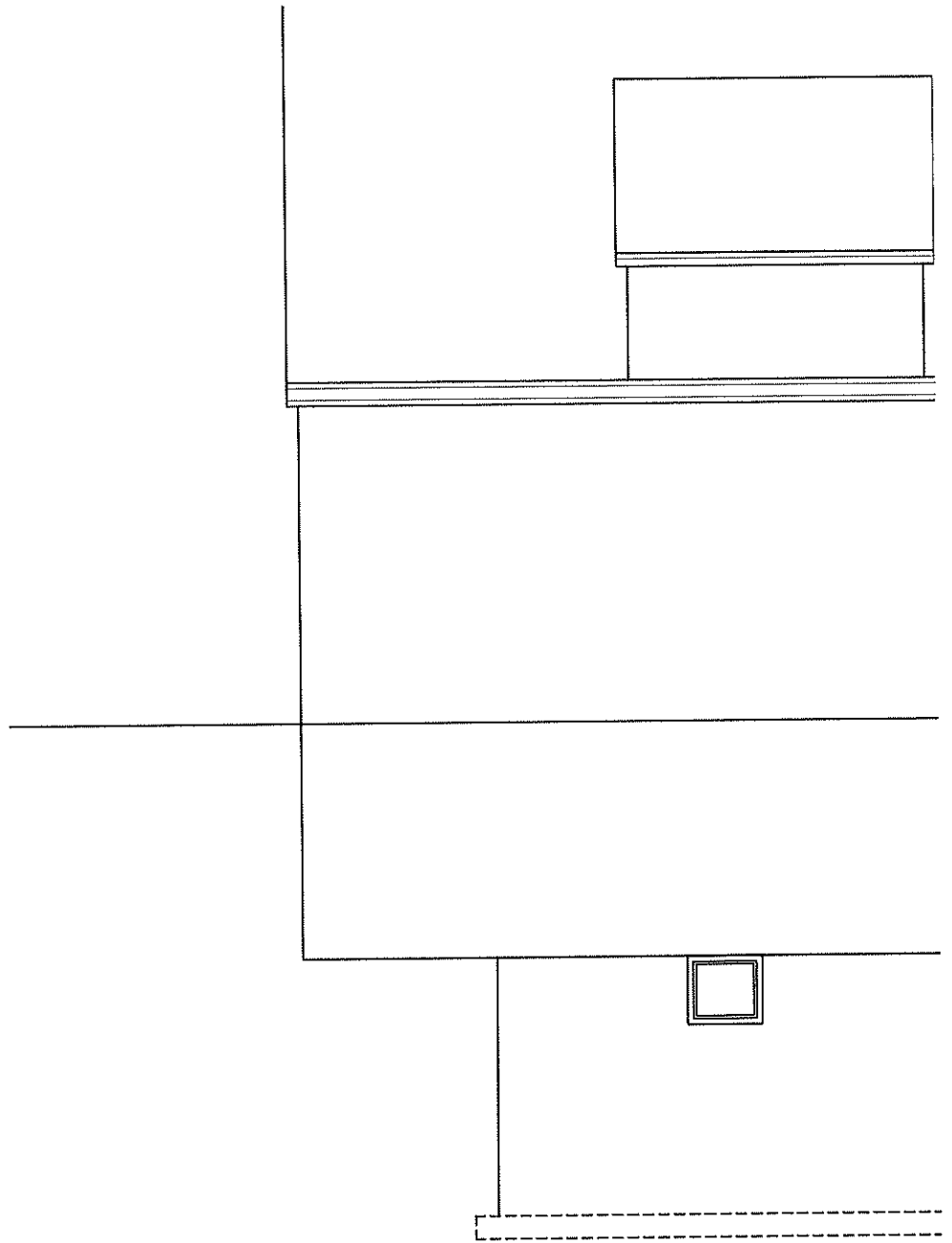
PROPOSED FRONT



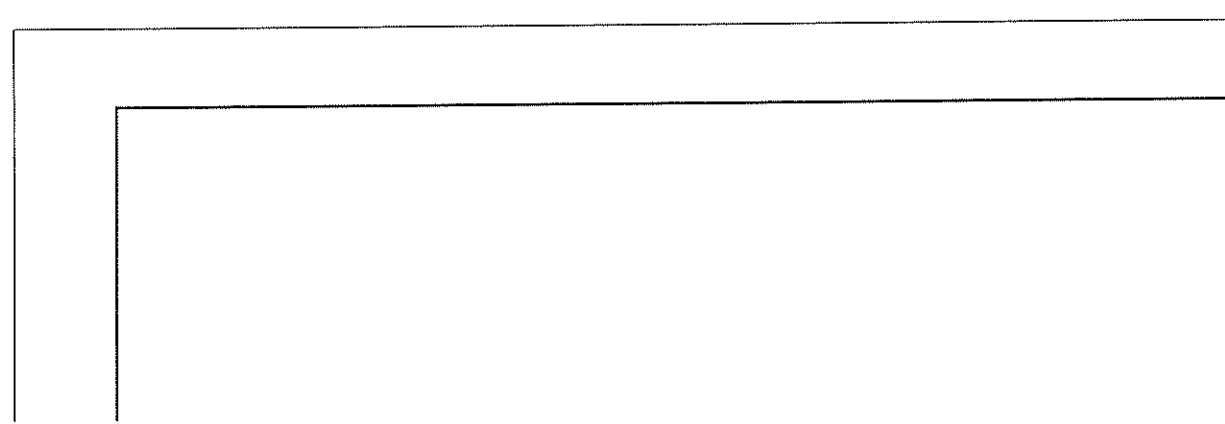
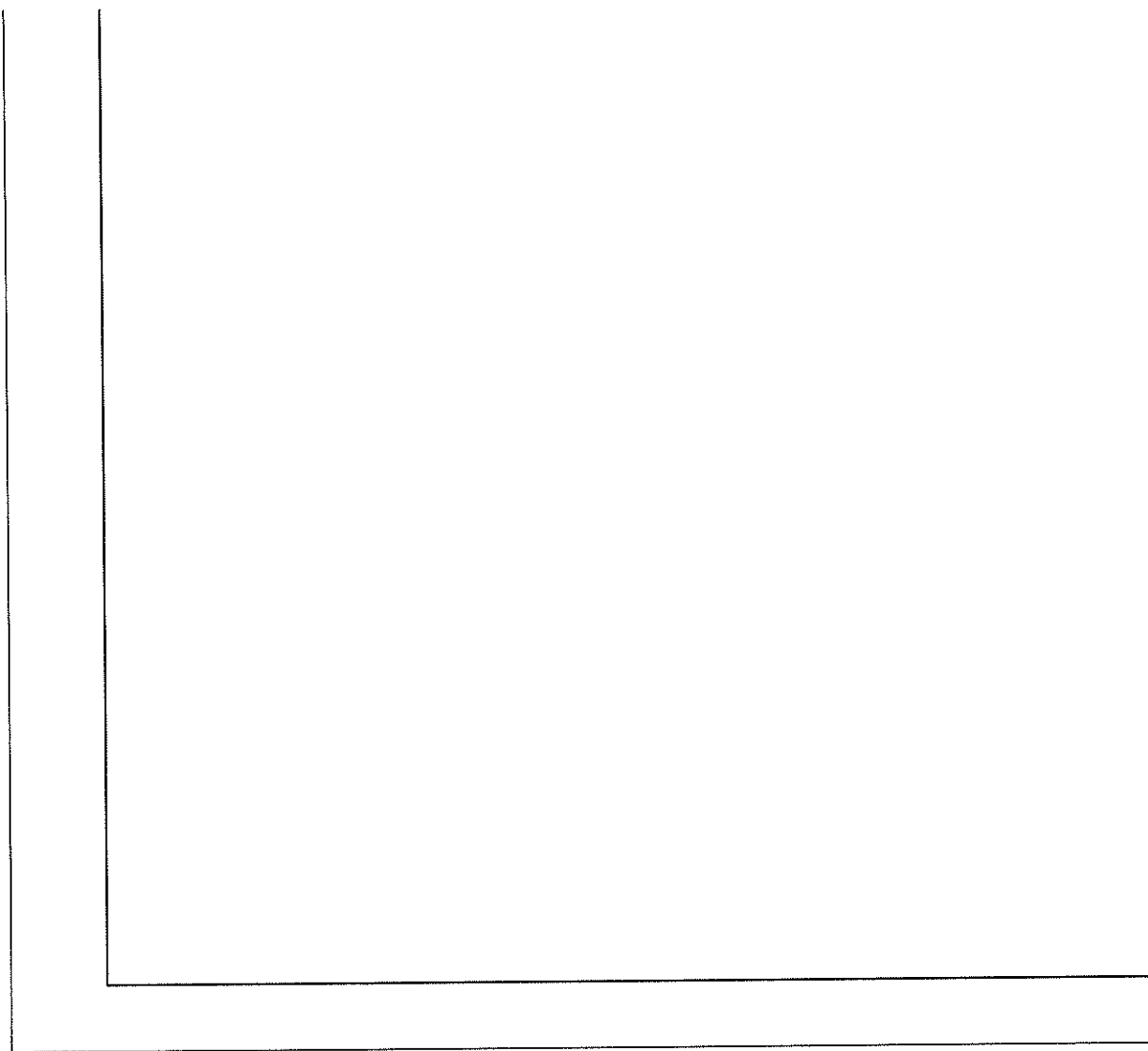
EXISTING LEFT ELEVATION

SCALE: $\frac{1}{4}" = 1'-0"$





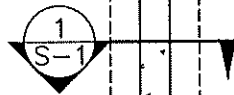
EXISTING ROOM
SCALE



SEE DETAIL A



PRE-FAB
BULKHEAD



4" CONC. SLAB 6x6 WIRE MESH
ON 6" COMPACTED GRAVEL
W/6 MIL. POLY VAPOR BARRIER.
3,000 PSI CONCRETE

PIN TO EXISTING
FOUNDATION WALL WITH
#5 REBAR @ 12" O.C.
18" EMBEDMENT LENGTH (TYP.)

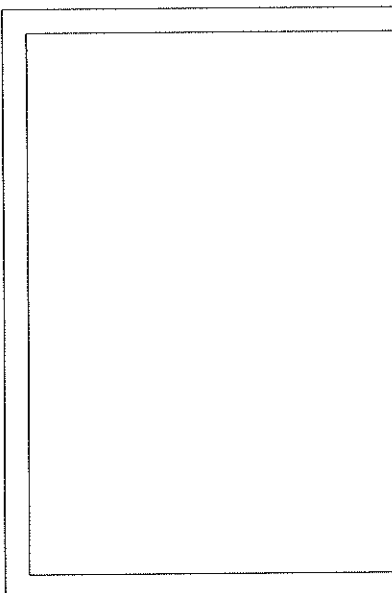
SEE NEW LALLY
COLUMN DETAIL





PROPOSED BASEMEN





AJS 25-91" @ 16" O.C.

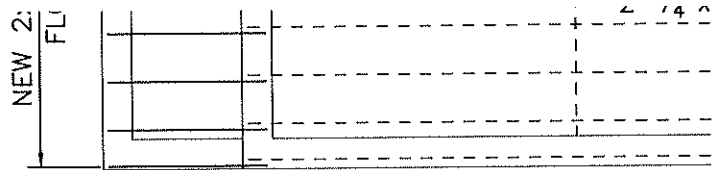
CROSS BRDGNG

x8 @ 16" O.C.
DOOR JOIST

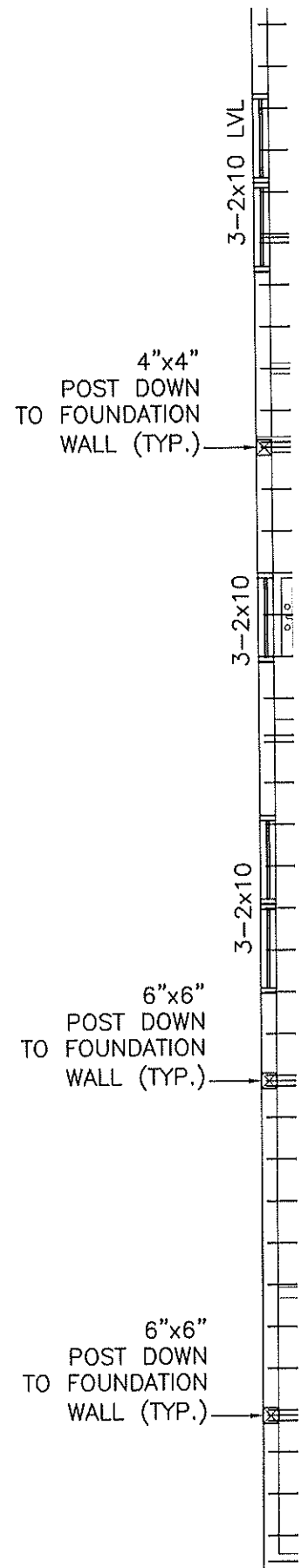
EXISTING GIRDER

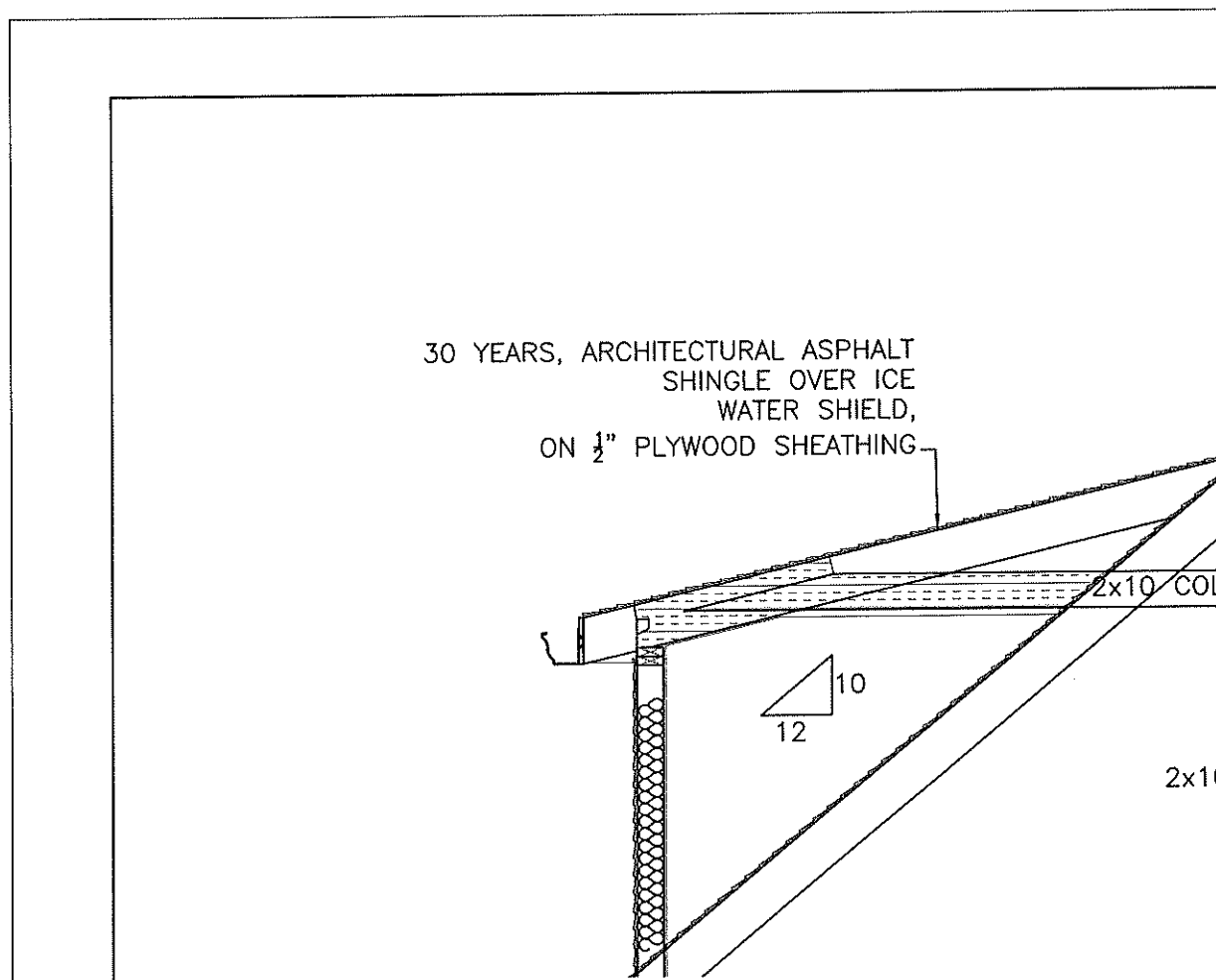
2-71"x

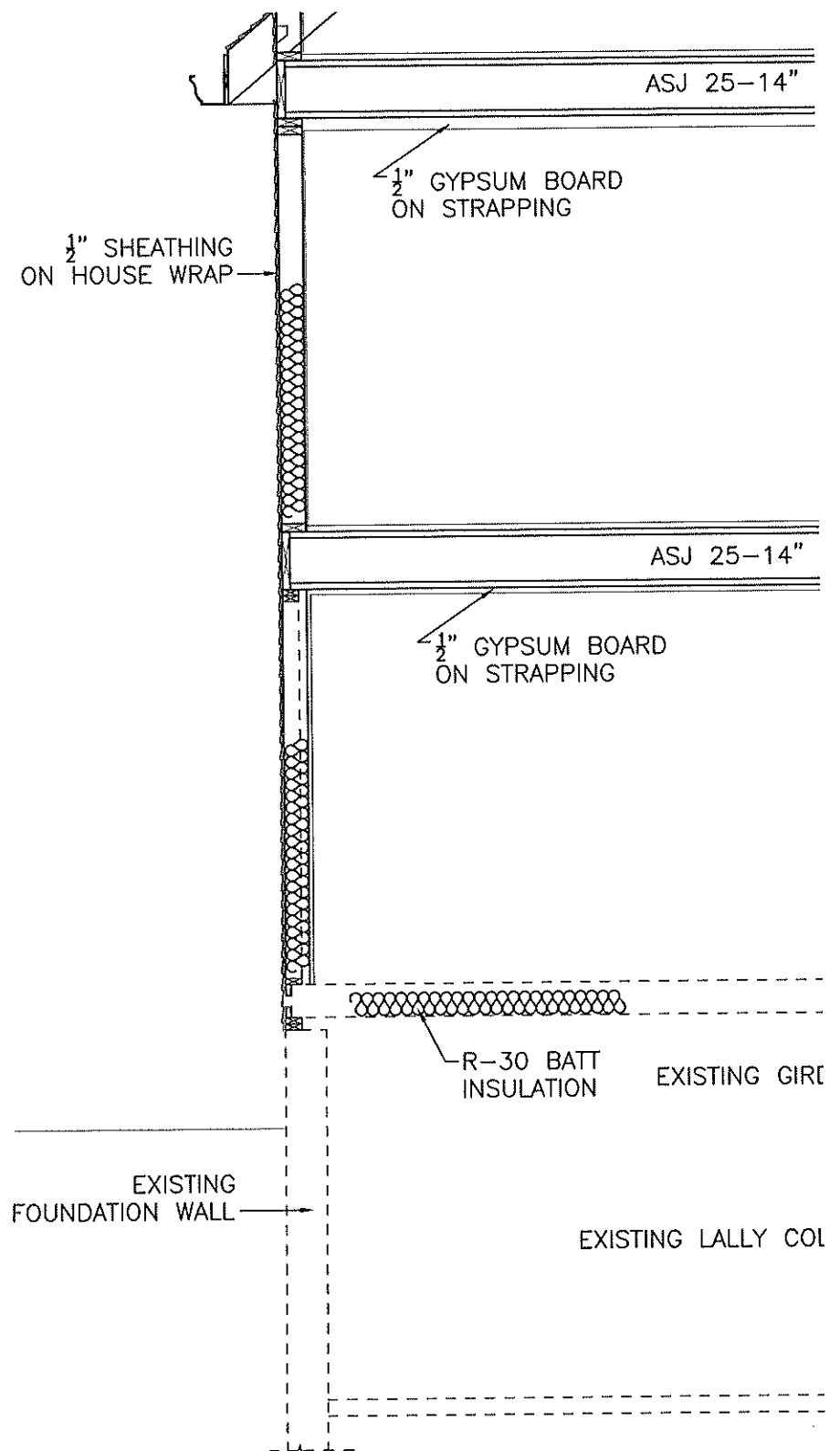
2-71"x



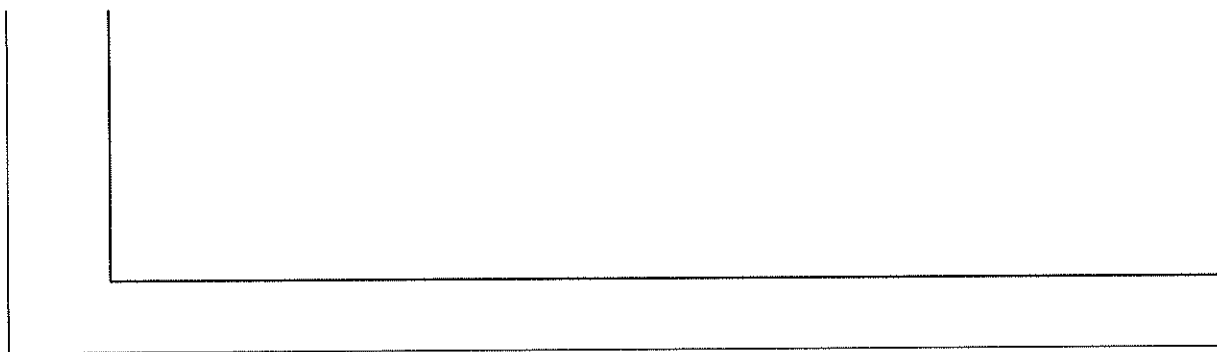
FIRST FLOOR FRAM







CROSS SECTION



USE AND DIMENSION CHART
25 Locust Street, Winthrop
District - Residential A

USE	Existing 1 Family	Proposed 2 Family	Allowed/ Required 1 or 2 Family	Difference none	Relief None
Lot Size	5234 sf	5234 sf	10000 sf	-4766 sf	Special Permit
Lot Width	50	50	75	-25	None - Pre-Existing
Lot Frontage	50	50	75	-25	None - Pre-Existing
Front Yard	15	15	15	0	None
Side Yard	8' & 7'	8' & 7'	10'	2' and 3'	Variance
Rear Yard	42'	42'	20'	22'	None
Height	34' 3"	34' 3"	35'	none	None
Max Stories	2.5	2.5	2.5	none	None
Parking	0	4	4	none	Variance

Application No. 014-2020
Date Filed: Oct. 8, 2020



Town of Winthrop
Zoning Board of Appeals
INITIAL APPLICATION FOR BED & BREAKFAST/TRANSIENT LODGING SPECIAL PERMIT

NOTICE TO APPLICANTS

Please note that the sections of this application pertaining to this petition must be filled out COMPLETELY and all requirements of the rules and regulations of the Zoning Board of Appeals and of the Zoning By-Laws Chapter 17.49 MUST be complied with. It shall be unlawful to conduct a Bed & Breakfast use, without a Special Permit from the Zoning Board of Appeals. A Bed & Breakfast (B&B) or Transient Lodging (TL) is an accessory home occupation use within a private residence, providing no more than four guest rooms for a B&B and two for a TL for overnight guests at a fee that may or may not include breakfast.

THIS APPLICATION MUST BE CERTIFIED FOR COMPLETENESS BY THE BUILDING COMMISSIONER BEFORE THE APPLICATION CAN BE FILED WITH THE TOWN CLERK.

ADDRESS OF PROPERTY: 145 WASHINGTON AVE
Assessors Map No: 24 Lot No: 1

I hereby request a hearing before the Winthrop Zoning Board of Appeals:

1. Applicant submitting this application is:

Name: NATHANIEL BREJARD
Address: 145 WASHINGTON AVE
City/Town: WINTHROP MA 02152
Telephone: 617-872-5243 Email: NATEBREJARD@GMAIL.COM
Owner: ✓ Lessee: _____ Prospective Purchaser: _____
Email Address: SEE ABOVE

2. The following person is hereby designated to represent applicant in matters arising hereunder:

Name: SEE APPLICANT
Address: _____
Telephone: _____ Email: _____

RECEIVED
2020 OCT -8 P 2: 31
TOWN CLERK
WINTHROP, MASS.

3. The land for which this application is submitted is owned by:

Name: NATHANIEL BREVARD & CASSIE MALLON

Address: SEE APPLICANT.

Telephone: _____ Email: _____

Assessors Map No: 24 Lot No: 1 Zoning District: RESIDENTIAL A

4. The land described in this application is recorded in Suffolk County Registry of Deeds or Land Court Section at:

Book: 63245 Page: 175 or Instrument No: _____

5. Plans describing and defining the Special Permit are included herewith and made part hereof and are entitled:

FLOOR PLANS & PLOT PLAN

6. A locus map (Assessor Map # 24) with site marked for which permit is requested and the land uses of adjacent properties described shall be included and made a part hereof.

YES.

7. Is the site of this application subject to *Wetlands Protection Act* (M.G.L. c. 131 § or Chapter 130 § 105)?

Yes ☒ No _____

8. Is the location of the site of this application within 100 feet of a coastal beach, salt marsh, or land under the ocean?

Yes ☒ No _____

9. Describe the property for which this application is being submitted, including current use, previous uses, dimensions of land, description of existing buildings, if any, and availability of utilities, sewer, water, etc.

RESIDENTIAL 2-FAMILY, 45'x 171', WATER/SEWER + ELEC + GAS

10. Has this application to operate a Bed & Breakfast/Transient Lodging been previously denied?

Yes _____ No ☒

If yes, please describe changes made to be eligible:

11. Describe how the desired relief may be granted in consideration of the criteria described in Section 17.49 of the Winthrop Zoning By-Law.

TO ASSIST WITH HOME OWNERSHIP COSTS AND TO
ENCOURAGE TOURISM IN WINTHROP.

12. May the Special Permit be granted without nullifying or substantially derogating from the intent or purpose of the Zoning By-Laws and may it be granted without substantial detriment to the public good.

YES.

13. I understand and am in compliance with the requirements of Chapter 17.49 as follows:

Please check off each requirement as confirmation of compliance.

- ☒ This dwelling is my primary residence.
- ☒ I shall always be on premises when services are being provided.
- ☒ No room shall be rented to any guest for more than fourteen consecutive days or no more than forty-five days in a cumulative period.
- ☒ I shall maintain a guest register which is subject to periodic inspection by any municipal official of the Town of Winthrop.
- ☒ The rental area shall not exceed more than forty-five percent of the SF of my residence.
- ☒ I have provided a parking management plan and may not change it without a modification of the Special Permit.
- ☒ The initial term shall be two years and then must be re-applied for prior to the expiration date.
- ☒ This Special Permit is not transferrable without permission granted by the BOA.
- ☒ Occupancy shall be limited to comply with law.
- ☒ This Special Permit shall allow for breakfast to be served only to overnight guests.
- ☒ No cooking or appliances shall be allowed in any rented rooms by guests.
- ☒ There is at least one full bathroom, with a lockable door, included a shower and/or bath, dedicated for the use of guests.
- ☒ I agree to provide constant visible signage attached to the dwelling with contact name & phone number.
- ☒ Any changes to the exterior or addition to the residence shall require a modification to the Special Permit.



I agree with the By-Laws and I am submitting the following items:

- A plot plan prepared by a licensed surveyor showing all existing and proposed structures, appurtenances and parking areas, all boundary, property lines and easements.
- A floor plan drawn to scale showing the location of each guest room, all egresses, locations of bathrooms and where breakfast is served.
- A detailed parking management plan identifying the location of off-street parking on the lot and demonstrating enough parking for the principal use, plus one additional parking space for each guest room and any provision for tandem parking to meet the required parking standards.
- A written statement from the Town's Treasurer/Collector stating that all municipal encumbrances are current.

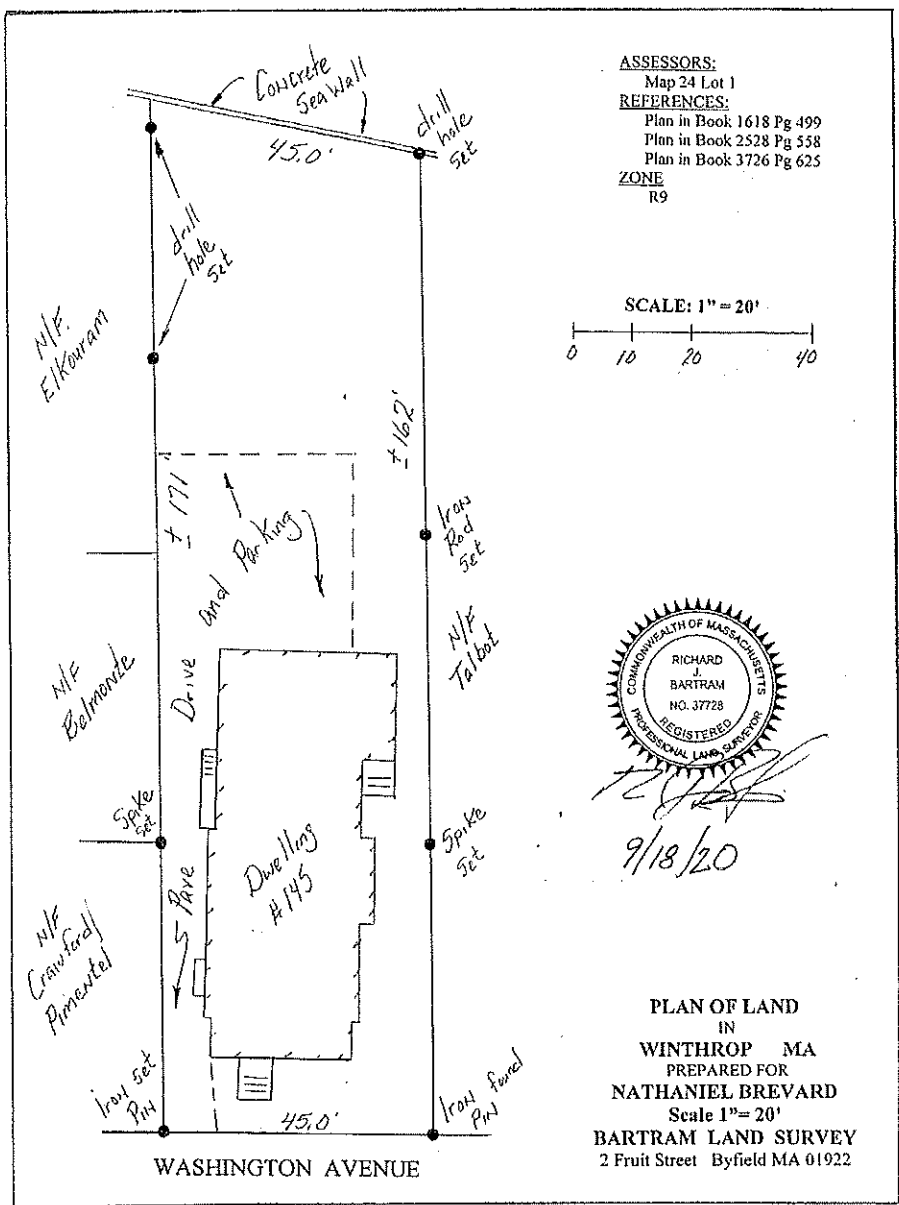
NOTE: The law does not permit the Board of Appeals to grant a Special Permit unless all requirements set forth in Massachusetts General Laws Chapter 40A § 9 are satisfied. Each one of the above categories must be answered in detail.

Date of denial of Building Permit request by Building Commissioner: 10/7/2020
[Signature] 10/8/2020
Signature of Applicant Date
[Signature] 10/8/2020
Signature of Owner Date
[Signature] 10/8/2020
Signature of Designated Representative Date

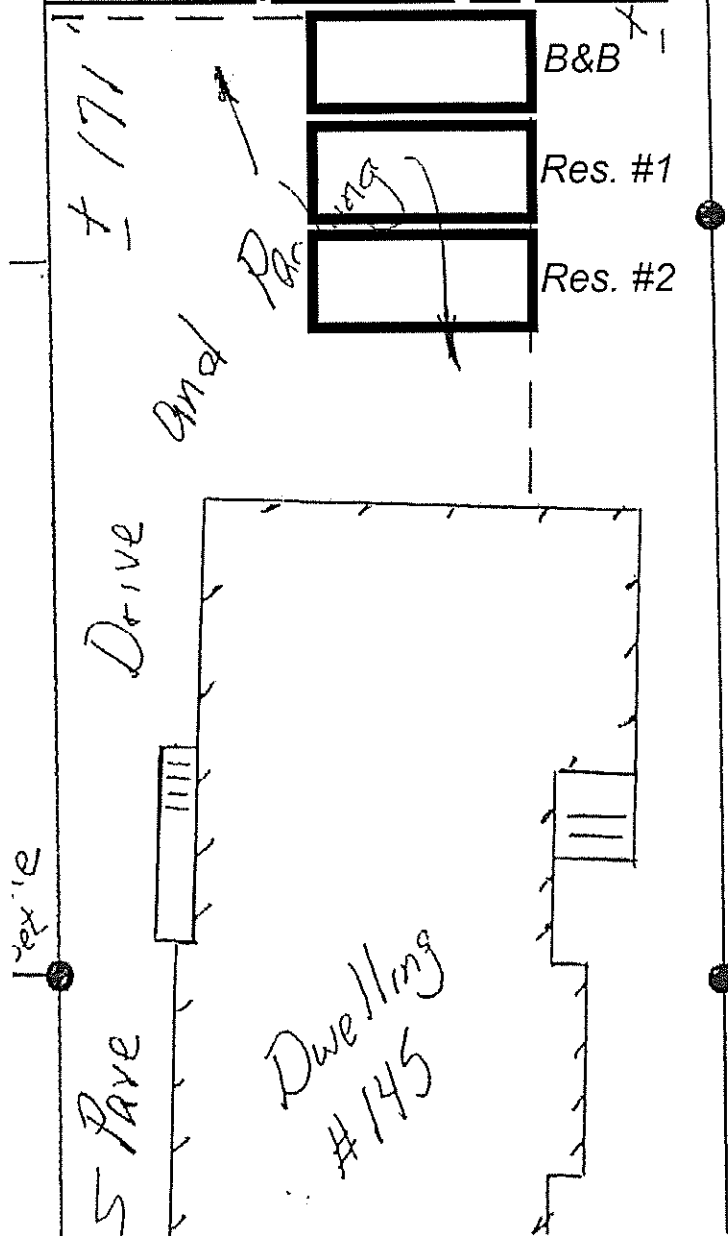
ALL MUST SIGN THIS APPLICATION

Received from the above Applicant the sum of \$ 375 - to apply against the administrative costs.
By: [Signature] Date: 10/8/2020
Notice of Application to Board of Appeals made herewith.

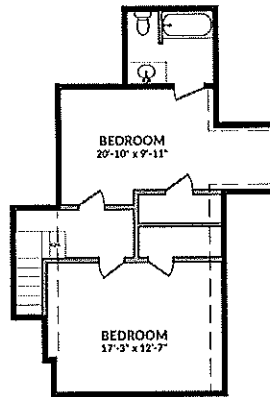
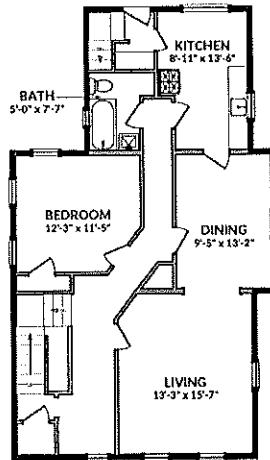
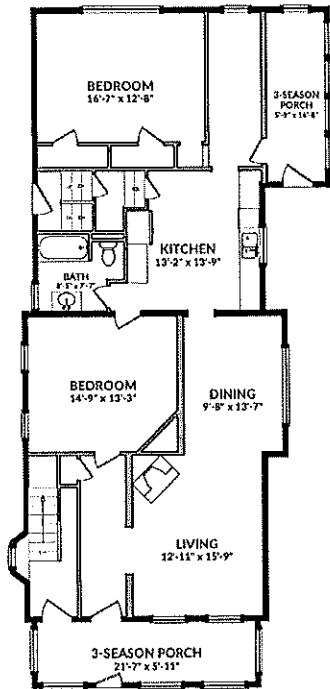
[Signature] Town Clerk



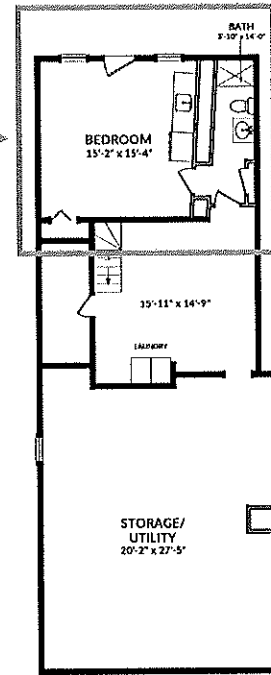
145 Washington Parking Mgmt Plan

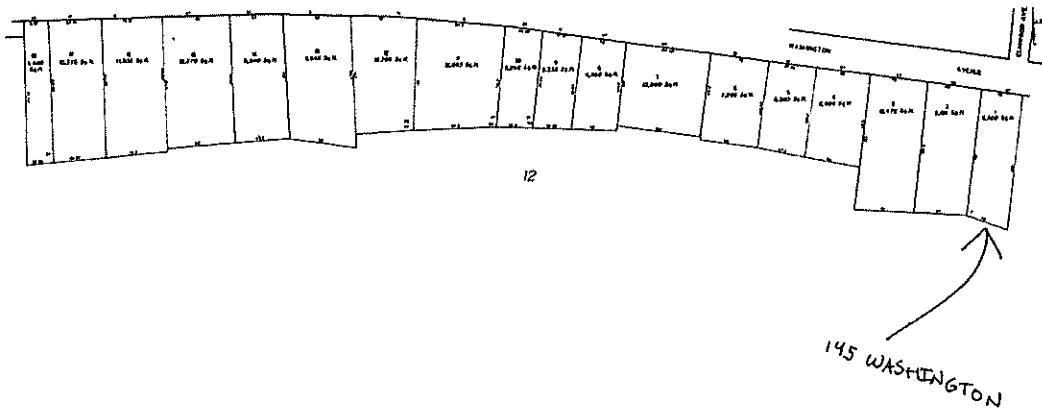


**Floor Plans for 145 Washington Ave
2-Family.**



**B&B
Room** →





LEGEND
 BOUNDARY LINES
 WATER LINES



DATE OF SURVEY: 1912
 DATE OF MAP: 1912
 DATE OF REVISION: 1912

See Description of Property
 Map to be used for Reference

TOWN OF WINTHROP
 MAP OF WINTHROP
 JAMES W. SEWELL COMPANY, OLD TOWN, MAINE
 1912

23	24	25
----	----	----



**ZONING BOARD OF APPEALS
B & B LICENSE PERMIT
INSPECTION REPORT**

To:	☐ Building Inspector ☐ Wire Inspector ☐ Plumbing Inspector ☐ Health Inspector ☐ Fire Inspector	Bed & Breakfast/Transient License ☒ New ☐ Renewal Date Filed: Date Granted: <u>October 17 2020</u>
------------	---	---

Inspectors:

The Zoning Board of Appeals requests that you make an inspection at the premises at:

Business: Nate Brevard
Address: 145 Washington Ave., Winthrop, MA

And make a report of the same to this office on or before October 9 2020.

Thank you in advance for your cooperation in this matter.

Zoning Board of Appeals
By: Joanne M. DeMato
Title: Clerk to the Board of Appeals

Inspector's Report

☒ Approved	☐ Complies with local zoning
☐ Conditional: (Specify conditions)	
☐ Disapproved: (State reasons)	

Inspector's Signature:
Name: [Signature]
Title: Commissioner of Inspection Services
Date: 10/17/20



**TOWN OF WINTHROP
OFFICE OF THE BUILDING COMMISSIONER**

100 Kennedy Drive, Winthrop, MA 02152 Telephone: 617-846-1341 Fax: 617-539-1545
Email address: buildingdept@town.winthrop.ma.us

Dear Property Owner/Authorized Agent

You have requested that a Building Permit, Enforcement Action be issued / taken in accordance with the appropriate provisions of the Town of Winthrop Zoning Ordinance, Chapter 17. It shall be unlawful to conduct a Bed & Breakfast/Transient Lodging accessory use without a Special Permit granted by the Zoning Board of Appeals.

For the reason(s) outlined below your request for such permit / enforcement action is respectfully **DENIED**.

You have the right to request the Issuance of a Special Permit to operate a Bed & Breakfast/Transient Lodging facility from the Zoning Board of Appeals in compliance with Massachusetts General Laws, Chapter 40A.

Property Address: 145 Washington Ave

Person Requesting: Nate Brevard

REASON FOR DENIAL:

The applicant seeks a Special Permit to utilize his residence for the purpose of renting _____ bedroom(s) and operating as a legal Bed & Breakfast/Transient Lodging Business. The permit was denied in accordance to the Town of Winthrop Zoning By-Laws Chapter 17.49.020 requiring a Special Permit from the Winthrop Board of Appeals.

Albert Legee

Commissioner of Inspectional Services

Dated: 10/7/2020

FISCAL YEAR 2021 PRELIMINARY REAL ESTATE TAX BILL

Your preliminary tax for the fiscal year beginning July 1, 2020 and ending June 30, 2021 on the parcel of real estate described below is as follows:

REMIT COPY

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF WINTHROP
Collector of Taxes
Monica C. Ford

PROPERTY IDENTIFICATION			
Map/Parcel	Book	41318	
24 1	Page	/0188	
	Deed Date	02/16/2007	
Location	145 WASHINGTON AVE		

NIL OSMAN F
NATALIA MIL
145 WASHINGTON AVE
WINTHROP, MA 02152

Preliminary	4,095.20
Total Tax	4,095.20

BILL NUMBER 3815			
Billed Date	Billed	Exempt	Due
07/01/2020 Tax	2,047.60		0.00
10/01/2020 Tax	2,047.60		2,047.60
Interest thru 10/05/2020			
Total Due	\$2,047.60		
Due Date	11/02/2020		

Overdue amounts accrue interest at the rate of 14% per year until payment is received

099012021210000003815800002047601102203

FISCAL YEAR 2021 PRELIMINARY REAL ESTATE TAX BILL

Your preliminary tax for the fiscal year beginning July 1, 2020 and ending June 30, 2021 on the parcel of real estate described below is as follows:

TAXPAYER COPY

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF WINTHROP
Collector of Taxes
Monica C. Ford

PROPERTY IDENTIFICATION			
Map/Parcel	Book	41318	
24 1	Page	/0188	
	Deed Date	02/16/2007	
Location	145 WASHINGTON AVE		

NIL OSMAN F
NATALIA MIL
145 WASHINGTON AVE
WINTHROP, MA 02152

Preliminary	4,095.20
Total Tax	4,095.20

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07/01/2020 Tax	2,047.60		0.00
10/01/2020 Tax	2,047.60		2,047.60
Interest thru 10/05/2020			
Total Due	\$2,047.60		
Due Date	11/02/2020		

Overdue amounts accrue interest at the rate of 14% per year until payment is received

099012021210000003815800002047601102203

Office Hours

M & W 8am-4:30pm; Tu & Th 8am-7pm; Closed Fridays

MAKE CHECKS PAYABLE TO

Town of Winthrop

SEND PAYMENTS TO

Collector of Taxes

1 Metcalf Square

Winthrop MA 02152



**Town of Winthrop
Zoning Board of Appeals
Bed & Breakfast License Application**

Proprietor's
Name: NATHANIEL R.W. BREVARD
First, Middle Initial, Last Name

Proprietor's Residential
Address: 145 WASHINGTON AVE
Street Number and Address

WINTHROP MA 02152
City/Town, State and Zip Code

Telephone
Number: 617-872-5243
Home: Business:

Business
Name: 145 WASHINGTON AVE B&B

Business Address: 145 WASHINGTON AVE WINTHROP, MA 02152
Street Number and Address

I herein certify under penalty of perjury that, to the best of my knowledge and belief, I have filed all state tax returns and have paid in full all state and local taxes, fees or other assessments due to the Commonwealth of Massachusetts or the Town of Winthrop.

SIGNED: Nathan MacGill
Signature of Individual Owner Signature of Co-Owner

TAX I.D.# 026-78-4573 DATE: 10/8/2020

WARNING:

- This license will not be issued unless the applicant signs this certification.
- Your Social Security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licenses who fail to correct their non-filing or delinquency status will be subject to license suspension or revocation.

LICENSE GRANTED AND RELEASED:

DATE: _____

FEE: \$100.00

IMPORTANT NOTICE:
THIS LICENSE EXPIRES
2 YEARS FROM THE DATE
GRANTED.

DATE PAID: _____



Date Submitted _____
Fee: \$10

**TOWN OF WINTHROP
REQUEST FOR ABUTTER'S LIST & LABELS**

Please note: The Applicant is solely responsible for requesting the appropriate abutters list required by the applicable Mass General Law. The Assessor's Office requires two business days to complete this request.

Property Owner Name NATHANIEL BREVARD & CASSIE MACCOLL

Owner Address 145 WASHINGTON AVE WINTHROP MA 02152

Property Address 145 WASHINGTON AVE WINTHROP MA 02152
(The address should be the inclusive of all addresses of proposed development. Example -- If you are developing 1-10 Main Street -- list every address not just 1 Main Street.)

Assessors Map/Parcel 24 / 1

Applicant Name NATHANIEL BREJARD

Applicant Address 145 WASHINGTON AVE WINTHROP MA 02152

Applicant Phone Number 617-872-5243

Authority Requesting List: Conservation Common Vic/Liquor BOA Planning TSAC
Circle One

Circle List Requested : 500 ft. 300 ft. 150 ft.

I Nail S., acting as a custodian of assessment records do hereby certify that the attached documents contain true and complete information from the most recent tax list of the Town of Winthrop, Massachusetts.

MGL 40A, Section 11." In all cases where notice of a public hearing is required notice shall be given by publication in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than fourteen days before the day of the hearing and by posting such notice in a conspicuous place in the city or town hall for a period of not less than fourteen days before the day of such hearing. In all cases where notice to individuals or specific boards or other agencies is required, notice shall be sent by mail, postage prepaid. "Parties in interest" as used in this chapter shall mean the petitioner, abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within three hundred feet of the property line of the petitioner as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town, the planning board of the city or town, and the planning board of every abutting city or town. The assessors maintaining any applicable tax list shall certify to the permit granting authority or special permit granting authority the names and addresses of parties in interest and such certification shall be conclusive for all purposes."

Date Submitted _____
Fee: \$10

MGL 131 Section 11. "Any person filing a notice of intention with a conservation commission shall at the same time give written notification thereof, by delivery in hand or certified mail, return receipt requested, to all abutters within one-hundred feet of the property line of the land where the activity is proposed, at the mailing addresses shown on the most recent applicable tax list of the assessors, including, but not limited to, owners of land directly opposite said proposed activity on any public or private street or way, and in another municipality or across a body of water. When a notice of intent proposes activities on land under water bodies and waterways or on a tract of land greater than 50 acres, written notification shall be given to all abutters within 100 feet of the proposed project site. For the purposes of this section, "project site" shall mean lands where the following activities are proposed to take place: dredging, excavating, filling, grading, the erection, reconstruction or expansion of a building or structure, the driving of pilings, the construction or improvement of roads or other ways and the installation of drainage, sewerage and water systems, and "land under water bodies and waterways" shall mean the bottom of, or land under, the surface of the ocean or an estuary, creek, river stream, pond or lake. When a notice of intent proposes activity on a linear shaped project site longer than 1,000 feet in length, notification shall be given to all abutters within 1,000 feet of the proposed project site. If the linear project site takes place wholly within an easement through another person's land, notice shall also be given to the landowner. Said notification shall be at the applicant's expense and shall state where copies of the notice of intention may be examined and obtained and where information regarding the date, time and place of the public hearing may be obtained. Proof of such notification, with a copy of the notice mailed or delivered, shall be filed with the conservation commission."