

1. Agenda

Documents:

[BOARD_OF_APPEALS_12032020.PDF](#)

2. Meeting Materials

Documents:

[018-2020_15_TOWNSEND_ST_M_CIMMINO.PDF](#)
[017-2020_131_HIGHLAND_AVE_TZORTIZIS.PDF](#)
[016-2020_D_CLUCAS_87_UNDINE_AVE.PDF](#)
[021-2020_39_GROVERS_AVE._N_RESTREPO.PDF](#)
[020-2020_9_WILLOW_TERRACE_N_FERRARA.PDF](#)
[019-2020_105_SAGAMORE_AVE._L_COHEN.PDF](#)



RECEIVED
2020 NOV 13 P 12:08

TOWN CLERK
WINTHROP, MASS.

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: December 3, 2020 AT 07:00 PM Eastern Time (US and Canada)

Topic: Winthrop Board of Appeals Meeting

Join Zoom Meeting

<https://us02web.zoom.us/j/88583294584>

Meeting ID: 885 8329 4584

Passcode: 157360

One tap mobile

+16465588656,88583294584# US (New York)

+13017158592,88583294584# US (Washington D.C)

Dial by your location

+1 646 558 8656 US (New York), +1 301 715 8592 US (Washington D.C), +1 312 626 6799 US (Chicago), +1 669 900 9128 US (San Jose), +1 253 215 8782 US (Tacoma), +1 346 248 7799 US (Houston)

Meeting ID: 885 8329 4584

Find your local number: <https://us02web.zoom.us/j/88583294584>

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	Cont. to Dec. 3, 2020
3.	#012-2020	Joseph Ciampa	38 Franklin St.	Variance from Sect. 17.16.020.J minimum lot area to construct 2 family dwelling	Cont. to Dec. 3, 2020
4.	#016-2020	Daniel Clucas	86 Undine St.	Variance Chapter 17.16.020.J.1 Minim. Lot are requirement	
5.	#017-2020	George Tzortzis	131 Highland Ave.	Variance Chapter 17.16.130 Creation of 3 unit bldg..	

Item No.	Appl. #	Applicant	Address	Appeal	Voting
6	#018-2020	Michael Cimmino	15 A & B Townsend St.	Variance Chapter 17.16.020 Minim. Light size and setback side yard	
2.	#019-2020	David & Linda Cohen	105 Sagamore Ave.	Variance Chapter 17.52.030 Use as 3 family dwelling and 17.20.020.b VARIANCE	
3.	#020-2020	Nicole Ferrara	9 Willow Terrace	Variance Chapter 17.16.020.J Minimum lot size	
4.	#021-2020	Nereida Restrepo	39 Grovers Ave.	Variance Chapter 17.52.030 Use as three family dwelling, Chapter 17.20 Off-street parking	
5.	Approval of minutes/Adjournment				

RECEIVED
2020 NOV -9 P 1:37

Application No. 018-2020
Date: NOV -9 2020

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: 15 A & B Townsend Street, WINTHROP

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

1. Applicant Submitting this application is:

Name: Michael A Cimmino
Address: 320 Scantic Rd.
City/Town: Hamden, MASSACHUSETTS 01036
Telephone: 413.530.5757

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:

Michael Cimmino

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

Book: 28956 Page: 291

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

See Plans Attached. Plot Plan of Land, Interior Plan s

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.

Each lot is separately identified on the deed and consists
of a total of 3200 square feet of land in the Residence A
(RA) zoning district. Currently there is a one-family
residence on one lot which will be razed and a new one-unit
building will be constructed in its place. The second lot is
vacant. It is proposed to construct a similar one family
home on the lot.

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

The appellant, for each lot, requests a variance from the provisions of section 17.16.020, minimum lot size (3200 v. 5000) and a variance from the provision of section 17.16.020 minimum side yard setback

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 shape of the lots is unremarkable and topography of the land is uneven and sandy.

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 removal and construction of a new, safer, upgraded home to replace the existing building. The homes in the surrounding neighborhood are built on the same size lots. Each of the subject lots has ample parking.

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

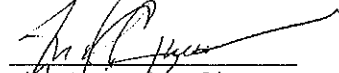
The owner proposes to upgrade each lot with homes that are similar in size and scope with surrounding homes. The building will be in harmony with the surrounding neighborhood style homes and number of units in each.

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 owner 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: 11/5/2020

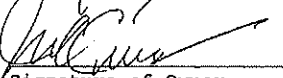
I hereby certify that the foregoing information contained in this application is true and complete.



Signature of Applicants

11/6/2020

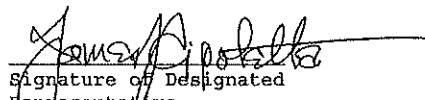
Date



Signature of Owner

11/6/2020

Date



Signature of Designated Representative

11-06-2020

Date

ALL MUST SIGN THIS APPLICATION

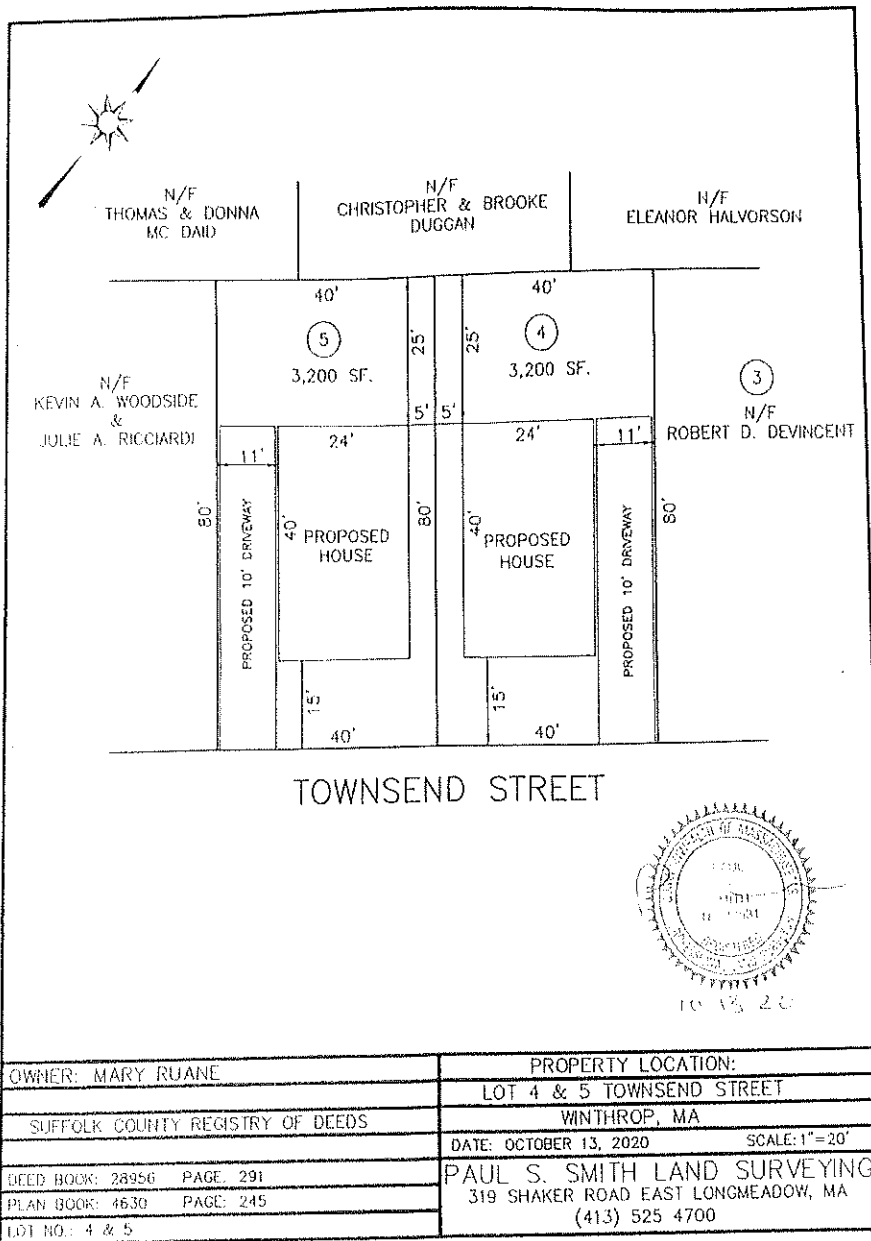
RECEIPT

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

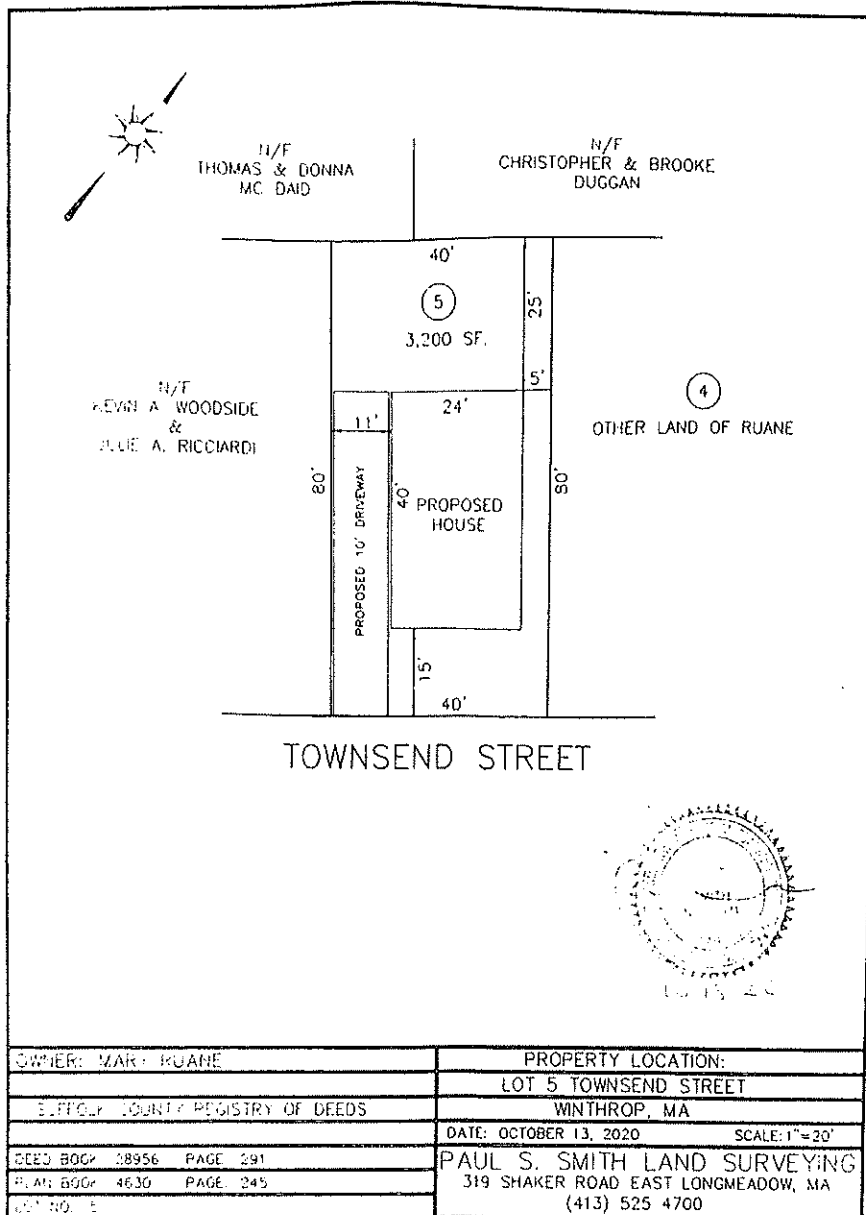
NOV - 9 2020
Date: _____

By 

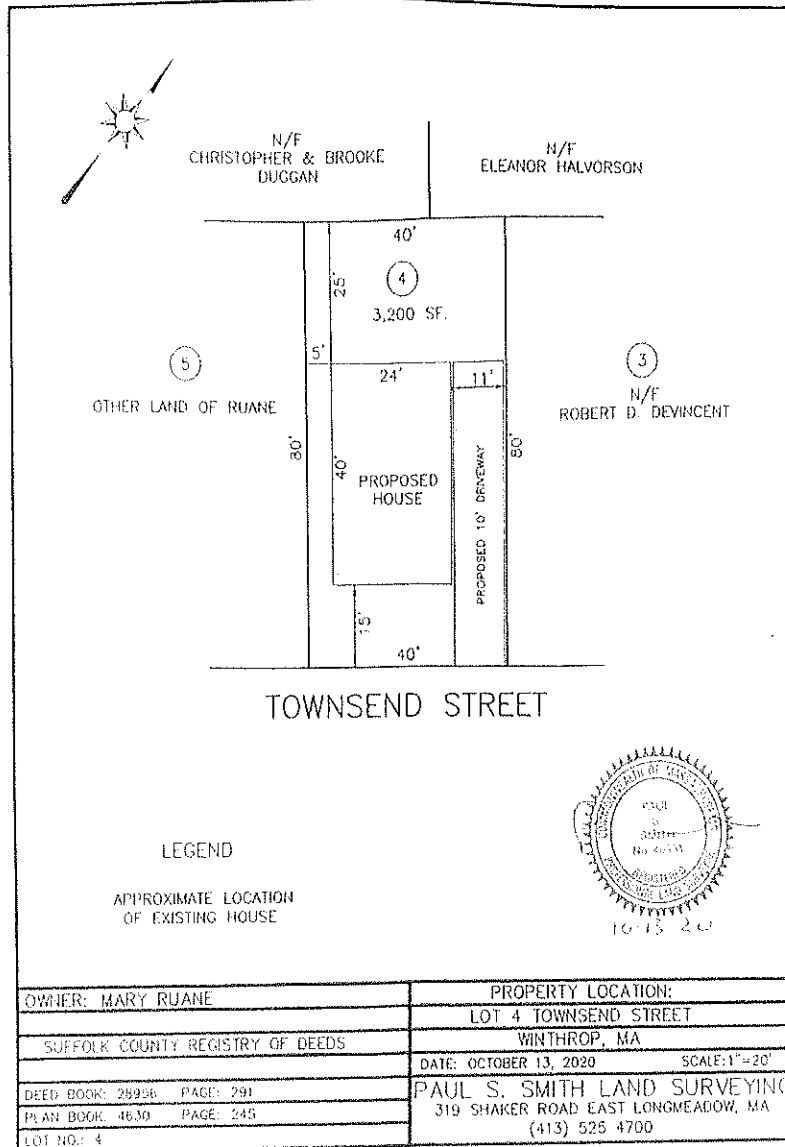




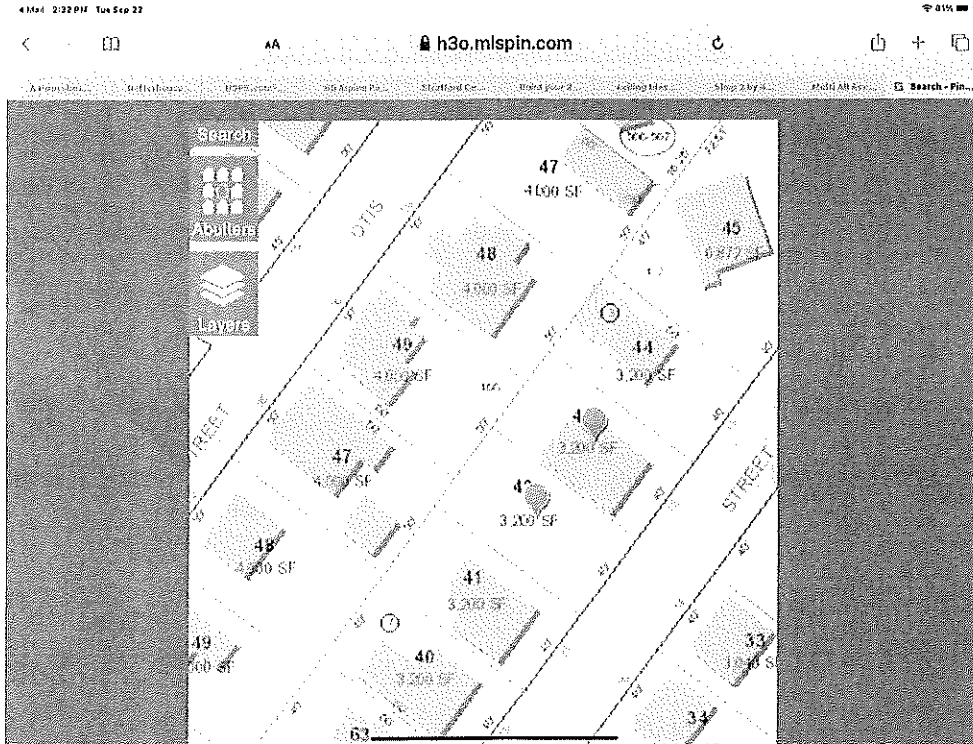
OWNER: MARY RUANE	PROPERTY LOCATION:
	LOT 4 & 5 TOWNSEND STREET
SUFFOLK COUNTY REGISTRY OF DEEDS	WINTHROP, MA
	DATE: OCTOBER 13, 2020 SCALE: 1"=20'
DEED BOOK: 28956 PAGE: 291	PAUL S. SMITH LAND SURVEYING 319 SHAKER ROAD EAST LONGMEADOW, MA (413) 525 4700
PLAN BOOK: 4630 PAGE: 245	
LOT NO: 4 & 5	



OWNER: MARK RUANE	PROPERTY LOCATION:
ELFOLK COUNTY REGISTRY OF DEEDS	LOT 5 TOWNSEND STREET
	WINTHROP, MA
DEED BOOK 28956 PAGE 291	DATE: OCTOBER 13, 2020 SCALE: 1"=20'
PLAN BOOK 4630 PAGE 245	PAUL S. SMITH LAND SURVEYING
LOT NO. 5	319 SHAKER ROAD EAST LONGMEADOW, MA
	(413) 525 4700



Cimmino
Townsend



15 TOWNSEND ST

Location 15 TOWNSEND ST

Mblu 3/43/11

Acct#

Owner RUANE MARY

PBN

Assessment \$351,200

Appraisal \$351,200

PID 152

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2020	\$124,700	\$226,500	\$351,200
Assessment			
Valuation Year	Improvements	Land	Total
2020	\$124,700	\$226,500	\$351,200

Owner of Record

Owner RUANE MARY
Co-Owner
Address 15 TOWNSEND ST
WINTHROP, MA 02152

Sale Price \$220,000
Certificate
Book & Page 28958/0291
Sale Date 07/22/2002
Instrument 00

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
RUANE MARY	\$220,000		28958/0291	00	07/22/2002
ESCHE FAMILY REALTY TRUST	\$1		14314- 348/0	1A	12/09/1987

Building Information**Building 1 : Section 1**

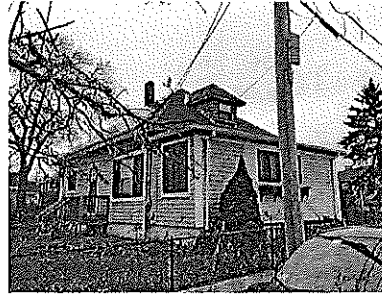
Year Built: 1926
Living Area: 1,134
Replacement Cost: \$191,817

Building Percent Good: 65
 Replacement Cost
 Less Depreciation: \$124,700

Building Attributes

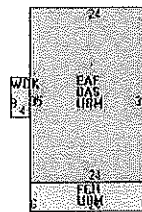
Field	Description
Style	Bungalow
Model	Residential
Grade:	Average
Stories:	1 Story
Occupancy	1
Exterior Wall 1	Wood Shingle
Exterior Wall 2	
Roof Structure:	Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Drywall
Interior Wall 2	
Interior Flr 1	Other/Softwood
Interior Flr 2	Carpet
Heat Fuel	Gas
Heat Type:	Hot Water
AC Type:	None
Total Bedrooms:	1 Bedroom
Total Bthrms:	1
Total Half Baths:	0
Total Xtra Fixtrs:	
Total Rooms:	4 Rooms
Bath Style:	Semi-Mod
Kitchen Style:	Semi Mod
Num Kitchens	01
Cndtn	
Usrld 103	
Usrld 104	
Usrld 105	
Usrld 106	
Usrld 107	
Num Park	
Fireplaces	
Usrld 108	
Usrld 101	Cons.
Usrld 102	
Usrld 100	Same

Building Photo



(<http://images.vgsi.com/photos/WinthropMAPPhotos/A0010019920.jpg>)

Building Layout



(http://images.vgsi.com/photos/WinthropMAPPhotos/Sketches/152_152.jpg)

Building Sub-Areas (sq ft)		Legend	
Code	Description	Gross Area	Living Area
BAS	First Floor	840	840
EAF	Attic, Expansion, Finished	840	294
FEP	Porch, Enclosed	144	0
UBM	Basement, Unfinished	994	0
WDK	Deck	32	0
		2,840	1,134

Extra Features

Extra Features				Legend
Code	Description	Size	Value	Bldg #
SLR	SOLAR	0.00 UNITS	\$0	1

Land

Land Use

Use Code 1010
 Description SINGLE FAM RES
 Zone
 Neighborhood R6
 Alt Land Appr No
 Category

Land Line Valuation

Size (Acres) 0.07
 Frontage 0
 Depth 0
 Assessed Value \$226,500
 Appraised Value \$226,500

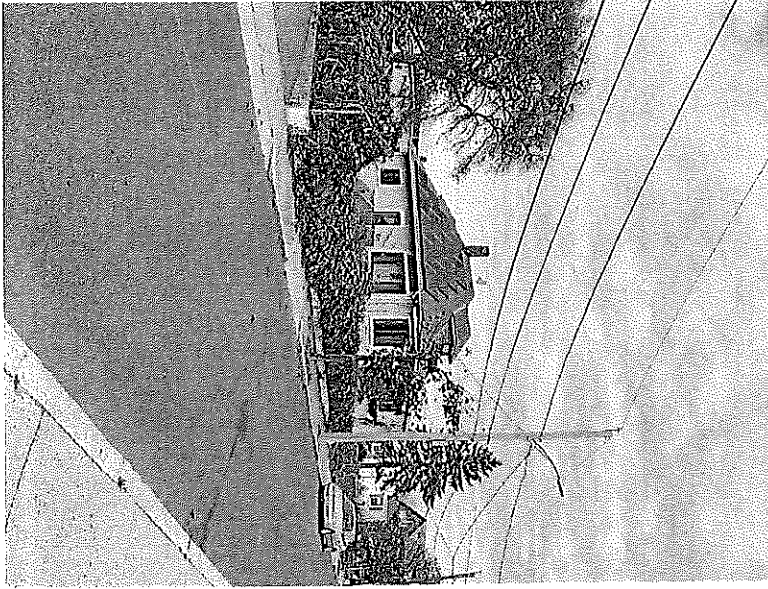
Outbuildings

Outbuildings	Legend
No Data for Outbuildings	

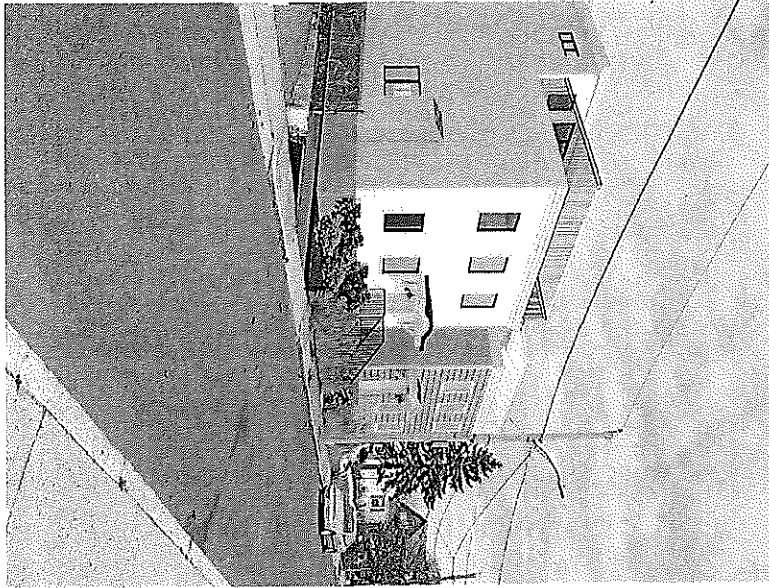
Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2020	\$124,700	\$226,500	\$351,200
2019	\$124,700	\$208,700	\$333,400
2018	\$123,600	\$182,700	\$306,300

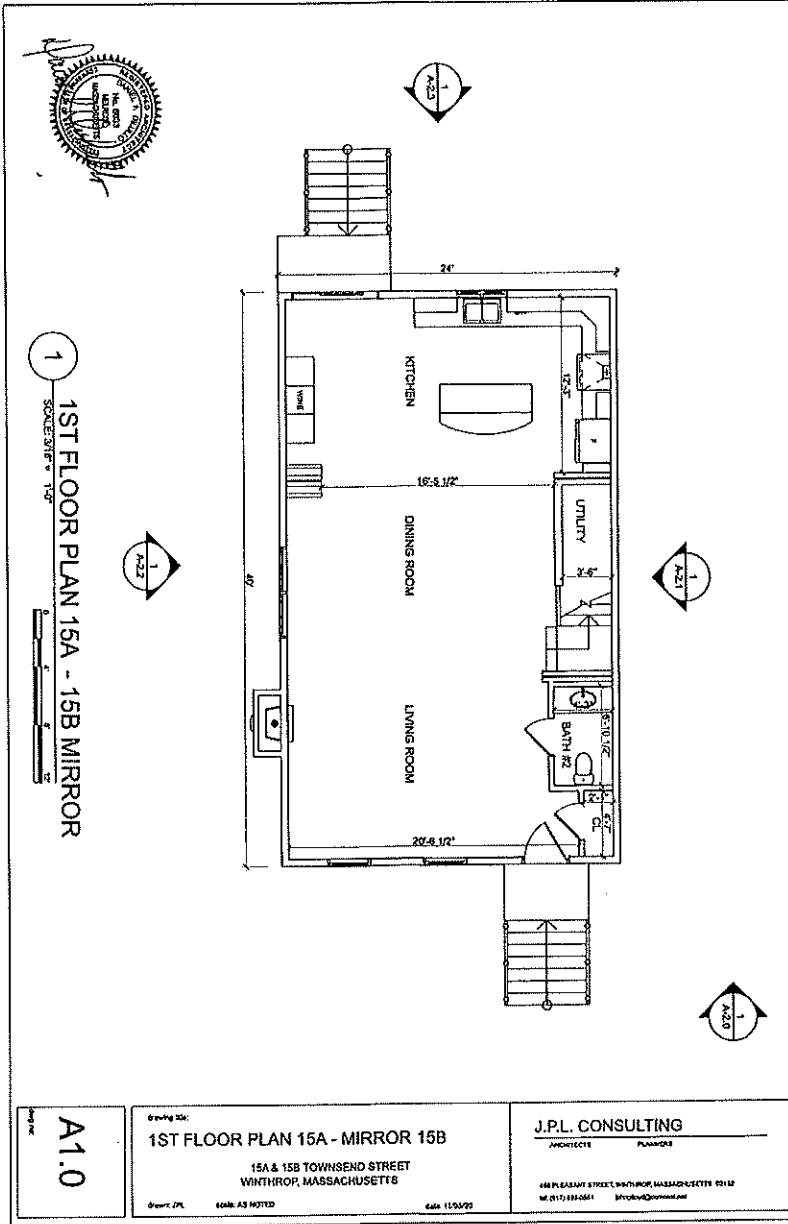
Assessment			
Valuation Year	Improvements	Land	Total
2020	\$124,700	\$226,500	\$351,200
2019	\$124,700	\$208,700	\$333,400
2018	\$123,600	\$182,700	\$306,300

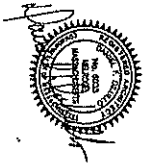


A0.0	Drawn by EXISTING SITE	J.P.L. CONSULTING
	15A & 15B TOWNSEND STREET WINTHROP, MASSACHUSETTS	PROJECT PLANNER
	Drawn by Scale: AS NOTED	400 PREASANT STREET, WINTHROP, MASSACHUSETTS 02132 Tel: (508) 699-0331 jpl@jplconsulting.com
		Date: 11/03/20

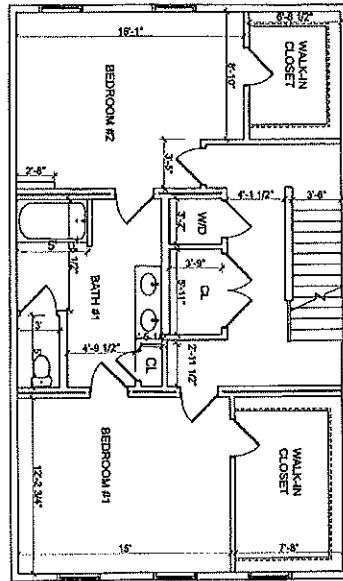


Sheet A0.1	drawing title RENDERING 15A & 15B TOWNSEND STREET WINTHROP, MASSACHUSETTS drawn JPL checked ASB date 01/03/22	J.P.L. CONSULTING ARCHITECTS PLANNERS 455 N. FASSETT STREET • WINTHROP, MASSACHUSETTS 02157 978.267.4400 ext. 2000 jpl@jplconsulting.com
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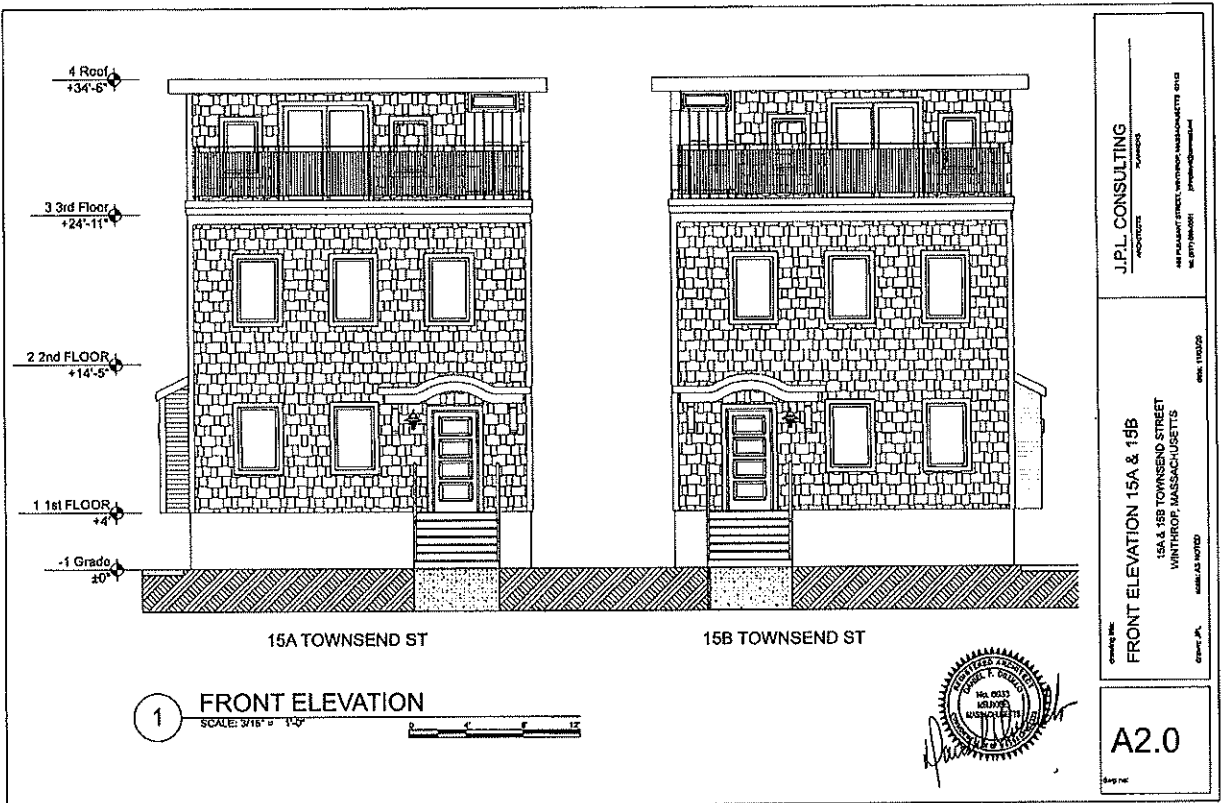


1 2ND FLOOR PLAN 15A - 15B MIRROR
SCALE 3/8" = 1'-0"



A1.1	2ND FLOOR PLAN 15A - MIRROR 15B 15A & 15B TOWNSEND STREET WINTHROP, MASSACHUSETTS Drawn: JPL Scale: AS NOTED Date: 11/23/20	J.P.L. CONSULTING ARCHITECT PLANNERS 448 PLEASANT STREET, WINTHROP, MASSACHUSETTS 02157 Tel: (617) 896-0561 jplconsulting@gmail.com
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440 PLEASANT STREET WINTHROP, MASSACHUSETTS 02162
 TEL: 781/330-0511 info@440concord.net



1 FRONT ELEVATION
SCALE: 3/16" = 1'-0"

J.P.L. CONSULTING

ARCHITECT

140 PULASKY STREET, WINTHROP, MASSACHUSETTS 01891

TEL: (978) 384-0001

JPL@jplconsulting.com

DATE: 11/03/20

PROJECT: FRONT ELEVATION 15A & 15B

15A & 15B TOWNSEND STREET

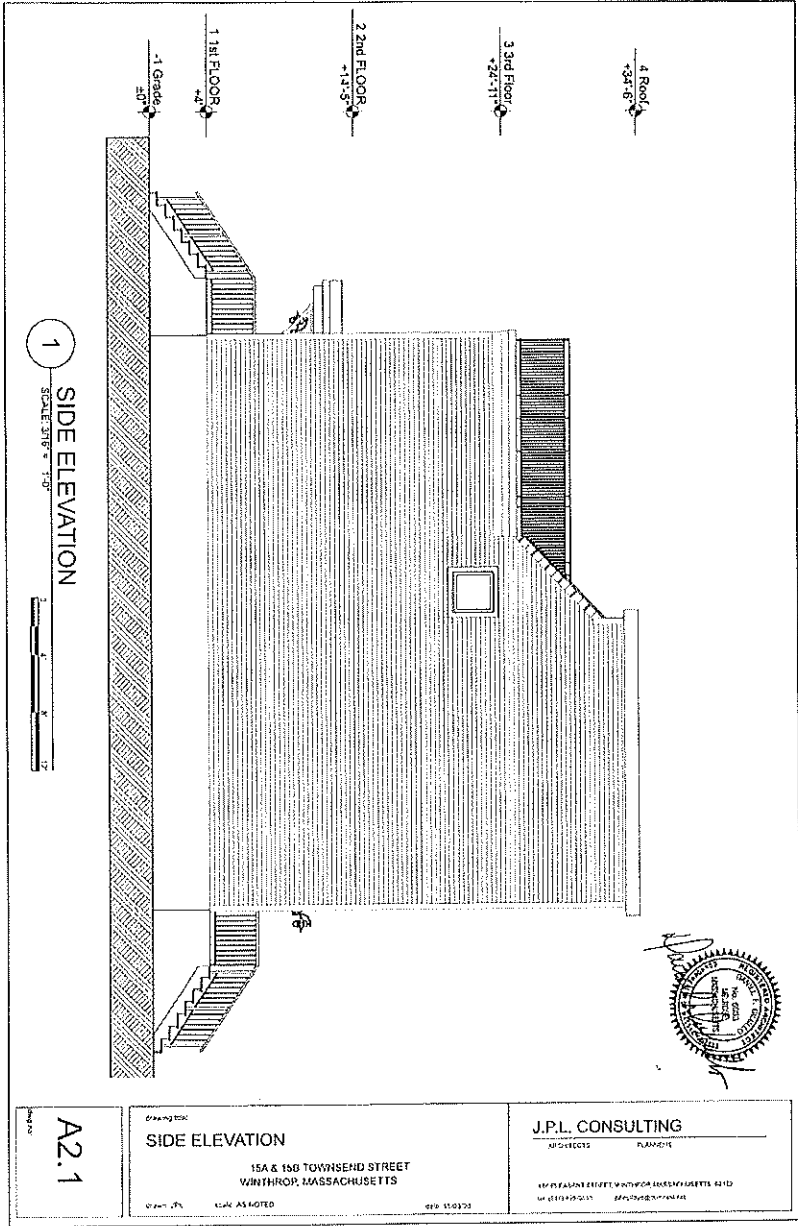
WINTHROP, MASSACHUSETTS

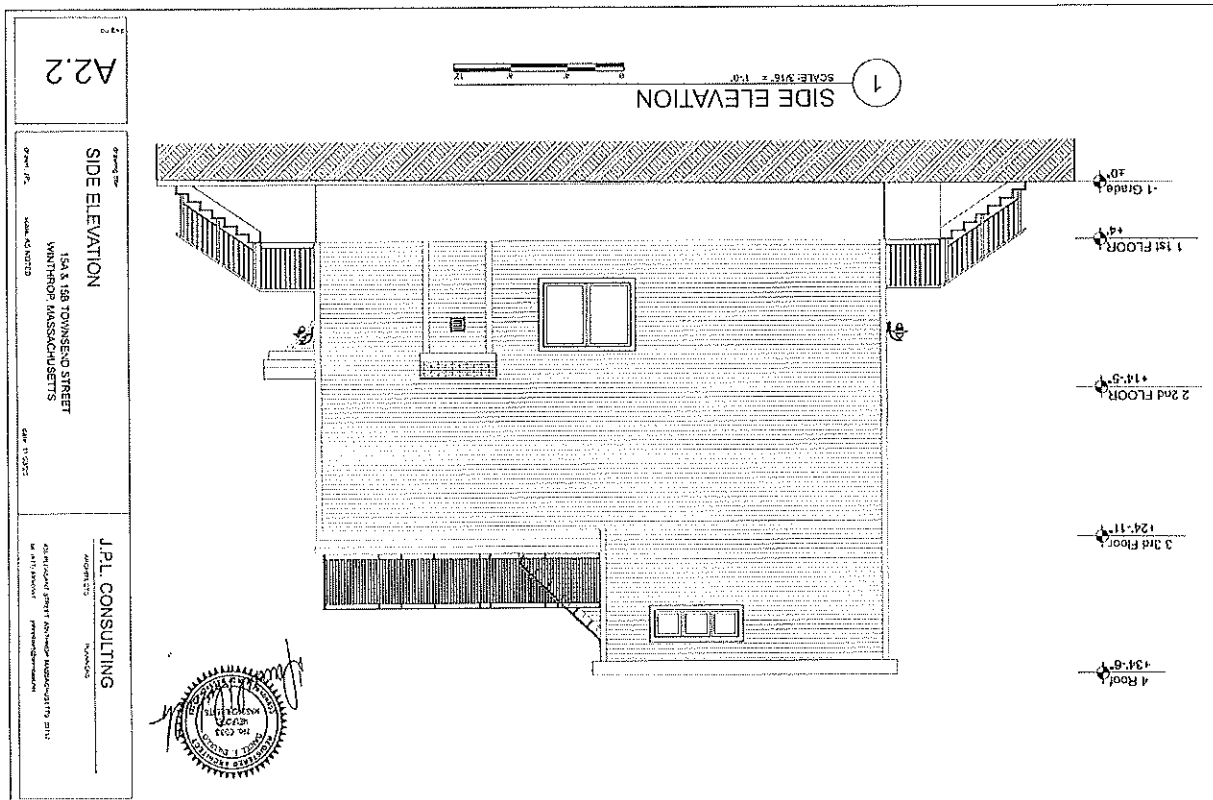
CONTRACT NO.: 15A & 15B

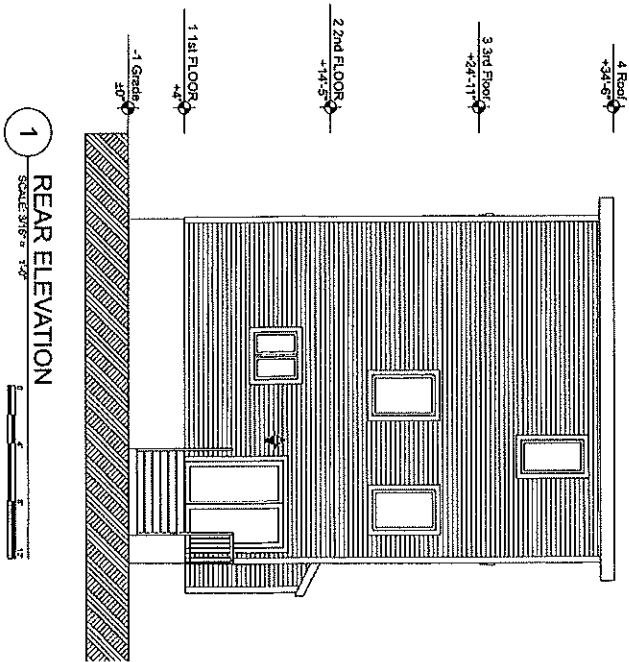
CONTRACT P/L

A2.0

Sheet No.







Sheet No. A2.3	Drawing Title: REAR ELEVATION 15A & 15B TOWNSEND STREET WINTHROP, MASSACHUSETTS Drawn: JPL Scale: AS NOTED Date: 11/03/20	J.P.L. CONSULTING ARCHITECTS PLANNERS 488 PLEASANT STREET, WINTHROP, MASSACHUSETTS 02152 tel. (617) 894-0551 jplconsulting@earthlink.net
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QUITCLAIM DEED

We, LINDA SCOTT ESCHER and JEFFREY SCOTT ESCHER, Trustees of ESCHER FAMILY REALTY TRUST, w/d/d dated December 4, 1987 and recorded at Suffolk Registry of Deeds at Book 14314, Page 342 of Wintrop, Suffolk County, Massachusetts

526

For consideration paid of TWO HUNDRED TWENTY THOUSAND and 00/100 (\$220,000.00) DOLLARS

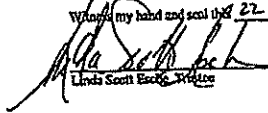
Grant to MARY RUANE, of 21 Grovers Street, Wintrop, Suffolk County, Massachusetts

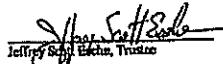
WITH QUITCLAIM COVENANTS

SEE EXHIBIT A DESCRIPTION ATTACHED HERETO

For title see deed recorded with the Suffolk Registry of Deeds in Book 14314

Witness my hand and seal this 22nd day of July, 2002.


Linda Scott Escher, Trustee


Jeffrey Scott Escher, Trustee

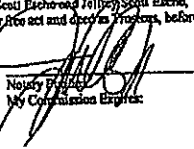
COMMONWEALTH OF MASSACHUSETTS

20 Suffolk

25 DATED: July 22, 2002

Then personally appeared the above named Linda Scott Escher and Jeffrey Scott Escher, Trustees who acknowledged the foregoing to be her free act and deed as Trustees, before me

Joseph W. Cottogno, Jr.
Notary Public
My Commission Expires 12/06


Notary Public
My Commission Expires:

MICHAEL CIMMINO

PROPOSED CONSTRUCTION OF TWO SINGLE FAMILY ADJACENT HOMES ON 15 TOWNSEND STREET

The owner purchased two residential lots, one of which contains a single family dwelling with a vacant lots to the west. The owner proposes to raze the existing home and replace it with a single family home. He also proposes to construct a single family home on the vacant lot.

The minimum number of square feet required per lot is 5000. Each lot contains 3200 square feet. Therefore:

For each of the two lots, the owner requires (1) a variance from the provisions of section 17.16.020, minimum lot size, and (2) a variance from the provisions of section 17.16.020, minimum sideyard setback in the amount of 5 feet.

RECEIVED

2020 NOV -9 P 1:37

Application No. 017-2020
Date: NOV -9 2020

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: 131 Highland Avenue, WINTHROP

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

1. Applicant Submitting this application is:

Name: George Tzortzis
Address: 131 Highland Avenue
City/Town: WINTHROP, MASSACHUSETTS 02152
Telephone: 978-836-6522

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:

George Tzortzis

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

Book: 40460 Page: 23

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

See Plans Attached. Plot Plan of Land, Interior Plan s

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 5087 square feet of land in the Residence A (RA) zoning district. Currently there is a 3 unit residence on the lot. The interior layout shows three existing separate dwelling units with kitchens and facilities in each. The lot is serviced by working sewer, water, and power utilities. There are 7 existing and proposed off-street parking spaces at the site.

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

The appellant requests a variance from the table of uses in order to utilize the third residential dwelling unit.
§17.16.130

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 shape and topography of the land is uneven irregularly shaped. The grade rises toward the south side of the building and property

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 utilization of the third unit. There are a number of two and three unit dwellings on Highland Avenue in the area of the site. Immediately adjacent to the site is the Highland House Condominium, a three-unit condo with less parking than that proposed on this site.

.

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 update the current interior space within the existing footprint. The use and the building will be in harmony with the surrounding neighborhood style homes and number of units in each.

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 owner 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: 11/5/2020

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


Signature of Applicants

11/9/20
Date

Signature of Owner

Date

Signature of Designated Representative

Date

ALL MUST SIGN THIS APPLICATION

RECEIPT

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

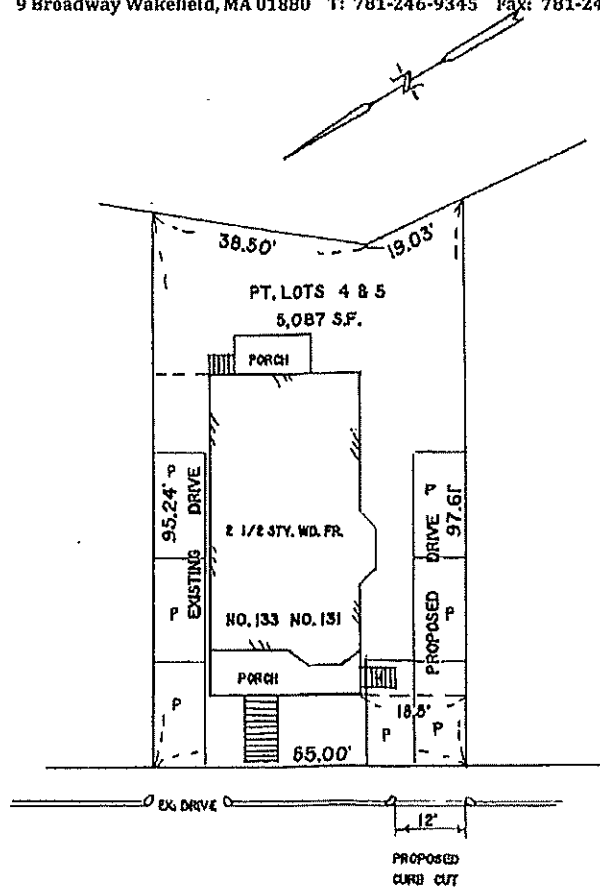
Date: NOV - 9 2020

By: 



GLORAL ASSOCIATES

Registered Land Surveyor Registered Professional Engineer
9 Broadway Wakefield, MA 01880 T: 781-246-9345 Fax: 781-246-4333



HIGHLAND

AVE

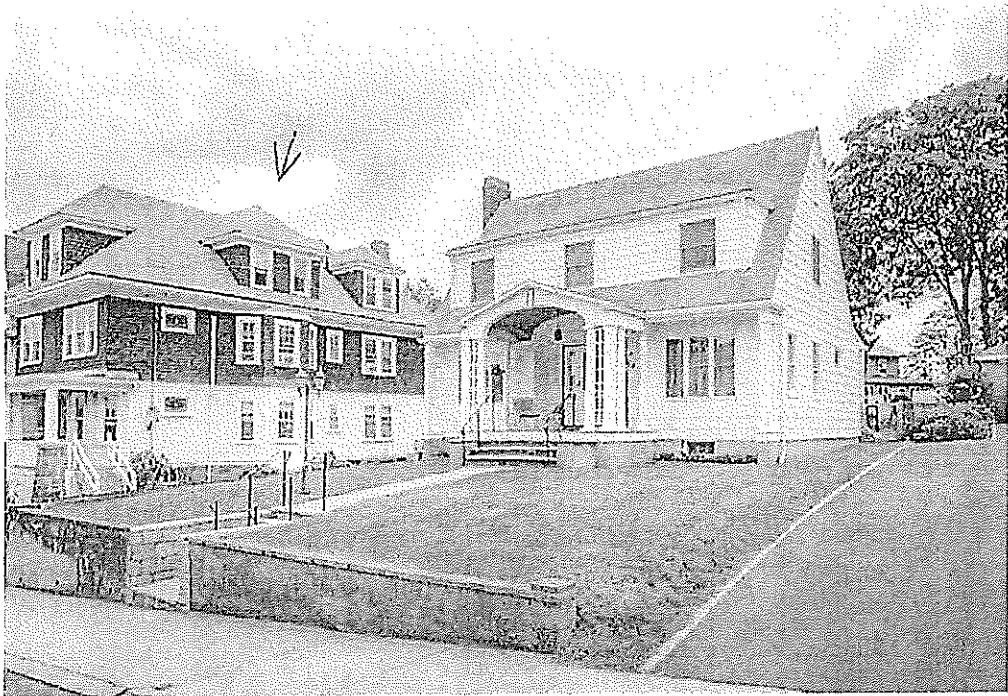
PROPOSED 12' CURB CUT
PROP. DRIVE
P-PARKING 9' X 18' (TYP. 7)
EXISTING STAIRS TO BE REMOVED

Plot Plan
In
WINTHROP, MA.

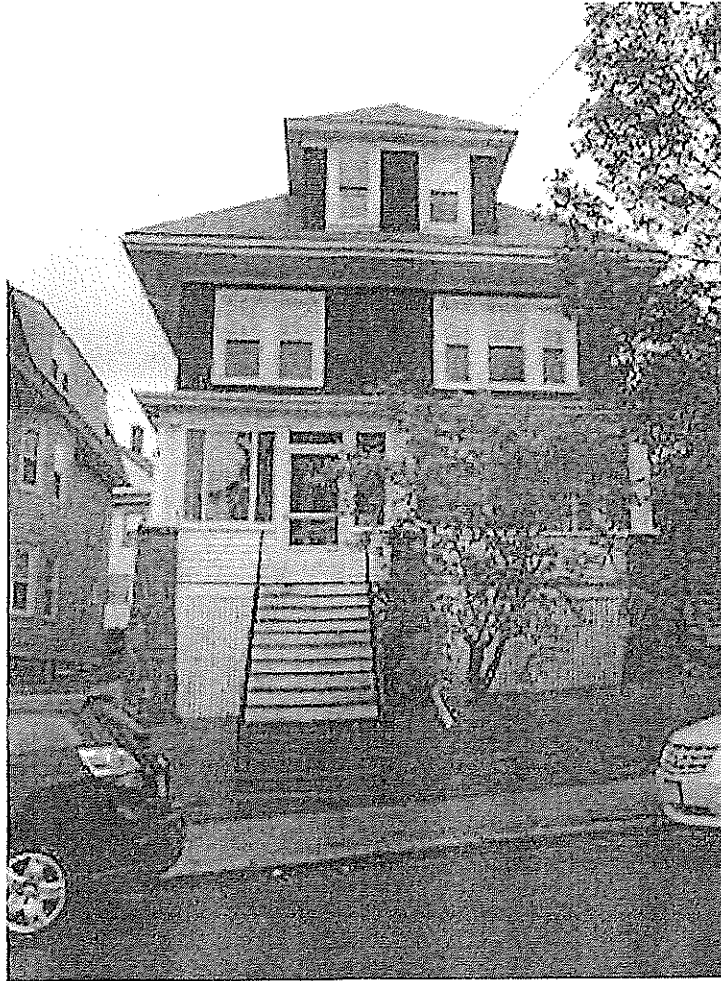
Owner
GEORGE TZORTZIS

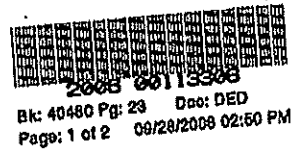
Scale 1" = 20' Date 10-28-20

Signature: _____ Date: _____









QUITCLAIM DEED

We, Vincent Parziale and Philomena Parziale, husband and wife, tenants by the entirety, of 131-133 Highland Avenue, Winthrop, MA 02152, for consideration paid and in full consideration of five hundred and ten thousand (\$510,000) dollars, grant to George J. Tzortzis, of 3 Hoover Avenue, Peabody, MA,

with quitclaim covenants

a certain parcel of land, with the buildings thereon, situated in Winthrop, Suffolk County, Massachusetts, comprising portions of Lots 4 and 5 in Block "M" on a Plan entitled, "Plan of Lands belonging to the Winthrop Shore Land Company, Winthrop, Mass. January 1, 1903", recorded with Suffolk Deeds, Book 3122, Page 113, bounded and described as follows:-

Beginning at a point on the Easterly side of Highland Avenue, fifty-two (52) feet South of the intersection of the Easterly line of Highland Avenue and the Southerly line of Grovers Avenue:

Thence running in a southwesterly direction along the Easterly line of Highland Avenue, fifty-five (55) feet;

Thence in a Southeasterly direction, ninety-seven and 61/100 (97.61) feet to a point on the rear division line of lots 4 and 6 on said plan.

Thence in a Northwesterly direction nineteen and 3/100 (19.03) feet to a point where the division line of lots 4 and 5 on said plan intersects the division line of lots 5 and 6 on said plan, and also intersects the rear division line between said lots 4 and 6;

Thence Northeasterly thirty-eight and 5/10 (38.5) feet along the division line between lots 5 and 6 on said plan.

Thence Northwesterly ninety-five and 24/100 (95.24) feet to the point of beginning on Highland Avenue. Containing five thousand eighty-seven (5087) square feet, more or less.

For Grantors' title, see deed dated February 8, 1968, and recorded with Suffolk Registry of Deeds, at Book 8188, Page 191.

LAW OFFICES OF
FALSO, SOLARI
& GOLDBERG, PA
60 JEFFERSON STREET
WINTHROP, MA 02152
(617) 846-3433

Attested hereto

Francis M. Roache
Francis M. Roache
Register of Deeds

CANCELLED
MASS. TRANSFER TAX
Suffolk County Registry of Deeds
Date: 09/28/2008 02:50 PM
Ctrl# 088463 08400 Doc# 00113308
Fee: \$2,328.00 Cons: \$510,000.00

131-133 Highland Avenue, Winthrop

Witness our hands and seals this 28th day of September, 2008.

Vincent Parziale
Vincent Parziale

Philomena Parziale
Philomena Parziale

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

SEPTEMBER 28, 2008

Sworn to and subscribed before me by Vincent Parziale and Philomena Parziale, who proved to me through satisfactory evidence of identification to be the persons whose names are signed on the above document and acknowledged to me that they signed it voluntarily for its stated purpose this 28th day of SEPTEMBER, 2008.

James A. Demoties
Notary Public
Commonwealth of Massachusetts
JAMES DEMOTIES
COMMISSIONED NAME OF NOTARY PUBLIC
My Commission expires: 3/28/08

Vincent Parziale: I.D. MA DRIVERS LICENSE

Philomena Parziale: I.D.

Philomena Parziale MA DRIVERS LICENSE



GEORGE TZORTZIS

131 HIGHLAND AVENUE
PROPOSED CONVERSION
TO THREE UNIT BUILDING

The owner proposes to convert the legally existing two family home to a three unit dwelling. The Use proposed is not allowed in the RA zoning district. The plan submitted shows seven (7) off-street parking spaces on the lot which complies with the parking requirement of a minimum of two spaces per unit.

The maximum number of dwelling units in the RA district is Two according to the Table of Uses, section 17.16.130. Therefore:

The owner requires a Variance from the provisions of Section 17. 16. 130 to allow for the creation or maintenance of a three-unit building.

RECEIVED

2020 NOV 12 P 3:46

TOWN CLERK
WINTHROP, MASS.

Application No. # 016 - 2020
Date Filed: 11/12/20

NOV 12 2020

**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: 86 Undine Ave

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

1. Applicant submitting this application is:

Name: Daniel Clucas

Address: 87 Undine Ave

City/Town: Winthrop, MA

Telephone: 617-548-7716

2. Applicant is:

Owner X Lessee Prospective Purchaser

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

Name: John Lloyd

Address: 466 Pleasant Street, Winthrop MA 02152

Telephone: 617-899-0551

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

Name: Daniel Clucas

Address: 87 Undine Ave Winthrop, MA 02152

Telephone: 617-548-7716

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

Book 63541 Page 297 or Instrument No. 00

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

Proposed construction of a new single family structure.

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.

See Attached

11. What is the EXACT nature of the appeal or variance requested in this application?
SEE ATTACHED
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.
SEE ATTACHED
13. Describe how the enforcement of the provisions of the Zoning Ordinances would involve substantial hardship, financial or otherwise, to the undersigned.
SEE ATTACHED
14. Describe how the desire relief may be granted without substantial detriment to the public good.
SEE ATTACHED
15. Describe how the variance desired may be granted without nullifying or substantially derogating from the intent of the Zoning Ordinances.
SEE ATTACHED

Page 3,4, & 5 of BOA Application

10.) The property is approximately 40' wide x 102' deep (4050 sq. ft.) The main structure is a single family dwelling (675 sq. ft.) with an existing accessory building (shed 20 sq. ft.) at the rear right side of the property, with an asphalt driveway on the left side leading to Undine Ave.

11.) The applicant seeks a building permit to construct a 48 x 20 (2,185 sq. ft.) two and one- half story single family structure. The structure proposed is to be constructed on a lot with an existing structure. The lot with consists of 4050 sq. ft.

According to the proposed building plan, parking for the proposed structure will be on site, sufficient, and not require relief. The owner and architect states in their application the home is in disrepair and the foundation is failing.

The permit was denied in accordance to the Town of Winthrop Zoning By-Laws Chapter 17.16.020J. 1. General Regulations.

1. Noncompliance of proposed structure with respect to minimum lot area requirement of 5000 sq. ft.
2. Noncompliance of frontage.

12.) The property is a rectangular lot. The left side of the property is an asphalt driveway approximately 10 feet wide. The lot is relatively flat, starting at grade in the front and sloping downward towards the back. The front and back yard consists of seeded grass. The grading is negative adjacent to the foundation at front, and neutral at sides resulting in moisture infiltration into lower levels of the home.

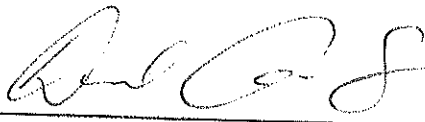
13. The Current structure is not structurally sound and borders on being habitable. The home does not sit on a proper frost-wall foundation, but is constructed on a post/beam type structure, and enclosed around perimeter with plywood and will not support any further weight, nor can it be guaranteed to be free from settlement. The owner is seeking to improve his property and quality of life with a larger home for his future family.

14. The desired structure would be nonconforming to the zoning ordinance. The proposed structure would not cause substantial detriment to the public good.

15. The desired variance would allow for improvement of the property in a manner which is reasonable, customary and consistent with other properties in the area.

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: 11/10/20


Signature of Applicant

11/11/20
Date


Signature of Owner

11/11/20
Date

Signature of Designated Representative

Date

ALL MUST SIGN THIS APPLICATION

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

By: 

NOV 12 2020
Date

Notice of Application to Board of Appeals made herewith.


Town Clerk

NEW ENGLAND LAND SURVEY
Professional Land Surveyors

710 MAIN STREET
N.Oxford, MA 01537

PHONE: (508) 987-0025

FAX: (508) 234-7723

REGISTRY SUFFOLK

MORTGAGE INSPECTION PLAN

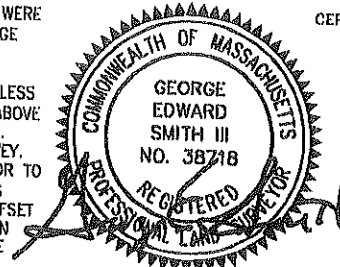
NAME DANIEL CLUCAS

LOCATION 86 UNDINE AVENUE
WINTHROP, MA

SCALE 1"=30'

DATE 07/15/20

BASED UPON DOCUMENTATION PROVIDED, REQUIRED MEASUREMENTS WERE MADE OF THE FRONTAGE AND BUILDING(S) SHOWN ON THIS MORTGAGE INSPECTION PLAN. IN OUR JUDGEMENT ALL VISIBLE EASEMENTS ARE SHOWN AND THERE ARE NO VIOLATIONS OF ZONING REQUIREMENTS REGARDING DWELLING STRUCTURES TO PROPERTY LINE OFFSETS (UNLESS OTHERWISE NOTED IN DRAWING BELOW). NOTE: NOT DEFINED ARE ABOVE GROUND POOLS, DRIVEWAYS, OR SHEDS WITH NO FOUNDATIONS, ETC. THIS IS A MORTGAGE INSPECTION PLAN; NOT AN INSTRUMENT SURVEY. DO NOT USE TO ERECT FENCES, OTHER BOUNDARY STRUCTURES, OR TO PLANT SHRUBS. LOCATION OF THE STRUCTURE(S) SHOWN HEREON IS EITHER IN COMPLIANCE WITH LOCAL ZONING FOR PROPERTY LINE OFFSET REQUIREMENTS, OR IS EXEMPT FROM VIOLATION ENFORCEMENT ACTION UNDER MASS. G.L. TITLE VII, CHAP. 40A, SEC. 7, UNLESS OTHERWISE NOTED. THIS CERTIFICATION IS NON-TRANSFERABLE. THE ABOVE CERTIFICATIONS ARE MADE WITH THE PROVISION THAT THE INFORMATION PROVIDED IS ACCURATE AND THAT THE MEASUREMENTS USED ARE ACCURATELY LOCATED IN RELATION TO THE PROPERTY LINES.



CERTIFY TO: NEW FED MORTGAGE

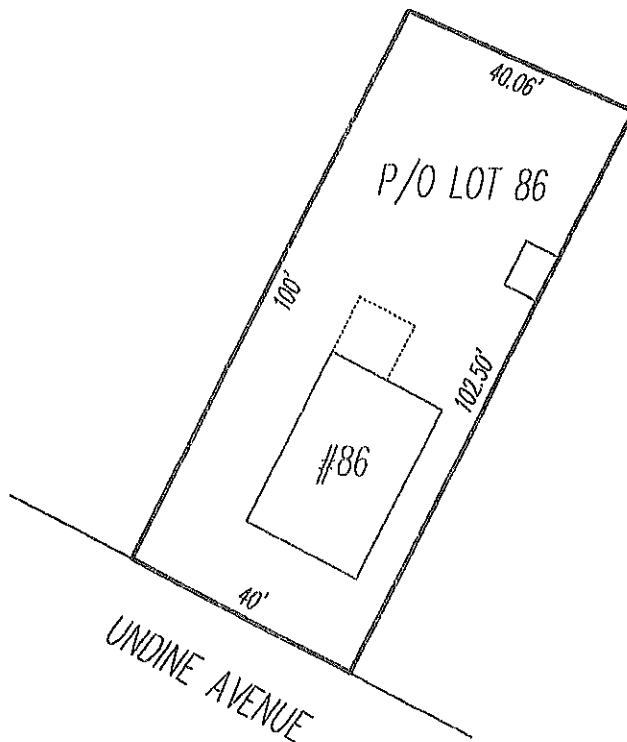
DEED REFERENCE: 20968/285

PLAN REFERENCE: 1632/END

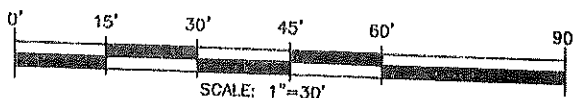
WE CERTIFY THAT THE BUILDING(S) ARE NOT WITHIN THE SPECIAL FLOOD HAZARD AREA. SEE FIRM:

25025C0101J DTD: 03/16/2016

FLOOD HAZARD ZONE HAS BEEN DETERMINED BY SCALE AND IS NOT NECESSARILY ACCURATE. UNTIL DEFINITIVE PLANS ARE ISSUED BY HUD AND/OR A VERTICAL CONTROL SURVEY IS PERFORMED, PRECISE ELEVATIONS CANNOT BE DETERMINED.

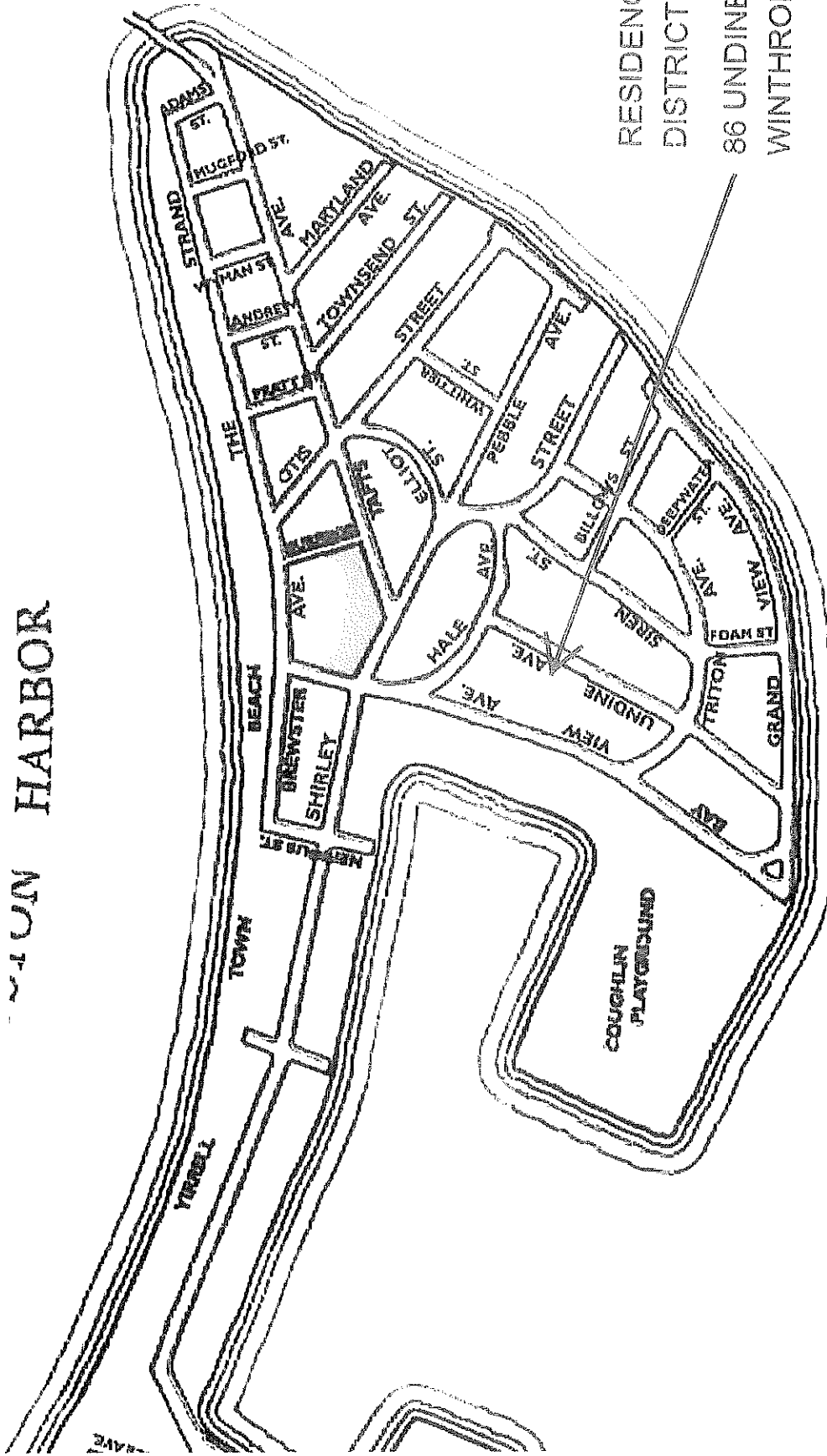


REQUESTED BY: NADINE P. CALLA
DRAWN BY: DLM
FIELD BY: FW
CHECKED BY: GES
FILE: 20MIP08971



7) Zoning Map

WINTHROP HARBOR



RESIDENCE A
DISTRICT

86 UNDINE AVE

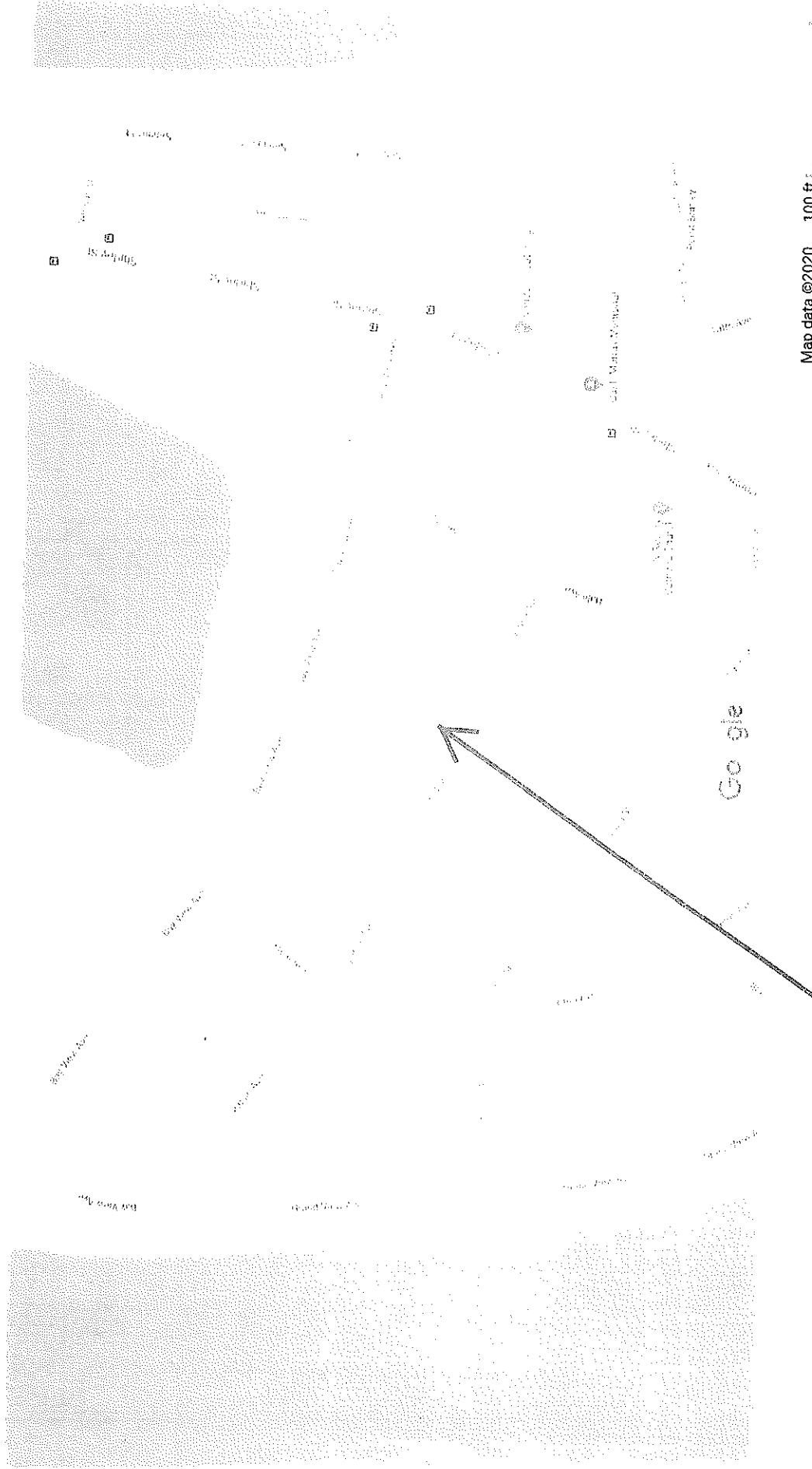
WINTHROP MA 02152

HARBOR

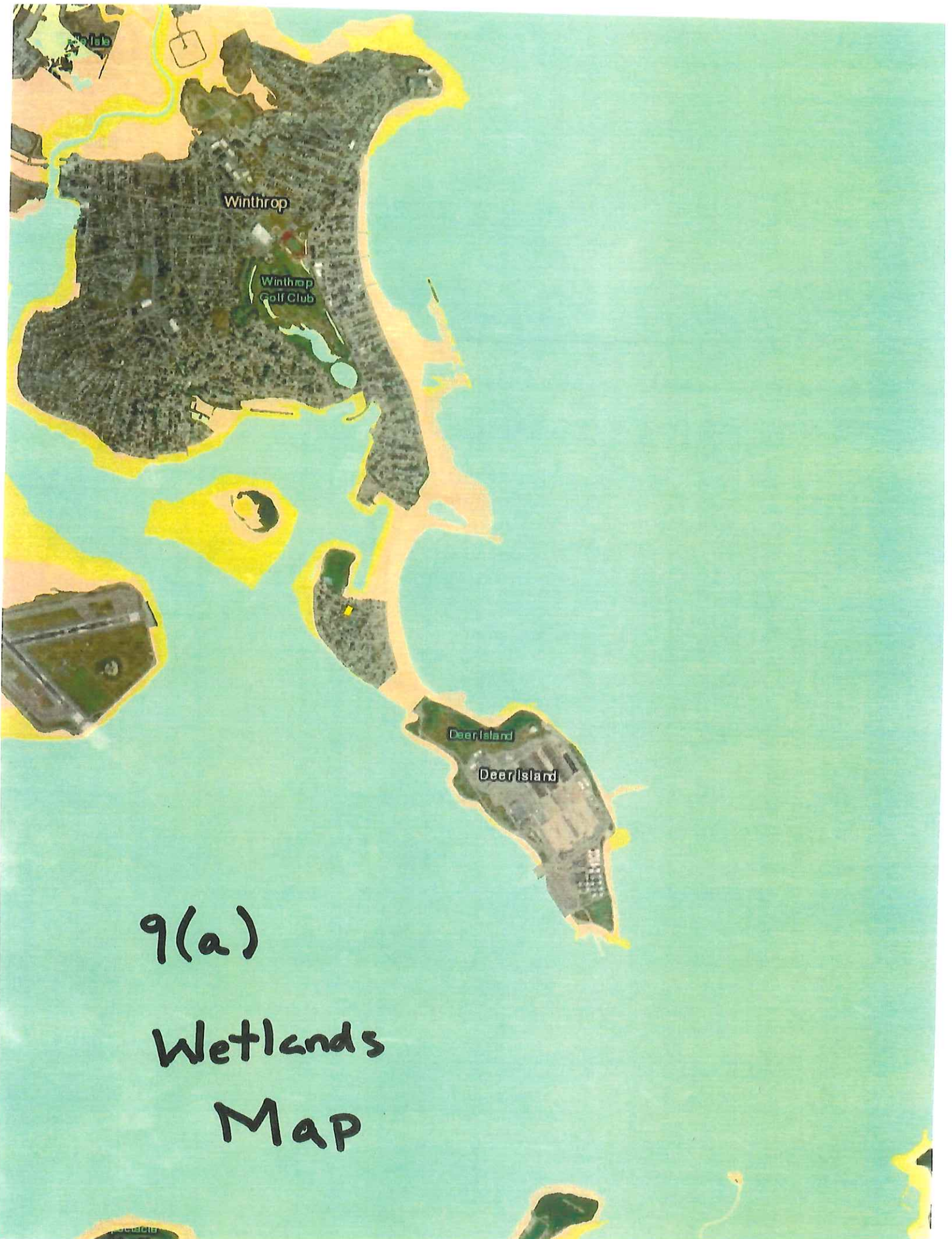
WINTHROP

FROM TOWN OF WINTHROP ZONING MAP

8) Locus Map



86 UNDINE AVE.
WINTHROP MA 02152



9(a)

Wetlands
Map

7(b)





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: 86 Undine Ave.

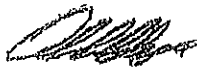
Person Requesting: Daniel Clucas.

REASON FOR DENIAL:

The applicant seeks a permit to construct a 48 x 20 (2,185 sq. Ft.) two- and one-half story single family structure. The structure is proposed to be constructed on a lot with an existing structure. The lot with consists of 4050 sq. Feet
According to the proposed building plan, parking for the proposed structure will be on site, sufficient and not require relief. The owner and architect states in their application the home is in dis repair and the foundation is failing.

The permit was denied in accordance to the Town of Winthrop Zoning By-Laws Chapter 17.16.020J. 1. General Regulations.

1. Noncompliance of proposed structure with respect to minimum Lot area requirement of 5000 sq. ft.
2. Noncompliance of frontage.


Albert Legee CBO
Commissioner
November 10, 2020



The Commonwealth of Massachusetts
Board of Building Regulations and Standards
Massachusetts State Building Code, 780 CMR

Building Permit Application To Construct, Repair, Renovate Or Demolish a
One- or Two-Family Dwelling

FOR
MUNICIPALITY
USE
Revised Mar 2011

This Section For Official Use Only

Building Permit Number: _____ Date Applied: 11/10/20

Building Official (Print Name) _____ Signature _____ Date _____

SECTION 1: SITE INFORMATION

1.1 Property Address:

86 UNDINE AVENUE

1.1a Is this an accepted street? yes ☒ no _____

1.2 Assessors Map & Parcel Numbers

Map Number _____ Parcel Number _____

1.3 Zoning Information:

RA SINGLE FAM RESIDENCE
Zoning District Proposed Use

1.4 Property Dimensions:

4,050 S.F. 40.0 FT
Lot Area (sq ft) Frontage (ft)

1.5 Building Setbacks (ft)

Front Yard		Side Yards		Rear Yard	
Required	Provided	Required	Provided	Required	Provided
15	15	10	10	20	37

1.6 Water Supply: (M.G.L. c. 40, § 54)

Public ☒ Private ☐

1.7 Flood Zone Information:

Zone: _____ Outside Flood Zone?
Check if yes ☒

1.8 Sewage Disposal System:

Municipal On site disposal system ☐

SECTION 2: PROPERTY OWNERSHIP¹

2.1 Owner¹ of Record:

DANIEL CLUCAS
Name (Print)

WINTHROP MA 02152
City, State, ZIP

87 UNDINE AVENUE
No. and Street

617-548-7716
Telephone

DANIELCLUCAS1@GMAIL.COM
Email Address

SECTION 3: DESCRIPTION OF PROPOSED WORK² (check all that apply)

New Construction ☒	Existing Building ☐	Owner-Occupied ☐	Repairs(s) ☐	Alteration(s) ☐	Addition ☐
Demolition ☐	Accessory Bldg. ☐	Number of Units <u>1</u>	Other ☐ Specify: _____		

Brief Description of Proposed Work²: DEMO EXISTING SINGLE STORY 675 S.F. HOME THAT IS IN DIS-REPAIR AND CONSTRUCT A NEW SINGLE FAMILY, 2 1/2 STORY RESIDENCE THAT COMPLIES WITH ALL DIMENSIONAL REGULATIONS EXCEPT MIN. LOT SIZE & FRONTAGE.

SECTION 4: ESTIMATED CONSTRUCTION COSTS

Item	Estimated Costs: (Labor and Materials)	Official Use Only
1. Building	\$	1. Building Permit Fee: \$ _____ Indicate how fee is determined: ☐ Standard City/Town Application Fee ☐ Total Project Cost ³ (Item 6) x multiplier _____ x _____ 2. Other Fees: \$ _____ List: _____ Total All Fees: \$ _____ Check No. _____ Check Amount: _____ Cash Amount: _____ ☐ Paid in Full ☐ Outstanding Balance Due: _____
2. Electrical	\$	
3. Plumbing	\$	
4. Mechanical (HVAC)	\$	
5. Mechanical (Fire Suppression)	\$	
6. Total Project Cost:	\$ NOT AVAIL	

SECTION 5: CONSTRUCTION SERVICES

5.1 Construction Supervisor License (CSL)

JOHN LLOYD

Name of CSL Holder

No. and Street 650 OCEAN AVE UNIT 707

City/Town, State, ZIP
REVERE MA 02151617-899-0551 JOHNPLLOYD@COMCAST.NET
telephone Email address

CS-107549

License Number

7/14/2021

Expiration Date

List CSL Type (see below) U

Type	Description
U	Unrestricted (Buildings up to 35,000 cu. ft.)
R	Restricted 1&2 Family Dwelling
M	Masonry
RC	Roofing Covering
WS	Window and Siding
SF	Solid Fuel Burning Appliances
I	Insulation
D	Demolition

5.2 Registered Home Improvement Contractor (HIC)

SAME AS ABOVE

HIC Company Name or HIC Registrant Name

No. and Street

City/Town, State, ZIP

Telephone

HIC Registration Number

Expiration Date

Email address

SECTION 6: WORKERS' COMPENSATION INSURANCE AFFIDAVIT (M.G.L. c. 152. § 25C(6))

Workers Compensation Insurance affidavit must be completed and submitted with this application. Failure to provide this affidavit will result in the denial of the Issuance of the building permit.

Signed Affidavit Attached? Yes ☐ No ☒**SECTION 7a: OWNER AUTHORIZATION TO BE COMPLETED WHEN
OWNER'S AGENT OR CONTRACTOR APPLIES FOR BUILDING PERMIT**

I, as Owner of the subject property, hereby authorize _____
to act on my behalf, in all matters relative to work authorized by this building permit application.

Print Owner's Name (Electronic Signature)

Date

SECTION 7b: OWNER' OR AUTHORIZED AGENT DECLARATION

By entering my name below, I hereby attest under the pains and penalties of perjury that all of the information contained in this application is true and accurate to the best of my knowledge and understanding.

DANIEL CLUCAS

Print Owner's or Authorized Agent's Name (Electronic Signature)

11/10/2020

Date

NOTES:

1. An Owner who obtains a building permit to do his/her own work, or an owner who hires an unregistered contractor (not registered in the Home Improvement Contractor (HIC) Program), will not have access to the arbitration program or guaranty fund under M.G.L. c. 142A. Other important information on the HIC Program can be found at www.mass.gov/oca Information on the Construction Supervisor License can be found at www.mass.gov/dps

2. When substantial work is planned, provide the information below:

Total floor area (sq. ft.) 2185 (including garage, finished basement/attics, decks or porch)

Gross living area (sq. ft.) 2185

Number of fireplaces 0

Number of bathrooms 2

Type of heating system 1

Type of cooling system 1

Habitable room count 6

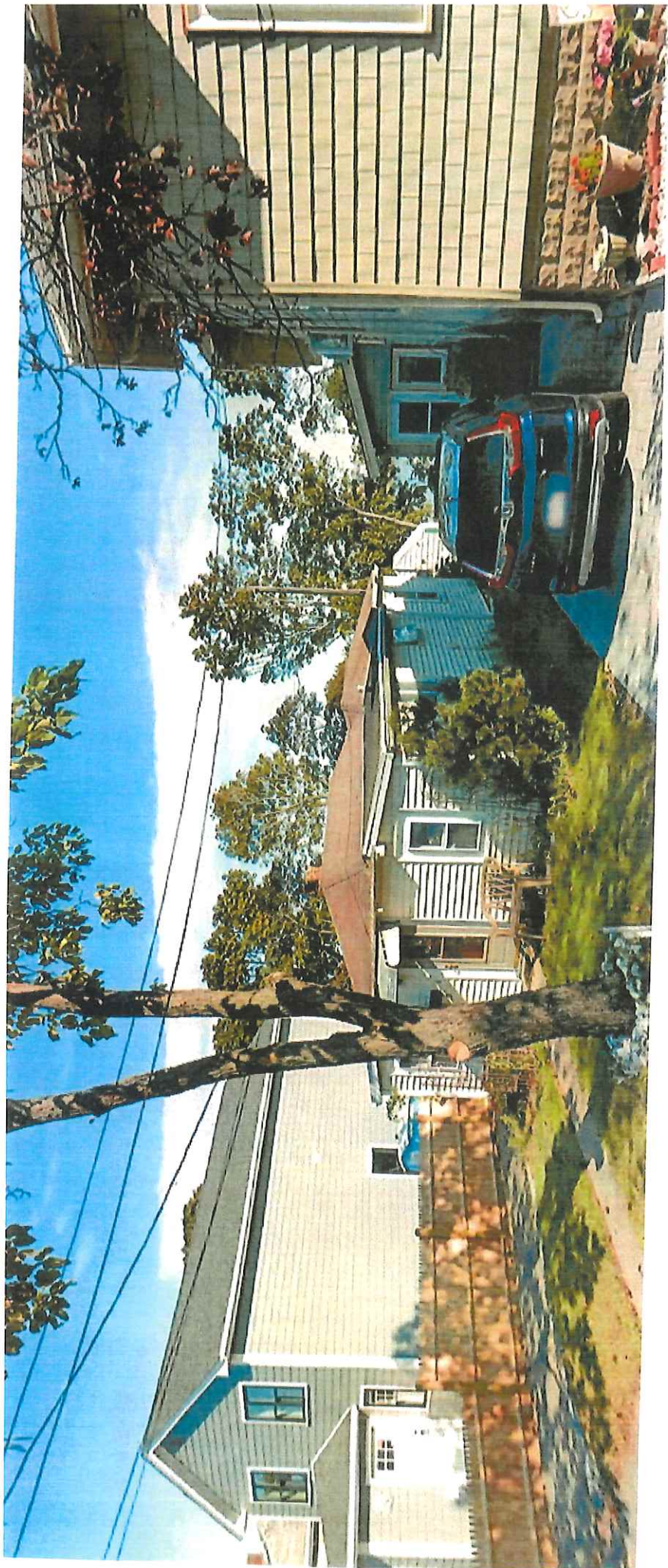
Number of bedrooms 3

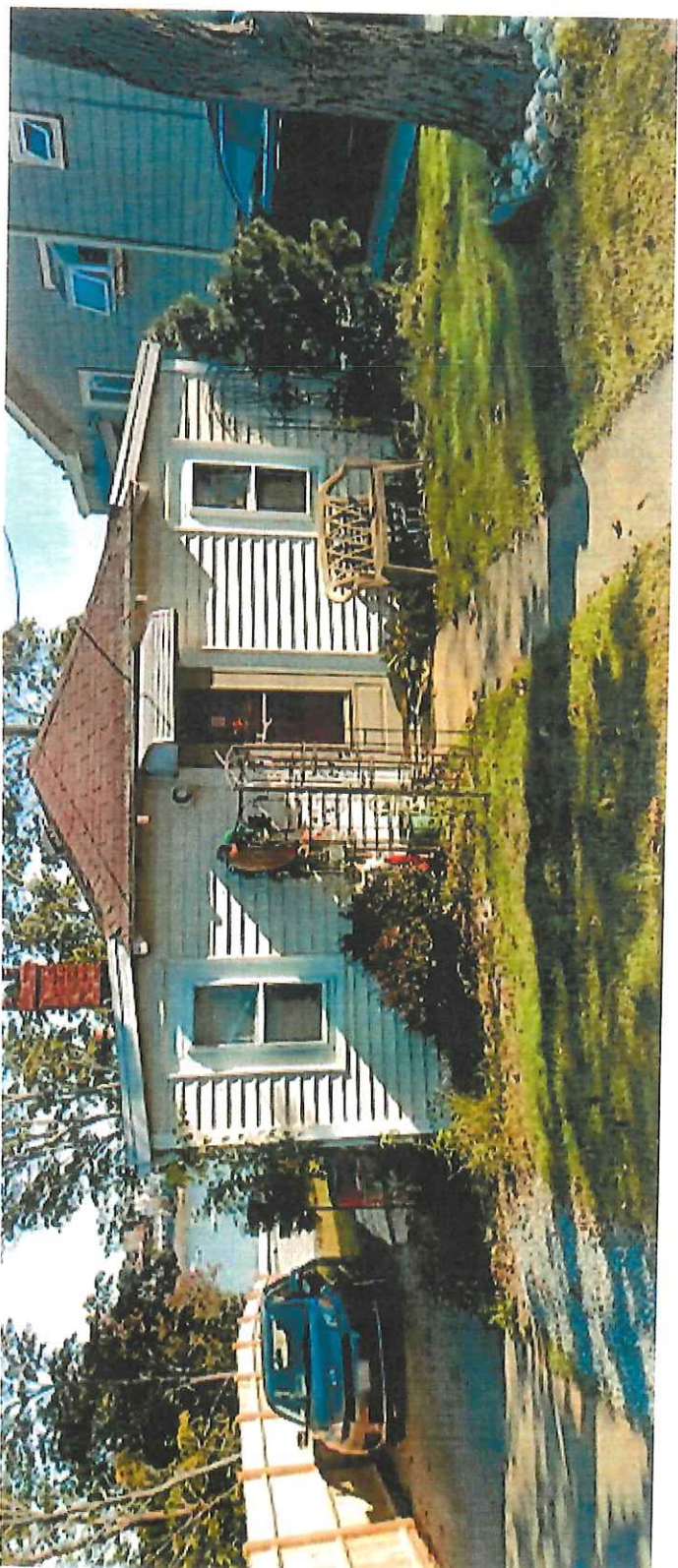
Number of half/baths 1

Number of decks/ porches 1

Enclosed 1 Open 1

3. "Total Project Square Footage" may be substituted for "Total Project Cost"





Suffolk County Registry of Deeds

Electronically Recorded Document

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

Recording Information

Document Number	: 66200
Document Type	: DED
Recorded Date	: August 11, 2020
Recorded Time	: 10:40:13 AM
Recorded Book and Page	: 63541 / 297
Number of Pages(including cover sheet)	: 3
Receipt Number	: 838235
Recording Fee (including excise)	: \$1,463.72

MASSACHUSETTS EXCISE TAX
Suffolk County District ROD # 001
Date: 08/11/2020 10:40 AM
Ctrl# 202129 09005 Doc# 00066200
Fee: \$1,308.72 Cons: \$287,000.00

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

QUITCLAIM DEED

I, Esther J. Mastrangelo, an unmarried individual, ("Grantor") of Winthrop, Massachusetts, for consideration paid and in full consideration of Two Hundred Eighty-Seven Thousand and 00/100 Dollars (\$287,000.00), grant to Daniel Clucas, of 86 Undine Avenue, Winthrop, Massachusetts

Individually
with quitclaim covenants

A certain parcel of land, with the buildings thereon, being shown as a part of Lot 86 on a plan entitled "Map of Point Shirley, Boston Harbor, Winthrop, Massachusetts as subdivided into Seashore Cottage Lots" by Samuel E. Hale, Witman and Breck, Surveyors, and recorded with Suffolk Deeds at the end of Book 1632 and bounded as follows:

SOUTHWESTERLY: by Undine Avenue, 40 feet;

NORTHWESTERLY: by the remaining part of Lot 86, about 100 feet;

NORTHEASTERLY: by Lot 98, on said plan, 40.06 feet; and

SOUTHEASTERLY: by Lot 85, on said plan, 102.5 feet.

Be any and all of the aforesaid measurements more or less or however otherwise the aforesaid premises may be bounded and described.

Being the same premises conveyed to the Grantor by deed dated October 31, 1996 and recorded with said Deeds in Book 20968, Page 285.

Grantor hereby waives any and all rights of Homestead in the property herein conveyed and warrants under the pains and penalties of perjury that there are no other persons entitled to any Homestead rights in the property pursuant to M.G.L. c. 188.

Property Address: 86 Undine Avenue, Winthrop, MA

WITNESS my hand and seal this 2nd day of July, 2020.

Esther J. Mastrangelo
Esther J. Mastrangelo

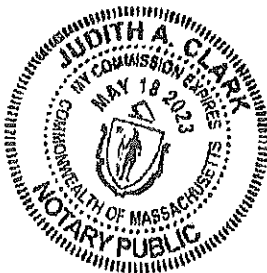
COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

July 2, 2020

On this 2nd day of July, 2020, before me, the undersigned Notary Public, personally appeared Esther J. Mastrangelo, proved to me through satisfactory evidence of identification, which was MADriver's License, to be the person/persons whose name(s) is/are signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his/her/their knowledge and belief.

Judith A. Clark
Notary Public
My Commission Expires: 5/18/2023





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

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Property Address: 86 Undine Ave.

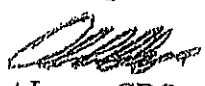
Person Requesting: Daniel Clucas.

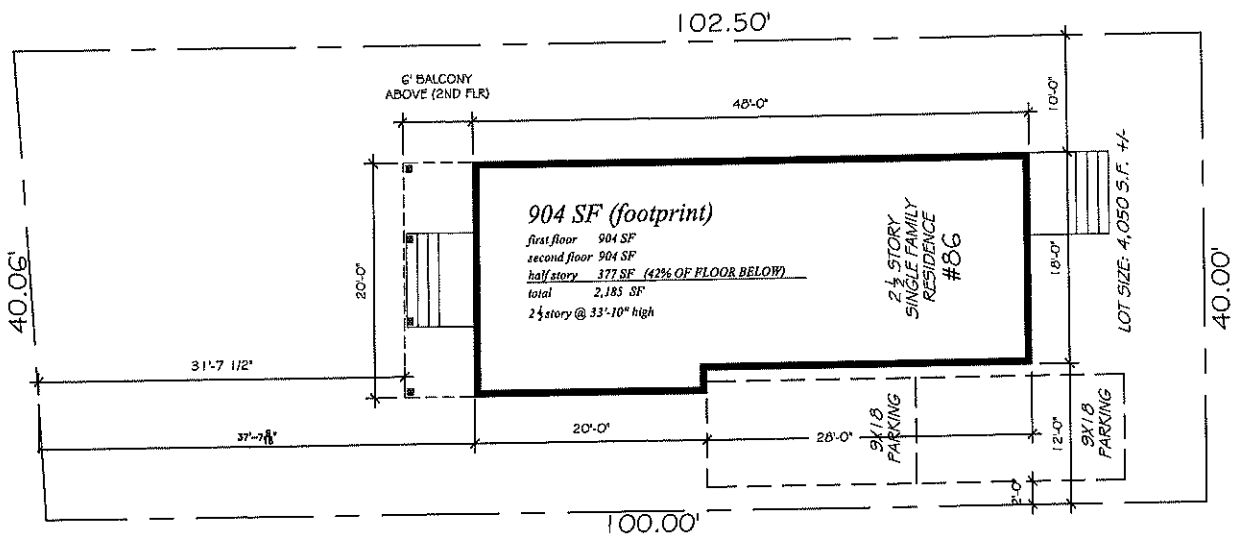
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1. Noncompliance of proposed structure with respect to minimum Lot area requirement of 5000 sq. ft.
2. Noncompliance of frontage.


Albert Legee CBO
Commissioner
November 10, 2020



SITE LAYOUT
 SCALE: 1/8" = 1'-0"



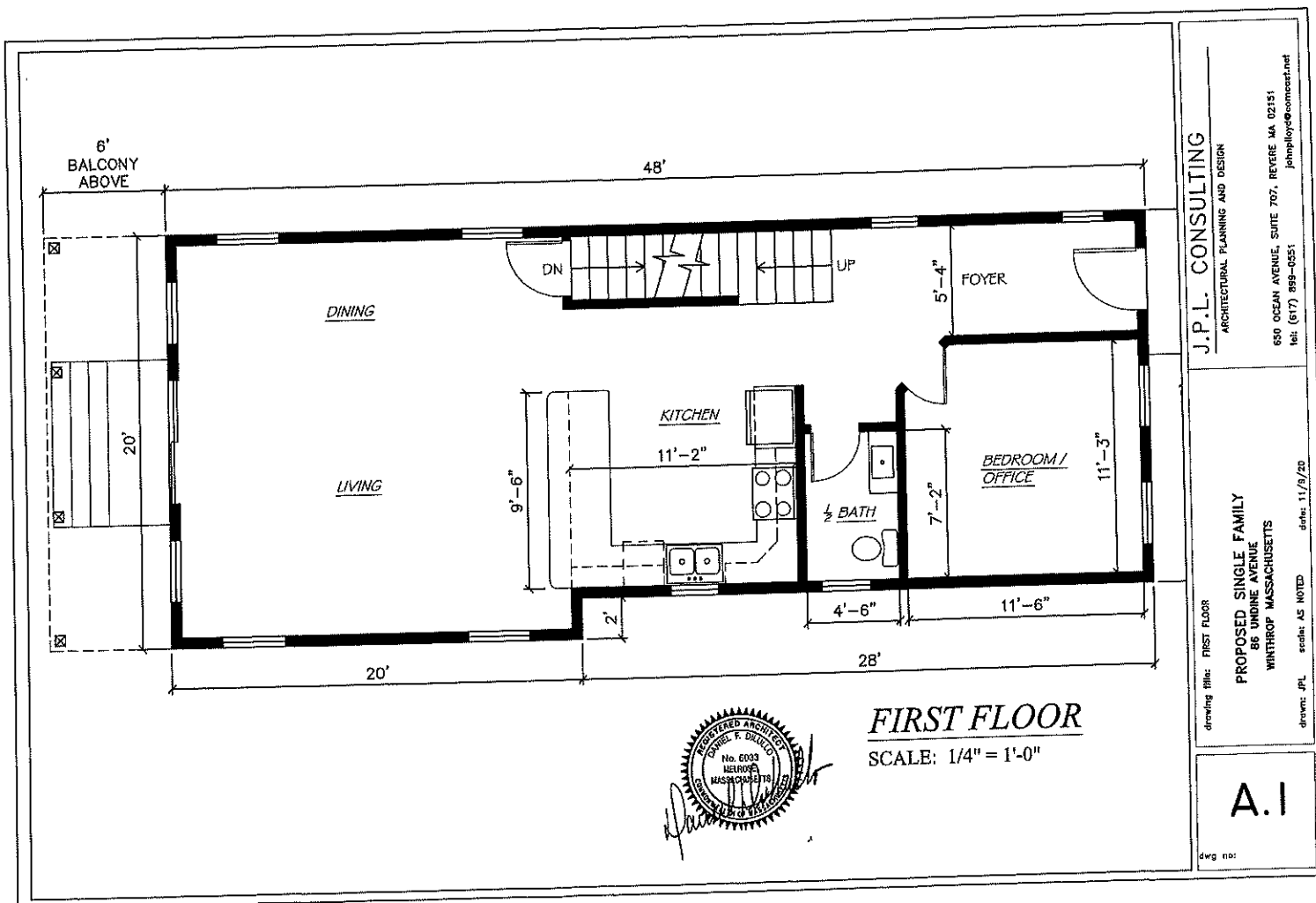
J.P.L. CONSULTING
 ARCHITECTURAL PLANNING AND DESIGN

650 OCEAN AVENUE, SUITE 707, REVERE MA 02151
 Tel: (617) 899-0951 jplpld@comcast.net

PROPOSED SINGLE FAMILY
 85 UNDINE AVENUE
 WINTHROP MASSACHUSETTS

drawn: JPL scale: AS NOTED date: 11/9/20

A.0



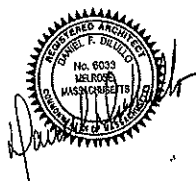
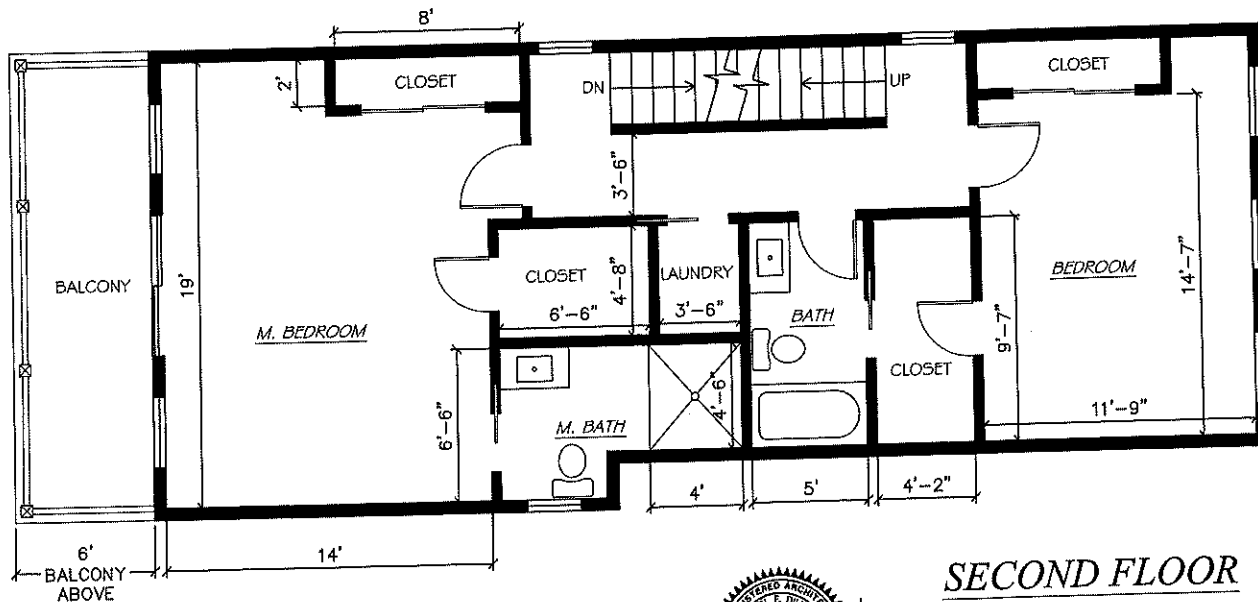
J.P.L. CONSULTING
ARCHITECTURAL PLANNING AND DESIGN

650 OCEAN AVENUE, SUITE 707, REVERE MA 02151
Tel: (617) 959-0251
johnployc@comcast.net

drawing title: FIRST FLOOR
PROPOSED SINGLE FAMILY
86 UINDINE AVENUE
WINTHROP MASSACHUSETTS
drawing: JPL scale: AS NOTED date: 11/9/20

A.I

dwg no:



SECOND FLOOR
SCALE: 1/4" = 1'-0"

J.P.L. CONSULTING
ARCHITECTURAL PLANNING AND DESIGN

PROPOSED SINGLE FAMILY
286 UNDINE AVENUE
WINTHROP MASSACHUSETTS

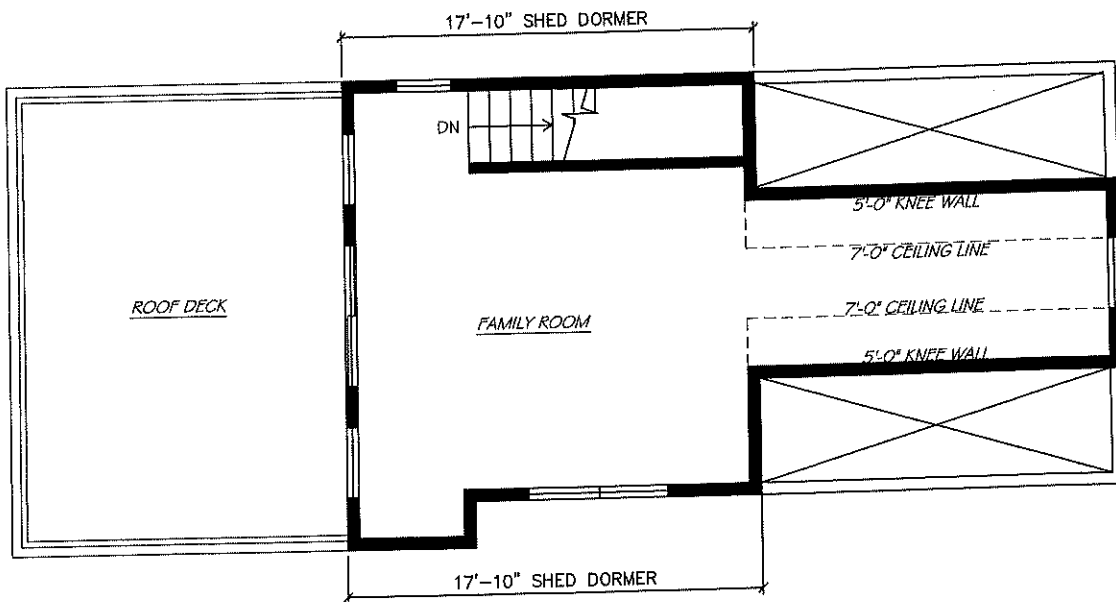
650 OCEAN AVENUE, SUITE 707, REVERE, MA 02151
Tel: (617) 999-0531 jphpleys@comcast.net

Drawing Title: SECOND FLOOR

Drawn: JPL, scaled: AS NOTED, date: 11/9/20

A.2

dwg no:



THIRD FLOOR (HALF STORY)
 SCALE: 1/4" = 1'-0"

J.P.L. CONSULTING

ARCHITECTURAL PLANNING AND DESIGN

PROPOSED SINGLE FAMILY
 88 URDINE AVENUE
 WINTHROP, MASSACHUSETTS

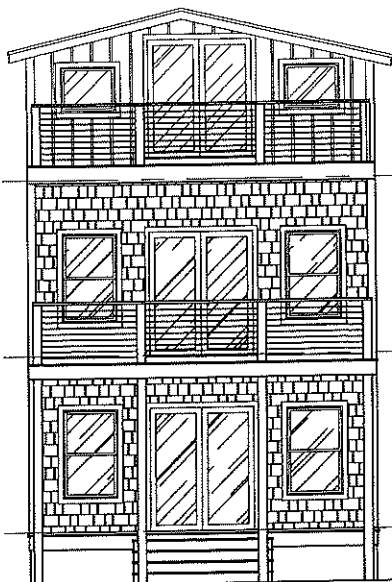
1850 OCEAN AVENUE, SUITE 707, REVERE, MA 02151
 Tel: (617) 898-0551
johnpjoy@comcast.net

drawing title: THIRD FLOOR

drawn: JPL scale: AS NOTED date: 11/19/20

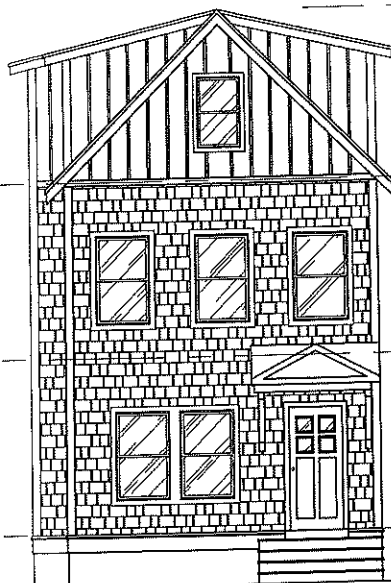
A.3

dwg no:



REAR

SCALE: 3/16" = 1'-0"



FRONT (UNDINE AVENUE)

SCALE: 3/16" = 1'-0"

HIGHEST POINT

3RD FLOOR
(HALF STORY)

2ND FLOOR

1ST FLOOR

GRADE

10'

10'

3'

32'-9"

J.P.L. CONSULTING

ARCHITECTURAL PLANNING AND DESIGN

PROPOSED SINGLE FAMILY
88 UNDINE AVENUE
WINTHROP MASSACHUSETTS

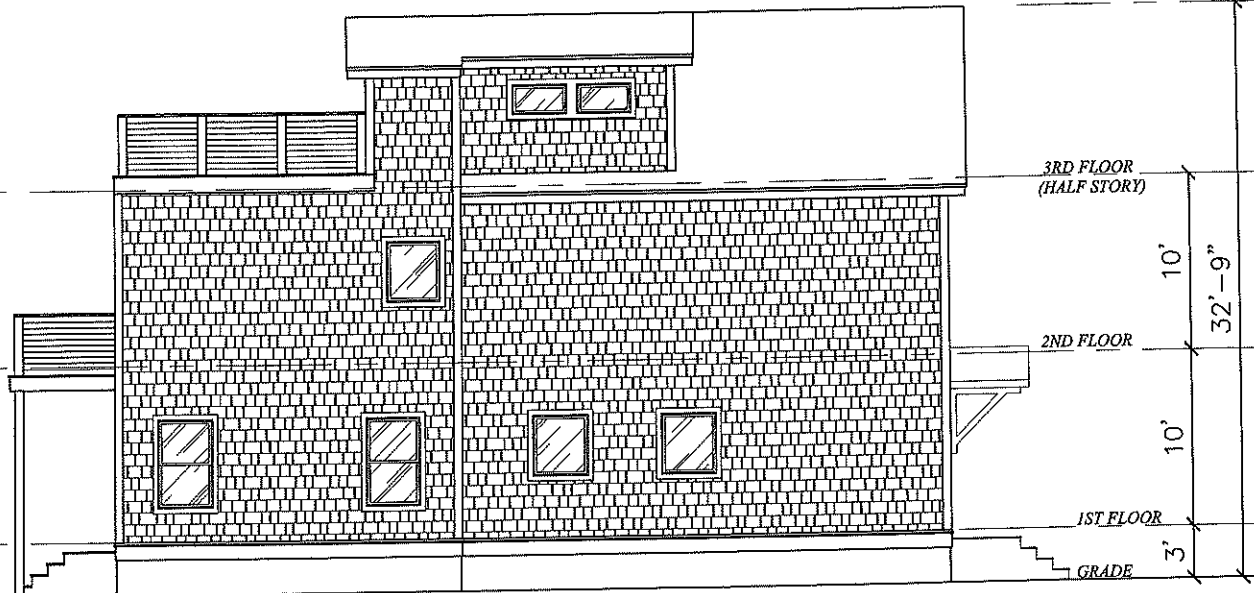
drawing title: ELEVATIONS

650 OCEAN AVENUE, SUITE 707, REVERE MA 02151
tel: (617) 859-0551
jehnplopy@comcast.net

drawn: JPL scale: AS NOTED date: 11/9/20

A.4

dwg no:



LEFT SIDE
SCALE: 3/16" = 1'-0"



drawing title: ELEVATIONS

J.P.L. CONSULTING
ARCHITECTURAL PLANNING AND DESIGN

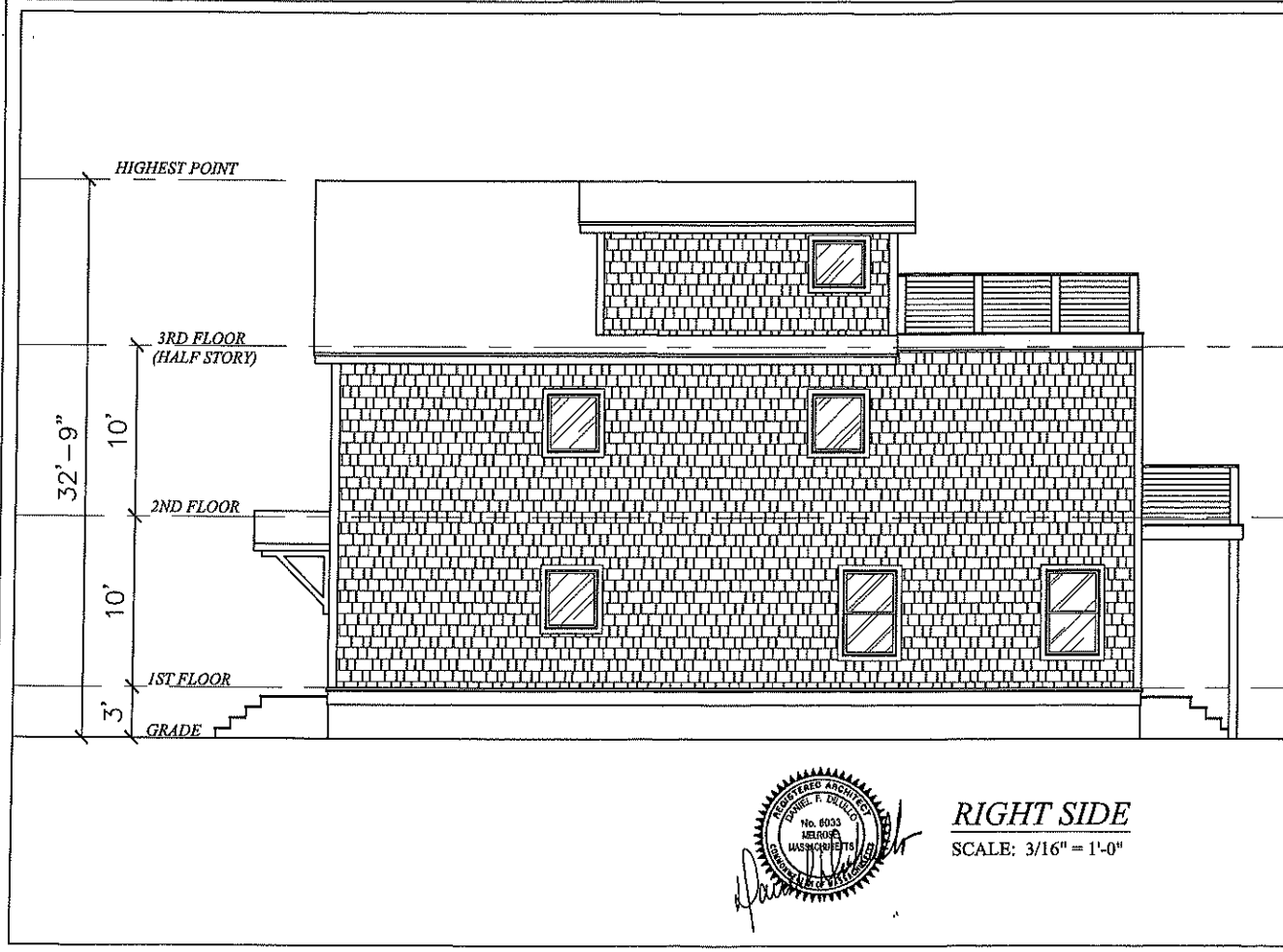
PROPOSED SINGLE FAMILY
86 UNDINE AVENUE
WINTHROP, MASSACHUSETTS

680 OCEAN AVENUE, SUITE 707, REVERSE MA 02151
tel: (617) 899-0551 jplmplan@comcast.net

drawn: JPL scale: AS NOTED date: 11/9/20

A.5

dwg no:



J.P.L. CONSULTING
ARCHITECTURAL PLANNING AND DESIGN

PROPOSED SINGLE FAMILY
86 UNDINE AVENUE
WINTHROP MASSACHUSETTS

650 OCEAN AVENUE, SUITE 707, REVERE MA 02151
Tel: (617) 899-0551
johnployd@comcast.net

drawing title: ELEVATIONS
drawn: JPL
scale: AS NOTED
date: 11/9/20

A.6

dwg no:

RECEIVED

2020 NOV -9 P 1:35

Application No. 021-2020
Date: NOV - 9 2020

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: 39 Grovers Avenue, WINTHROP

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

1. Applicant Submitting this application is:

Name: Ms Nereida Restrepo
Address: 39 Grovers Avenue
City/Town: WINTHROP, MASSACHUSETTS 02152
Telephone: 857-333-1696

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:

Nereida Restrepo

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

Book: 601895 Page: 251

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

See Plans Attached. Plot Plan of Land, Interior Plan s

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 ?

Yes

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 8,121 square feet of land in the Residence A (RA) zoning district. Currently there is a ranch style residence on the lot. The interior layout shows three existing separate dwelling units with kitchens and facilities in each. 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 appellant requests a variance from the table of uses in order to complete and utilize the third residential dwelling unit. Additionally, she requests a variance from the minimum off-street parking requirement set out in the zoning code.

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 shape and topography of the land is uneven irregularly shaped in a modified trapezoid shape which restricts access to additional rear parking.

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 continued utilization of the third unit, currently occupied by the owner's mother. Such unit is one of two units on the lower level of the home.

Parking currently accommodates four cars in two driveways. There is sufficient off-street parking on Grovers Avenue. Such parking requires Resident Parking Stickers.

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 update the current interior space within the existing footprint.

Adjacent to the locus, on the south side, is a three unit building. Adjacent to the locus, on the north side, is a three unit condominium building. Across the street from the home is the former Dalrymple School that is now utilized as a restricted residential complex. That building has a large parking lot for staff and residents.

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: 11/5/2020

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

Nereida Ruteiro
Signature of Applicant

11/9/2020
Date

Nereida Ruteiro
Signature of Owner

11/9/2020
Date

James J. Capella
Signature of Designated Representative

11-9-2020
Date

ALL MUST SIGN THIS APPLICATION

RECEIPT

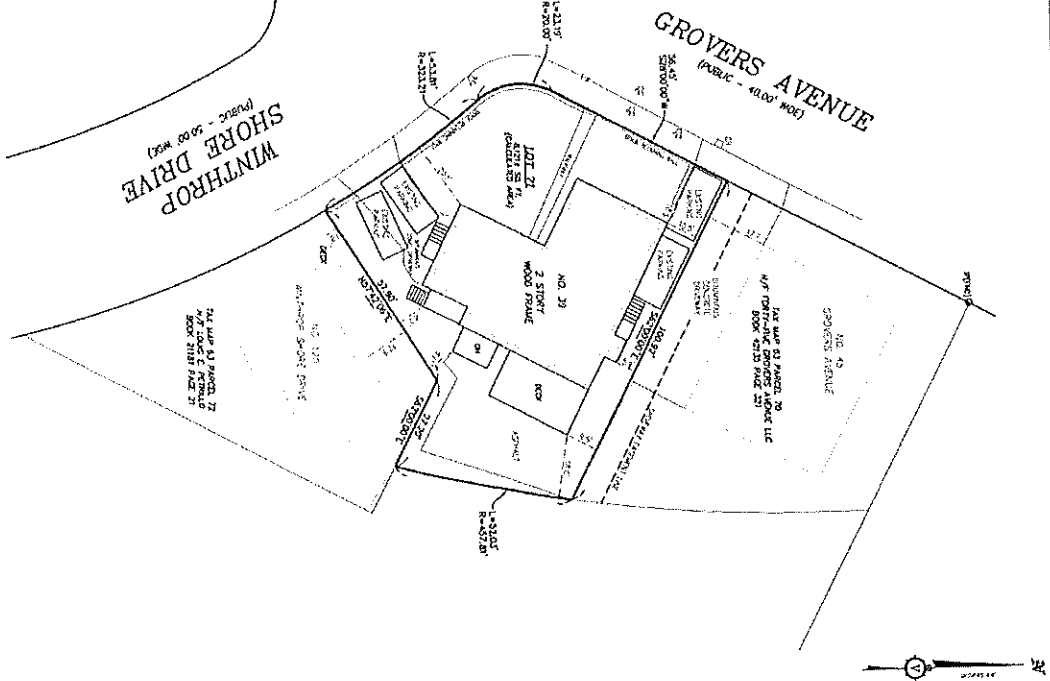
Received from above applicant, the sum of \$375 to apply against administrative, and mailing costs.

Date: NOV - 9 2020

By:

Joanne M. Demato

Carla Vitale



ZONING TABLE			
RES A - 2 FAMILY	REQUIRED	EXISTING	PROPOSED
LOT SIZE	10,000 SQ. FT.	8,772 SQ. FT.	4,122 SQ. FT.
FRONTAGE	100.00'	111.55'	111.55'
MINIMUM FRONT SETBACK	20.0'	18.5'	18.5'
MINIMUM SIDE SETBACK	15.0'	5.5'	5.5'
MINIMUM REAR SETBACK	25.0'	18.0'	18.0'
MAXIMUM STORES	2.5 STY	2.5 STY	2.5 STY
FIRST FLOOR ELEV.	—	109.2	109.2
PEAK	—	124.0	124.0
MINIMUM COVERAGE	—	28.4%	28.4%

OWNER OF RECORD

NEERGA RESIREPO
DEED BOOK 51945 PAGE 130 S.R.O.

ZONING DISTRICT

TAX MAP 53 PARCEL 71
RES-A

PLAN REFERENCES

PLAN 76 OF 2008
END OF BOOK 1836
DEED BOOK 6217 PG 1
DEED BOOK 40352 PG 43
PLAN NO 208 OF THE METROPOLITAN PARK COMMISSION. (SHEET 5)
I HEREBY CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL FIELD SURVEY.

JAMES J. ABLE P.L.S. DATE

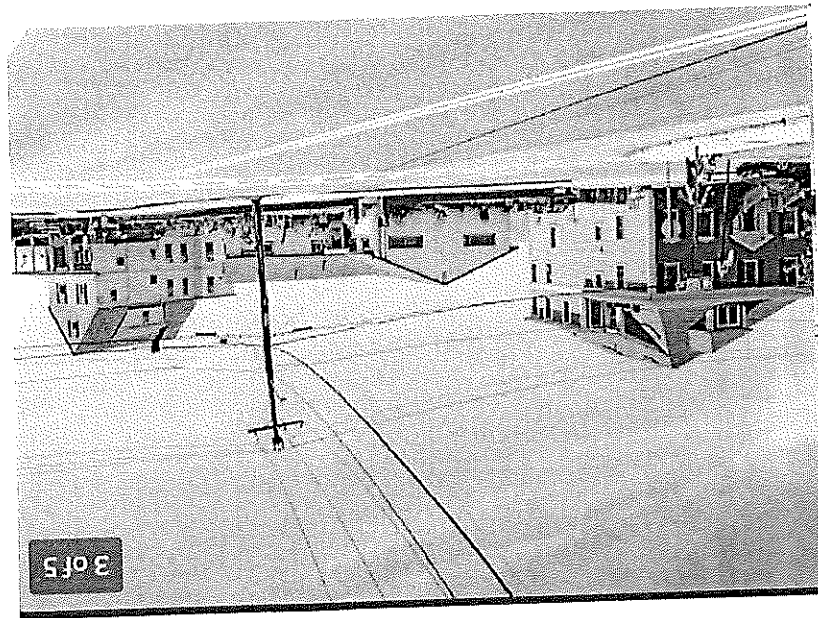
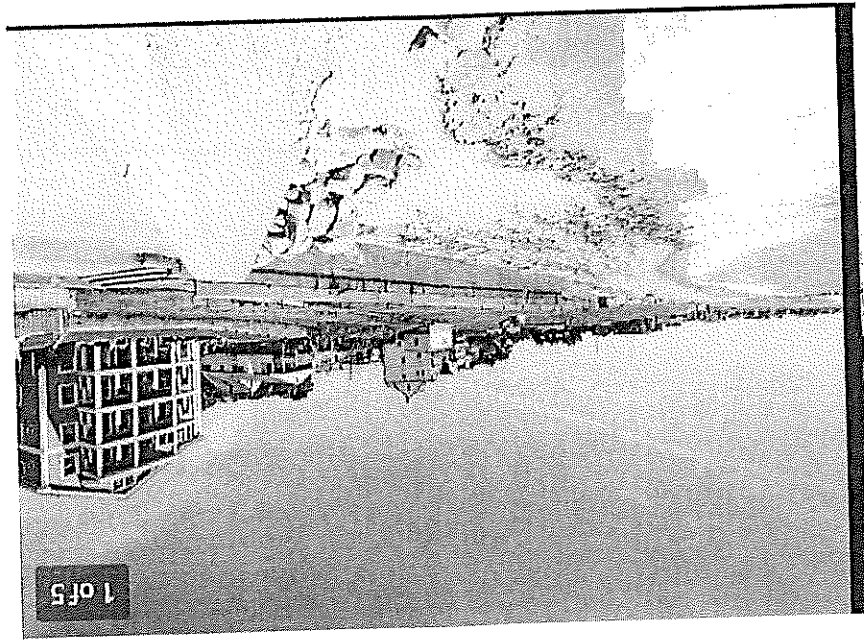
PLAN OF LAND

39 GROVERS AVENUE
WINTHROP, MA

SCALE 1"=20' OCTOBER 27, 2020
PREPARED BY

VINEYARD ENGINEERING
& ENVIRONMENTAL SERVICES, INC.
LAND SURVEY, CIVIL ENGINEERING
& ENVIRONMENTAL SERVICES
319 MAIN STREET, UNIT 2R
STONEHAM, MA 02180
TEL. 781-572-3272 FAX. 781-572-3135
vineyardeng.com





In consideration of Seven Bishops (Residual £1700,000.00) Dollars, grants to Xetella Kestepo, Kinga Kestepo, now of 19 Chover Avenue, Woburn, Massachusetts

ADDITIONAL COVARIATES.

The bird is a rather common songster, and is recorded with South Beach at end of back on a pair by H. I. Williams, dated August, 1888.

by said average fifty (50) feet

by 1 on 6, are painted and 92/100 (100%) feet.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 10-27-2011 BY 60322 UCBAW

SOUTHWESTERN
by Lee James Bandred (1903-1972)

© 2000 Blackwell Science Ltd *Journal of Internal Medicine* 247: 259–265

Also the land in said Winthrop, being part of Lot 8, containing approximately

INSTITUTIONAL

by the remainder of said lot 8, with two and five tenths (2.5) acre

2023/11/19 00:12:22 192.168.1.100 2023/11/19 00:12:22

(Continued) (b) a pure test be said to measure and constant score in two or more subjects in

Excessive from the above described parcel, all square feet as shown on Plan No. 704, of the

Statement was a statement of a member of the

Downloaded from <http://ajphaphapublications.sagepub.com> at UNIV OF CALIFORNIA on June 11, 2015

WITNESS my hand and seal this 15th day of October 2019.

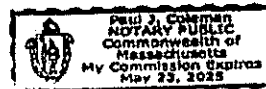
Ndara Restrepo Personal Rep
Nereida Restrepo, Personal Rep.
Estate of Charles Anthony Radi

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss:

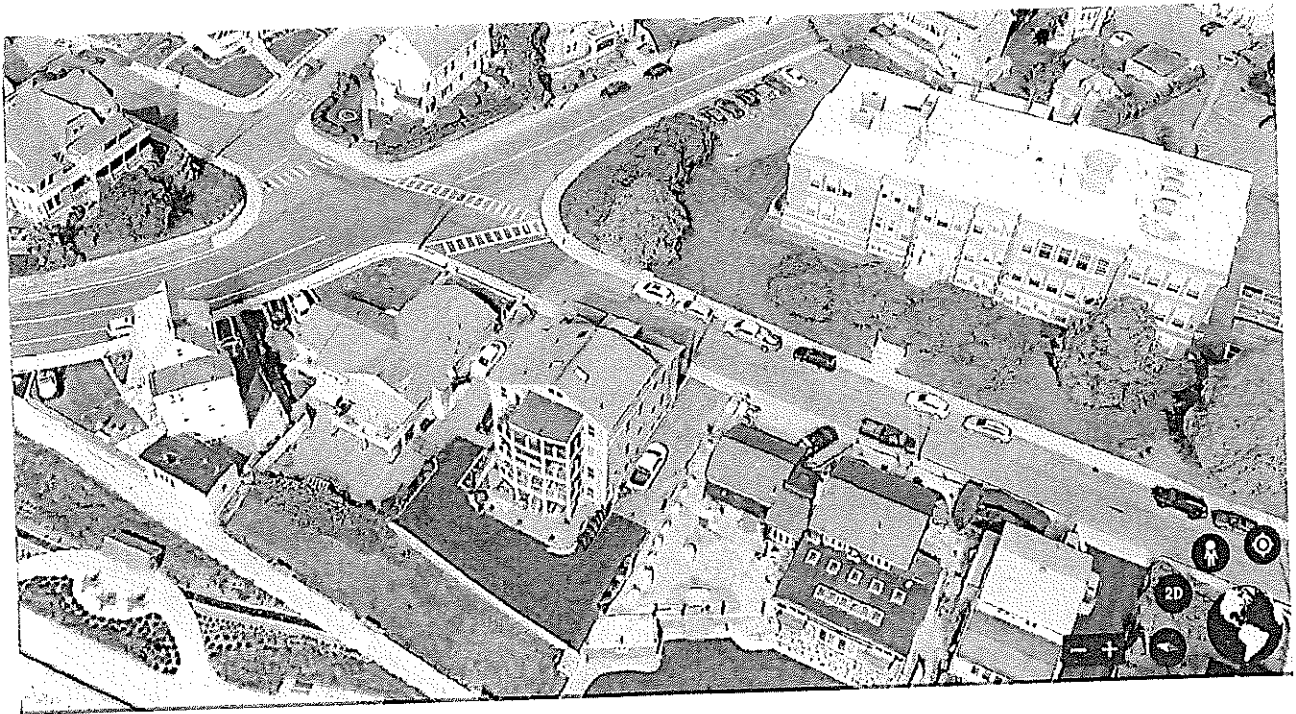
On this 15th day of October 2019, before me, the undersigned notary public, personally appeared Nereida Restrepo, proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License or [], to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose in her capacity as Personal Representative of the Estate of Charles Anthony Radi.

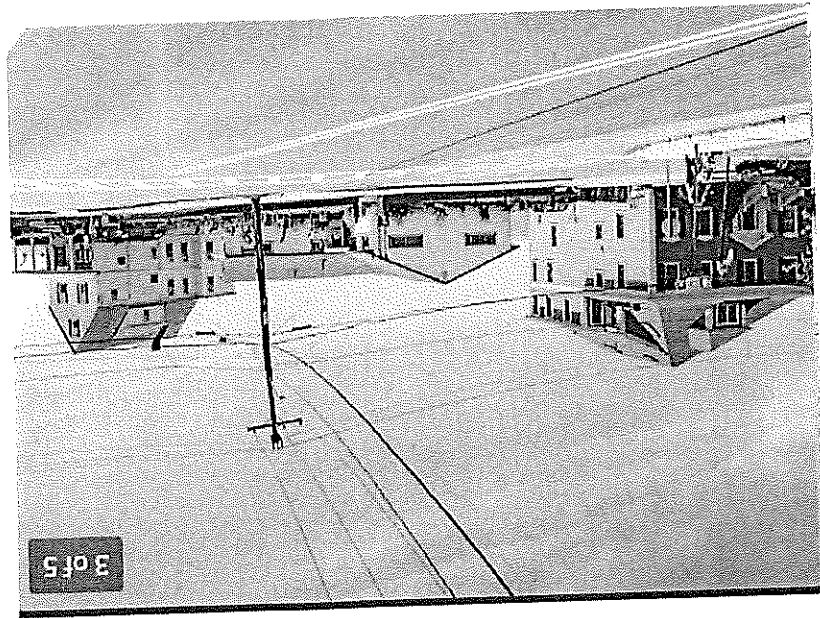
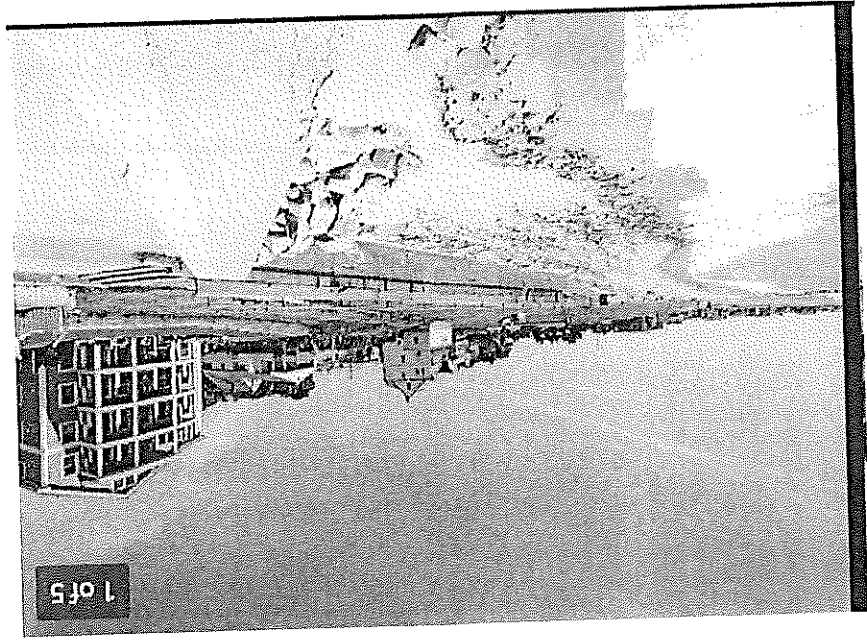
Paul J. Coleman
Paul J. Coleman, Esq., Notary Public
My Commission Expires: 05-23-2025



This conveyance is made without performing a title examination on the Property. Grantee acknowledges and accepts the Property with the existing mortgage recorded with the Suffolk County Registry of Deeds on March 31, 2017 in Book 57753, Page 230.

<SIGNATURE PAGE TO FOLLOW>





39-39A GROVERS AVE

Location 39-39A GROVERS AVE

Mblu 63/71///

Acct#

Owner RESTREPO NEREIDA,
PETRILLO LOUIS TRUSTEE

PBN

Assessment \$751,400

Appraisal \$751,400

PID 7329

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2020	\$307,600	\$443,800	\$751,400
Assessment			
Valuation Year	Improvements	Land	Total
2020	\$307,600	\$443,800	\$751,400

Owner of Record

Owner RESTREPO NEREIDA, PETRILLO LOUIS TRUSTEE
Co-Owner LOUIS E PETRILLO TRUST
Address 39-39A GROVERS AVE
WINTHROP, MA 02152

Sale Price \$1
Certificate
Book & Page 61945/0330
Sale Date 10/24/2019
Instrument 1A

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
RESTREPO NEREIDA, PETRILLO LOUIS TRUSTEE	\$1		61945/0330	1A	10/24/2019
RESTREPO NEREIDA	\$700,000		61895/0251	00	10/15/2019
RADI CHARLES	\$710,000		57753/0228	00	03/03/2017
PASSARO WILLIAM C	\$0		8116-726/0		01/01/1988

Building Information

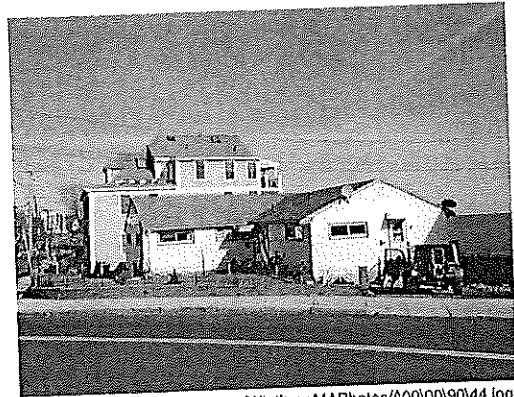
Building 1 : Section 1

Year Built: 1960
Living Area: 2,232
Replacement Cost: \$419,094
Building Percent Good: 73
Replacement Cost Less Depreciation: \$305,900

Building Attributes

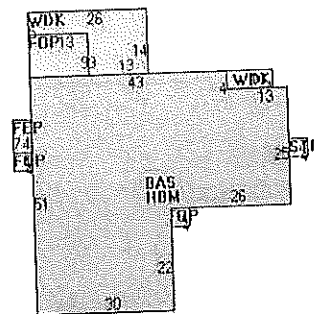
Field	Description
Style	2 Unit
Model	Multi-Family
Grade:	Average
Stories:	1 Story
Occupancy	2
Exterior Wall 1	Vinyl Siding
Exterior Wall 2	
Roof Structure:	Gable
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Drywall
Interior Wall 2	
Interior Flr 1	Carpet
Interior Flr 2	
Heat Fuel	Gas
Heat Type:	Hot Water
AC Type:	None
Total Bedrooms:	4 Bedrooms
Total Bthrms:	3
Total Hall Baths:	1
Total Xlra Fixtrs:	
Total Rooms:	10
Bath Style:	
Kitchen Style:	
Num Kitchens	01
Cndtn	
Usrld 103	
Usrld 104	
Usrld 105	
Usrld 106	
Usrld 107	
Num Park	
Fireplaces	

Building Photo



<http://images.vgsi.com/photos/WinthropMAPPhotos/A00V0090V44.jpg>

Building Layout



http://images.vgsi.com/photos/WinthropMAPPhotos/Sketches/7329_7329.j

Building Sub-Areas (sq ft)			Legend	
Code	Description	Gross Area	Living Area	
BAS	First Floor	2,232	2,232	
FEP	Porch, Enclosed	28	0	
FOP	Porch, Open	149	0	
HBM	Bsmnt, 1/2 Finished	2,232	0	
STP	Sloop	16	0	
WDK	Deck	287	0	
		4,944	2,232	

Usrld 108

Usrld 101

Usrld 102

Usrld 100

Conc.

08

Extra Features

Extra Features					Legend
Code	Description	Size	Value	Bldg #	
FPL1	FIREPLACE-BRICK	1.00 UNITS	\$1,700	1	

Land

Land Use

Use Code 1040
Description APT 2 UNIT
Zone
Neighborhood R7
Alt Land Appr No
Category

Land Line Valuation

Size (Acres) 0.19
Frontage 0
Depth 0
Assessed Value \$443,800
Appraised Value \$443,800

Outbuildings

Outbuildings		Legend
No Data for Outbuildings		

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2020	\$307,600	\$443,800	\$751,400
2019	\$294,500	\$409,000	\$703,500
2018	\$277,000	\$351,100	\$628,100

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$307,600	\$443,800	\$751,400
2019	\$294,500	\$409,000	\$703,500
2018	\$277,000	\$351,100	\$628,100

NEREIDA RESTREPO

39 GROVERS AVENUE
PROPOSED CONVERSION FROM
TWO-FAMILY TO THREE FAMILY.

The owner currently has three units with three kitchens at 39 - 39A Grovers Avenue. Her CO is for a two- family. She proposes to legalize or convert the home to a three unit residential dwelling. There are 4 existing parking spaces on the lot. Therefore:

Owner would require a variance as follows:

1. Variance from the provisions of Section 17.52.030 for use as a three family residential dwelling.
2. Variance from the provisions of Section 17.20 - Table of Off Street Parking Regulations.

RECEIVED

2020 NOV -9 P 1:35

TOWN CLERK
WINTHROP, MASS.

Application No. 020-2020
Date: NOV - 9 2020

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: 9 Willow Terrace, Winthrop

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

1. Applicant Submitting this application is:

Name: Nicole Ferrara
Address: 9 Willow Terrace
City/Town: Winthrop, Massachusetts 02152
Telephone: 617-293-4267

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:

Nicole Ferrara

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

Book: 62157 Page: 43

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

See Plans Attached. Plot Plan of Land, Interior Plan s

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 is a vacant lot conveyed to and owned by Nicole
Ferrara. The deed describes two separate lots. One contains
the home in which the owner resides. The lot upon which she
proposes to build contains 4048 square feet of land. All
utilites are on site and operational.

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

The appellant requests a variance from the provisions of section 17.16.020.J, minimum lot size. The lots are a portion of a subdivision created in 1926, therefore it is required that minimum lot size be 5000 square feet.

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 shape of the lots is uneven with a more narrow boundary in the front and a larger boundary line in the rear.

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 construction of a new, home. The homes in the surrounding neighborhood are built on the same size lots. The subject lot has ample parking and is compliant with the Winthrop Zoning Code.

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

The home is similar in size and scope with surrounding homes. It will be in harmony with the surrounding neighborhood style homes and number of units in each.

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 owner satisfies all of the conditions precedent to the issuance of a variance pursuant to the Zoning Ordinance of the Town of Winthrop.

SECTION 17.16.020

may be altered to exceed two and one-half stories, but 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)

Date of DENIAL, signed by the Building Inspector: 11/5/2020

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

Signature of Applicants

Date

MPC

11/6/2020

Signature of Owner

Date

[Signature]
Signature of Designated
Representative

11/6/2020
Date

ALL MUST SIGN THIS APPLICATION

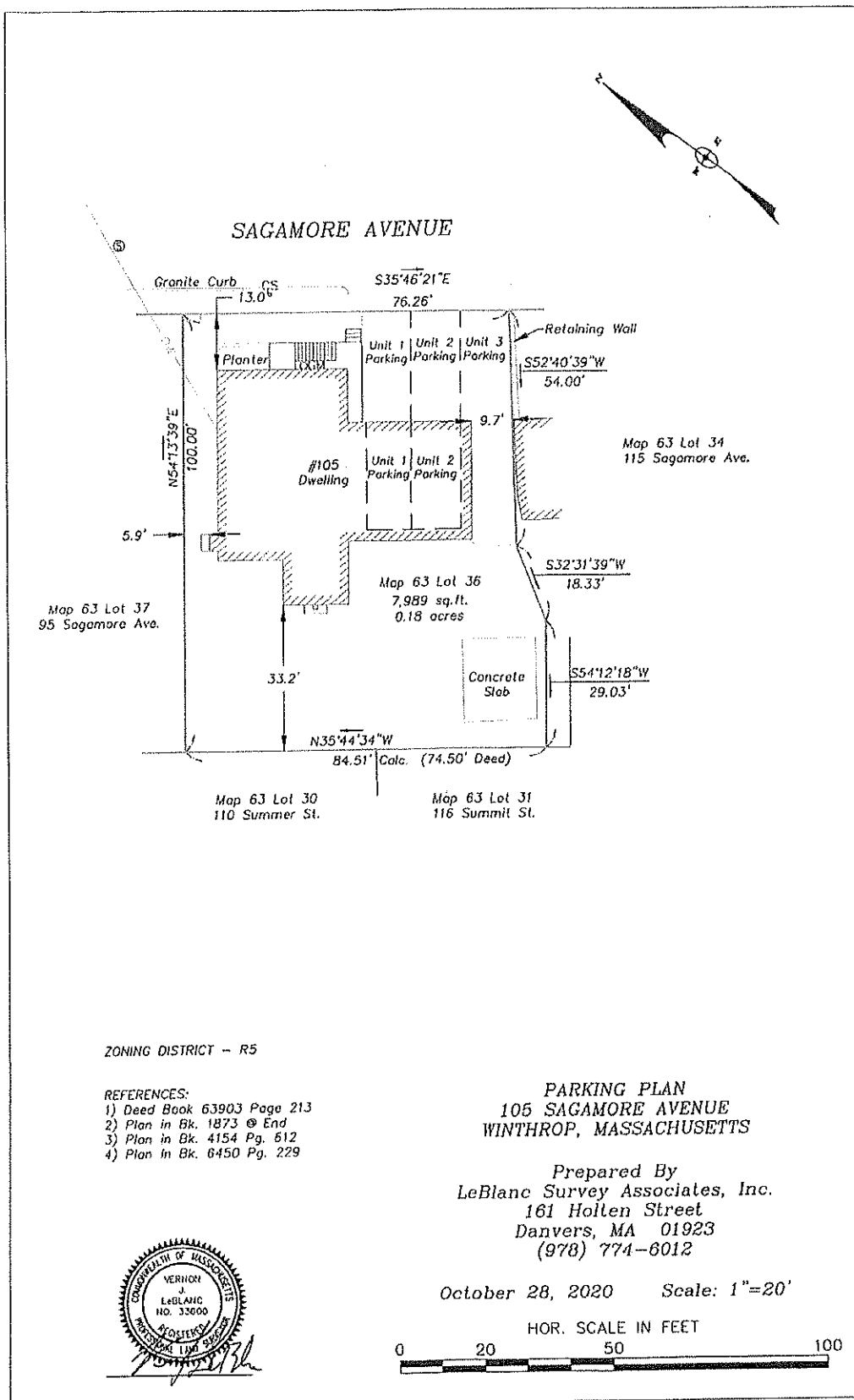
RECEIPT

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

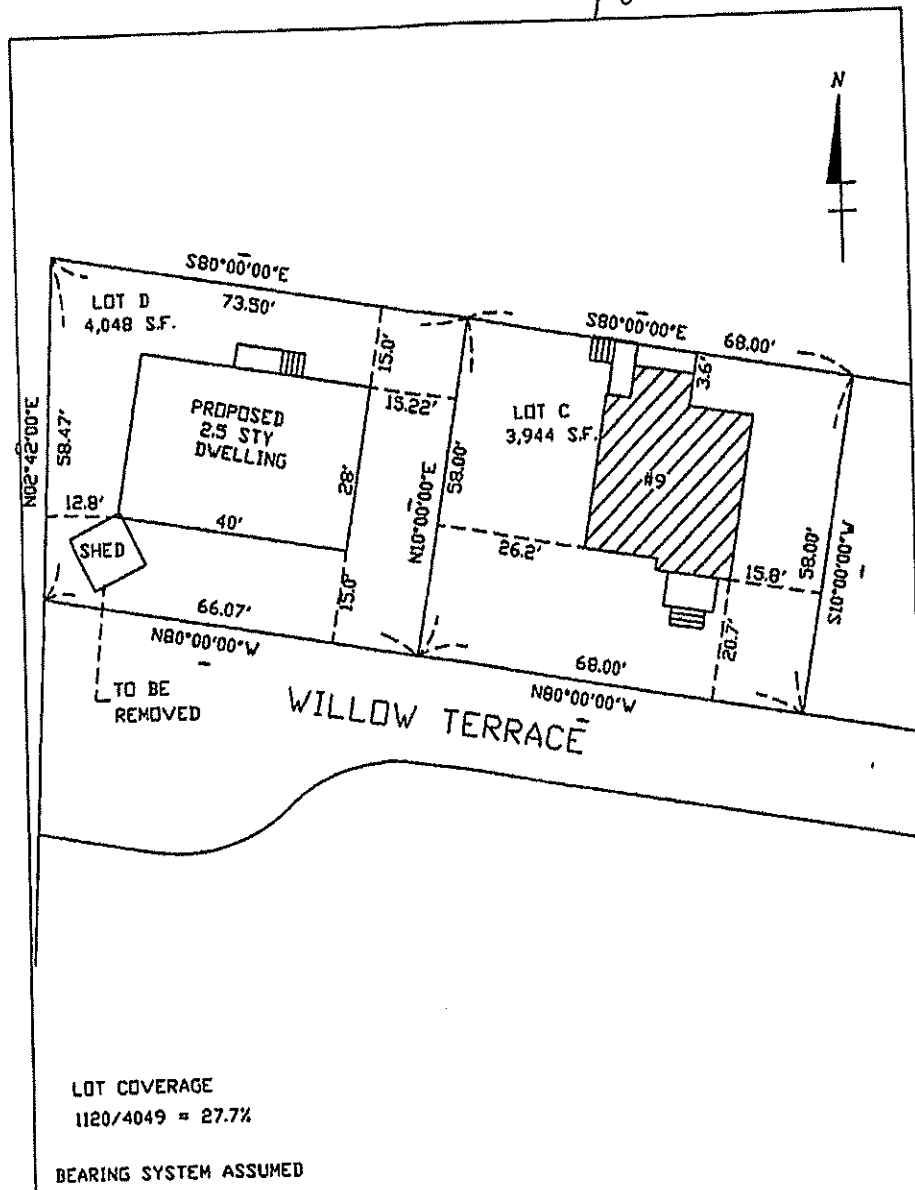
Date: NOV - 9 2020

By: [Signature]

Carla Vitale



For



NOTE:

I HEREBY CERTIFY THAT THIS PLAN HAS
BEEN PREPARED FROM AN ACTUAL ON THE
GROUND INSTRUMENT SURVEY.



PAUL J. FINOCCHIO P.L.S. NO. 36113

DATE

**PLOT PLAN OF LAND
IN
WINTHROP, MA**

PREPARED BY:
PJF & ASSOCIATES
4 HIGHLAND AVE WAKEFIELD, MA
PAUL J. FINOCCHIO-P.L.S.
(781)883-5473

SCALE: 1" = 20'

DEED REF. BK. 62157 PG 42

DATE: OCTOBER 27, 2020

FILE No. 742680A

10/27/20

MASSACHUSETTS QUITCLAIM DEED

9 aka 9-13 Willow Terrace, Winthrop

We, Kevin M. Ferrara and Roger Valledares, Jr., both being unmarried, both of 9 aka 9-13 Willow Terrace, Winthrop, MA 02152, for consideration paid, and in full consideration of Five Hundred and Five Thousand Dollars and 00/100 (\$505,000.00) grant to, Nicole M. Ferrara, individually, now of 9 aka 9-13 Willow Terrace, Winthrop, MA 02152, with quitclaim covenants:

The land with the building thereon situated in Winthrop, Suffolk County, Massachusetts being the premise numbered 9 on the present numbering of Willow Terrace, and being shown as Lot No. C on a plan entitled Plan of land in Winthrop, Mass, July 1926 drawn by Whitman & Howard, duly recorded with Suffolk County Registry of Deeds Book 4875 Page 91 bounded and described as follows:

SOUTHWESTERLY by a private way called Willow Terrace, as shown on the aforementioned plan, sixty-eight (68) feet;
NORTHWESTERLY: by Lot d as shown on said plan, fifty-eight (58) feet;
NORTHEASTERLY: by land of owners unknown, sixty-eight (68) feet; and
SOUTHEASTERLY: by Lot 3 as shown on said plan, fifty-eight (58) feet;

Containing three thousand nine hundred and forty-four (3944) square feet of land.

Also a certain lot or parcel of land in said Winthrop, bounded and described as follows:

SOUTHWESTERLY: by a private way called Willow Terrace, as shown on the plan hereinafter mentioned sixty-six and seven one hundredths feet;
NORTHWESTERLY: by land of owners unknown, fifty-eight and forty-seven one-hundredths feet;
NORTHEASTERLY: by land of owners unknown, seventy-three and fifty-hundredths feet;
SOUTHEASTERLY: by Lot C as shown on said plan, fifty-eight feet;

Containing 4047 square feet of land and being Lot D as shown on Plan of Land in Winthrop, Mass, July 1926 drawn by Whitman & Howard and recorded with Suffolk County Registry of Deeds at Book 4875, Page 391.

Being the same premises conveyed to Grantors by deed dated February 27, 2008, recorded in Suffolk County Registry of Deeds in Book 43159, Page 82.

Grantors hereby revoke, rescind and terminate any and all homestead rights in the property and do under oath depose and say that there are no other individuals entitled to claim the benefit of the existing estate of homestead in and to the property.

Witness our hands and seals this 2nd day of December, 2019.


Kevin M. Ferrara

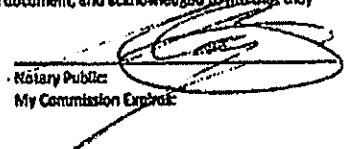

Roger Valledura, Jr.

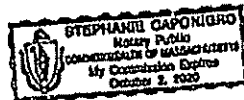
COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss

December 2, 2019

On this 2nd day of December, 2019, before me, the undersigned notary public, personally appeared Kevin M. Ferrara and Roger Valledura, Jr., proved to me by satisfactory evidence of identification, which was ☒ Massachusetts Driver's license or ☐ _____, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.


Notary Public
My Commission Expires:



13 WILLOW TER

Location 13 WILLOW TER

Mblu 31/21///

Acct#

Owner FERRARA NICOLE M

PBN

Assessment \$47,100

Appraisal \$47,100

PID 2603

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2020	\$1,000	\$46,100	\$47,100
Assessment			
Valuation Year	Improvements	Land	Total
2020	\$1,000	\$46,100	\$47,100

Owner of Record

Owner FERRARA NICOLE M

Sale Price \$505,000

Co-Owner

Certificate

Address 9 WILLOW TER

Book & Page 62157/0043

WINTHROP, MA 02152

Sale Date 12/02/2019

Instrument 1V

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
FERRARA NICOLE M	\$505,000		62157/0043	1V	12/02/2019
FERRARA KEVIN M	\$381,000		43159/0082	1V	02/27/2008
BUCCINI BRADFORD R	\$0		23932/0135		08/30/1998
LUTI JOHN P	\$0		10		01/01/1988

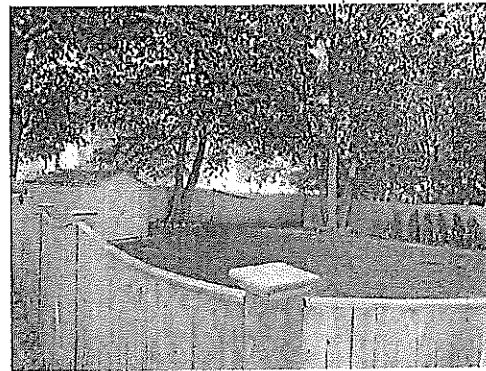
Building Information

Building 1 : Section 1

Year Built:
 Living Area: 0
 Replacement Cost: \$0
 Building Percent Good:
 Replacement Cost
 Less Depreciation: \$0

Building Attributes	
Field	Description
Style	Outbuildings
Model	
Grade:	
Stories:	
Occupancy	
Exterior Wall 1	
Exterior Wall 2	
Roof Structure:	
Roof Cover	
Interior Wall 1	
Interior Wall 2	
Interior Flr 1	
Interior Flr 2	
Heat Fuel	
Heat Type:	
AC Type:	
Total Bedrooms:	
Total Bthrms:	
Total Half Baths:	
Total Xtra Fixtrs:	
Total Rooms:	
Bath Style:	
Kitchen Style:	
Num Kitchens	
Cndtn	
UsrId 103	
UsrId 104	
UsrId 105	
UsrId 106	
UsrId 107	
Num Park	
Fireplaces	
UsrId 108	
UsrId 101	
UsrId 102	

Building Photo



(<http://images.vgsi.com/photos/WinthropMAPhotos/A0000019108.jpg>)

Building Layout

Building Layout

(http://images.vgsi.com/photos/WinthropMAPhotos/Sketches/2603_2603.ji)

Building Sub-Areas (sq ft)	Legend
No Data for Building Sub-Areas	

Usrldd 100

Extra Features

Extra Features

Legend

No Data for Extra Features

Land

Land Use

Use Code 1060
Description VAC LOT W/IMPROV
Zone
Neighborhood R5
Alt Land Appr No
Category

Land Line Valuation

Size (Acres) 0.09
Frontage 0
Depth 0
Assessed Value \$46,100
Appraised Value \$46,100

Outbuildings

Outbuildings

Legend

Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
SHD1	SHED FRAME			100.00 S.F.	\$1,000	1

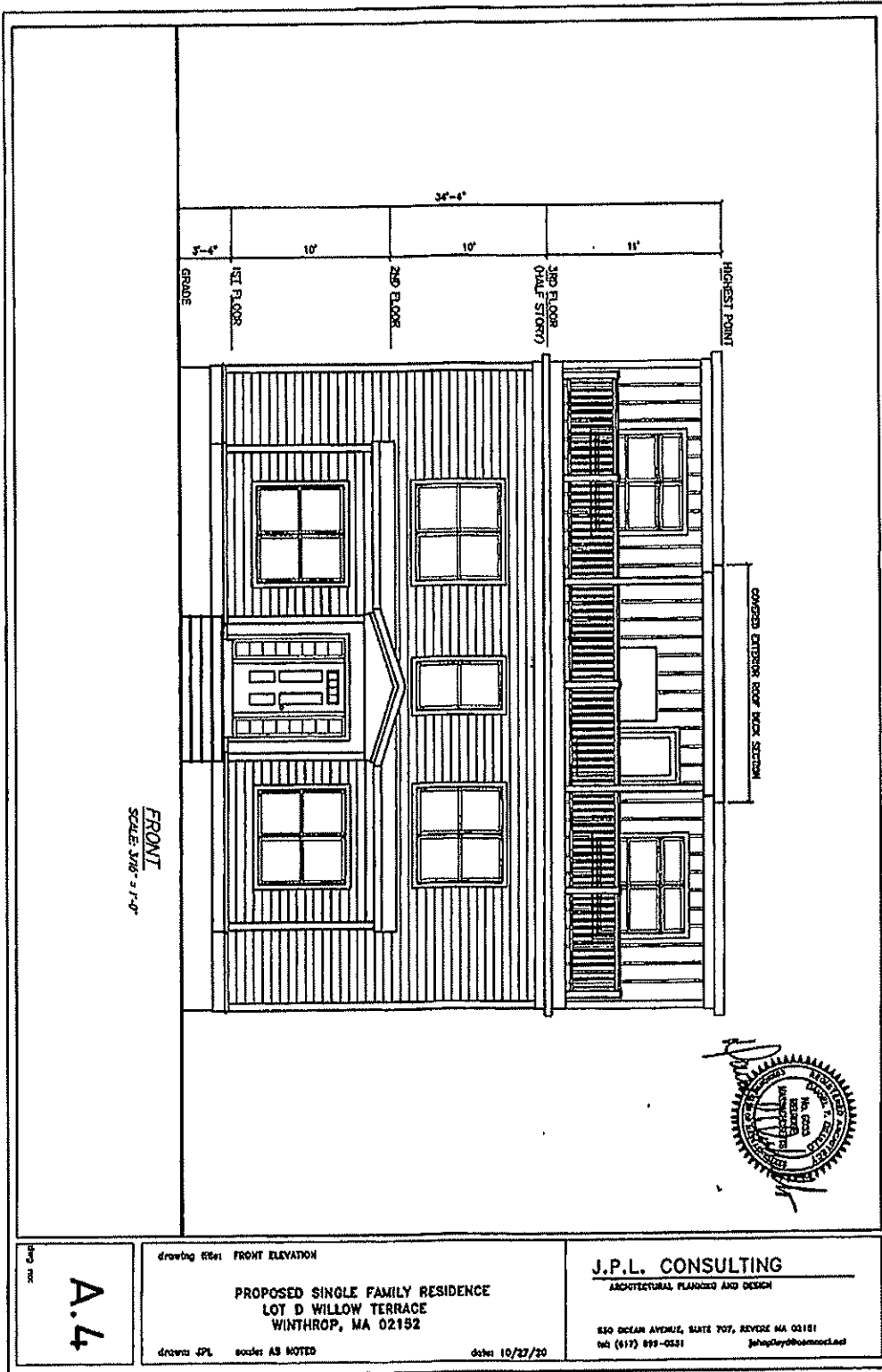
Valuation History

Appraisal

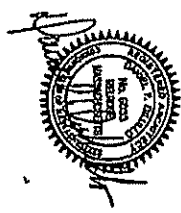
Valuation Year	Improvements	Land	Total
2020	\$1,000	\$46,100	\$47,100
2019	\$1,000	\$42,500	\$43,500
2018	\$1,000	\$36,500	\$37,500

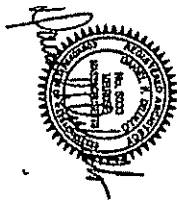
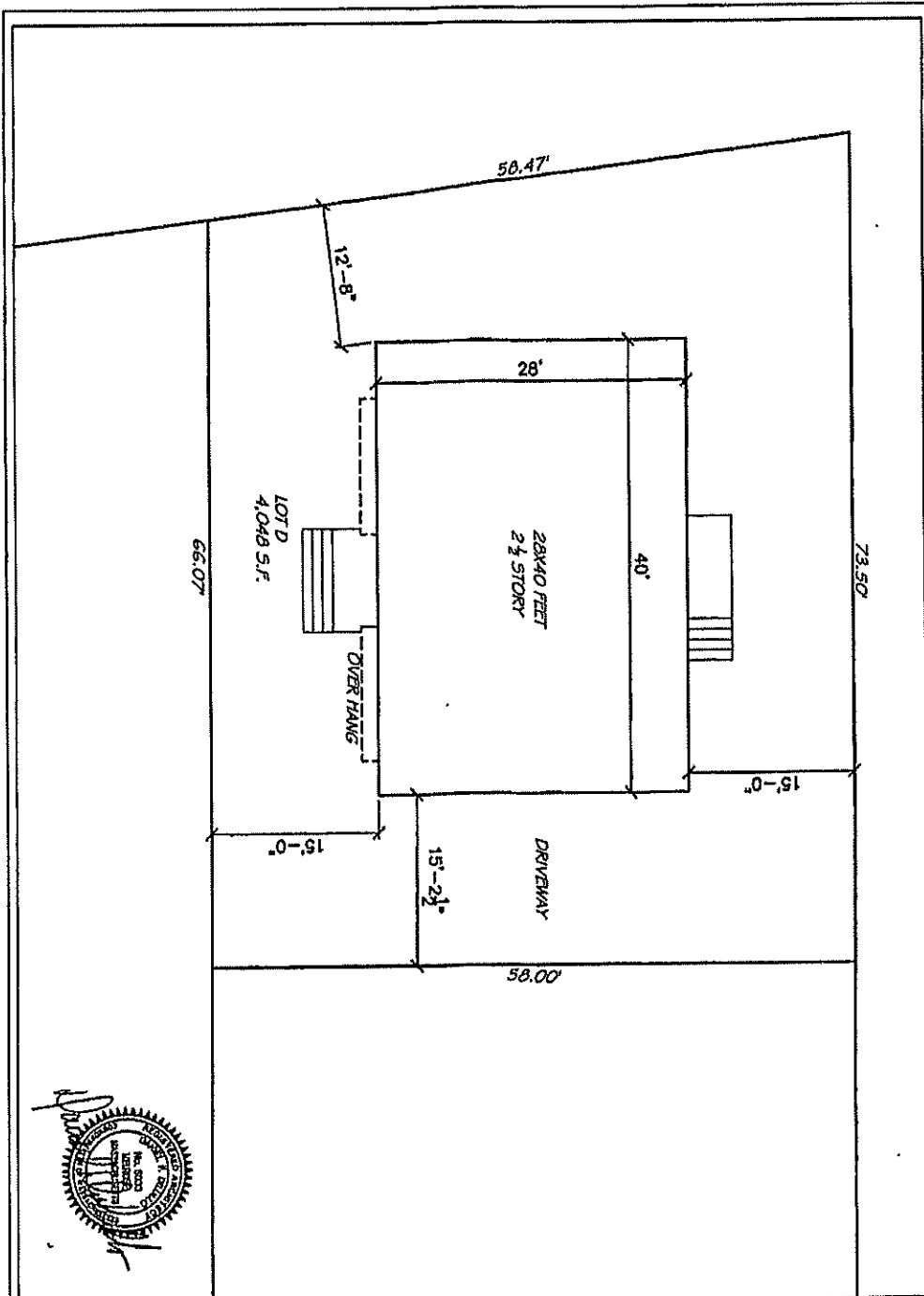
Assessment

Valuation Year	Improvements	Land	Total
2020	\$1,000	\$46,100	\$47,100
2019	\$1,000	\$42,500	\$43,500
2018	\$1,000	\$36,500	\$37,500



FRONT
SCALE: 3/8" = 1'-0"





Arch. No.

A.0

drawing title ARCHITECTURAL SITE CONCEPT

PROPOSED SINGLE FAMILY RESIDENCE
LOT D WILLOW TERRACE
WINTHROP, MA 02152

drawn JPL scale 1/8" = 1'-0"

date 10/27/20

J.P.L. CONSULTING

ARCHITECTURAL PLANNING AND DESIGN

630 OCEAN AVENUE, SUITE 707, REVERE MA 02151

tel (617) 679-0591 jpl@jplconsulting.com

J.P.L. CONSULTING
ARCHITECTURAL PLANNING AND DESIGN
600 OCEAN AVENUE, SUITE 707, REVERE MA 02151
Tel: (617) 879-0551 jpl@jplconsulting.com

drawn: JPL
checked: AS NOTED
date: 10/27/20

PROPOSED SINGLE FAMILY RESIDENCE
LOT D WILLOW TERRACE
WINTHROP, MA 02152

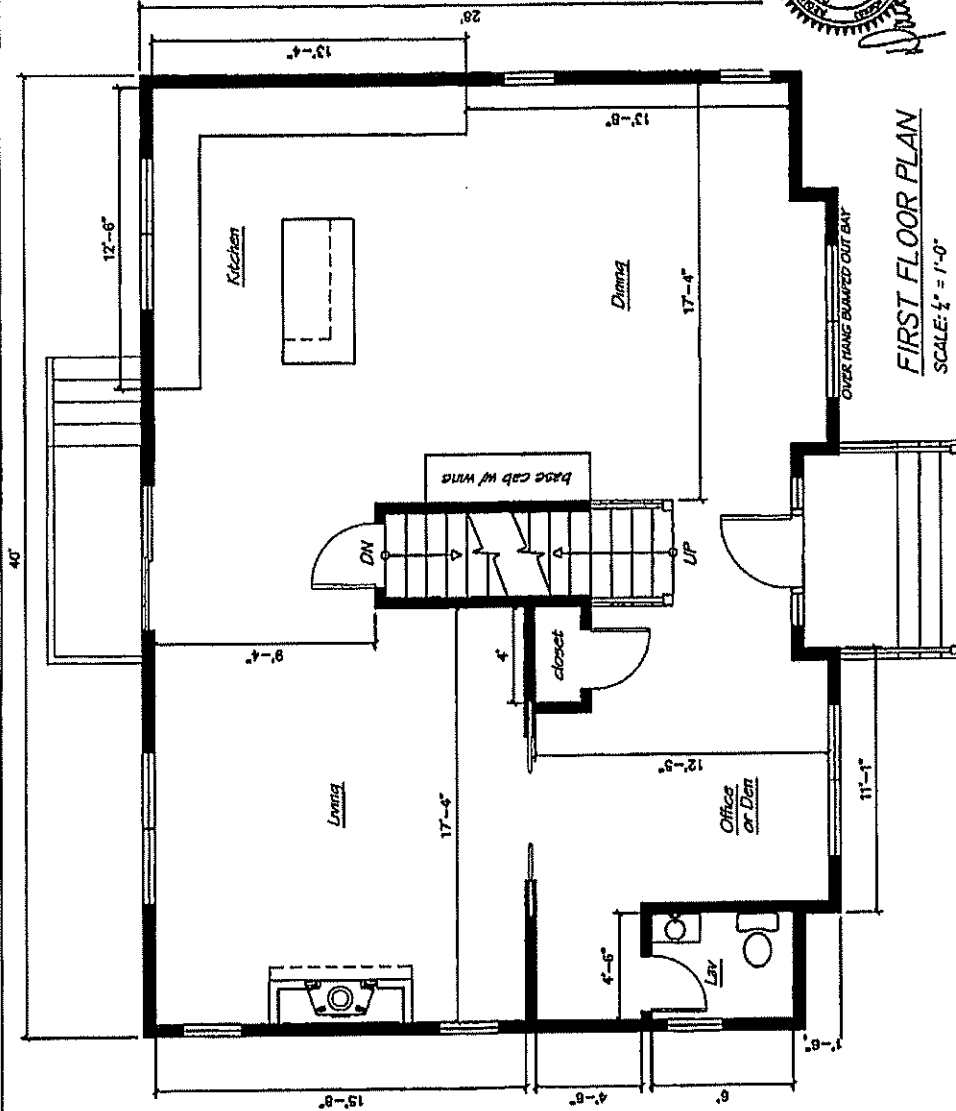
drawing title: FIRST FLOOR PLAN

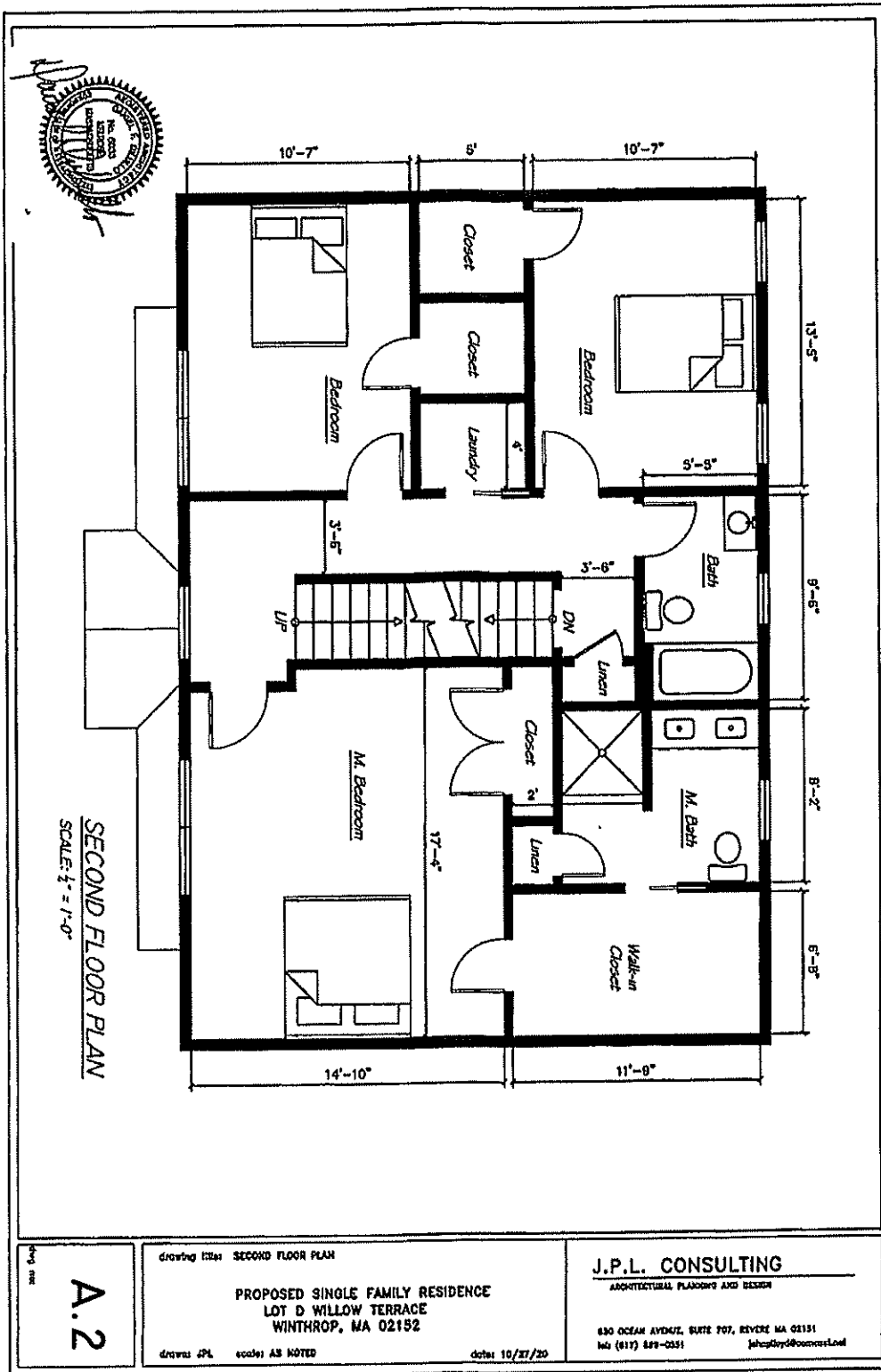
A.1

sheet no:



FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"





A.2

drawing title: SECOND FLOOR PLAN

PROPOSED SINGLE FAMILY RESIDENCE
LOT D WILLOW TERRACE
WINTHROP, MA 02152

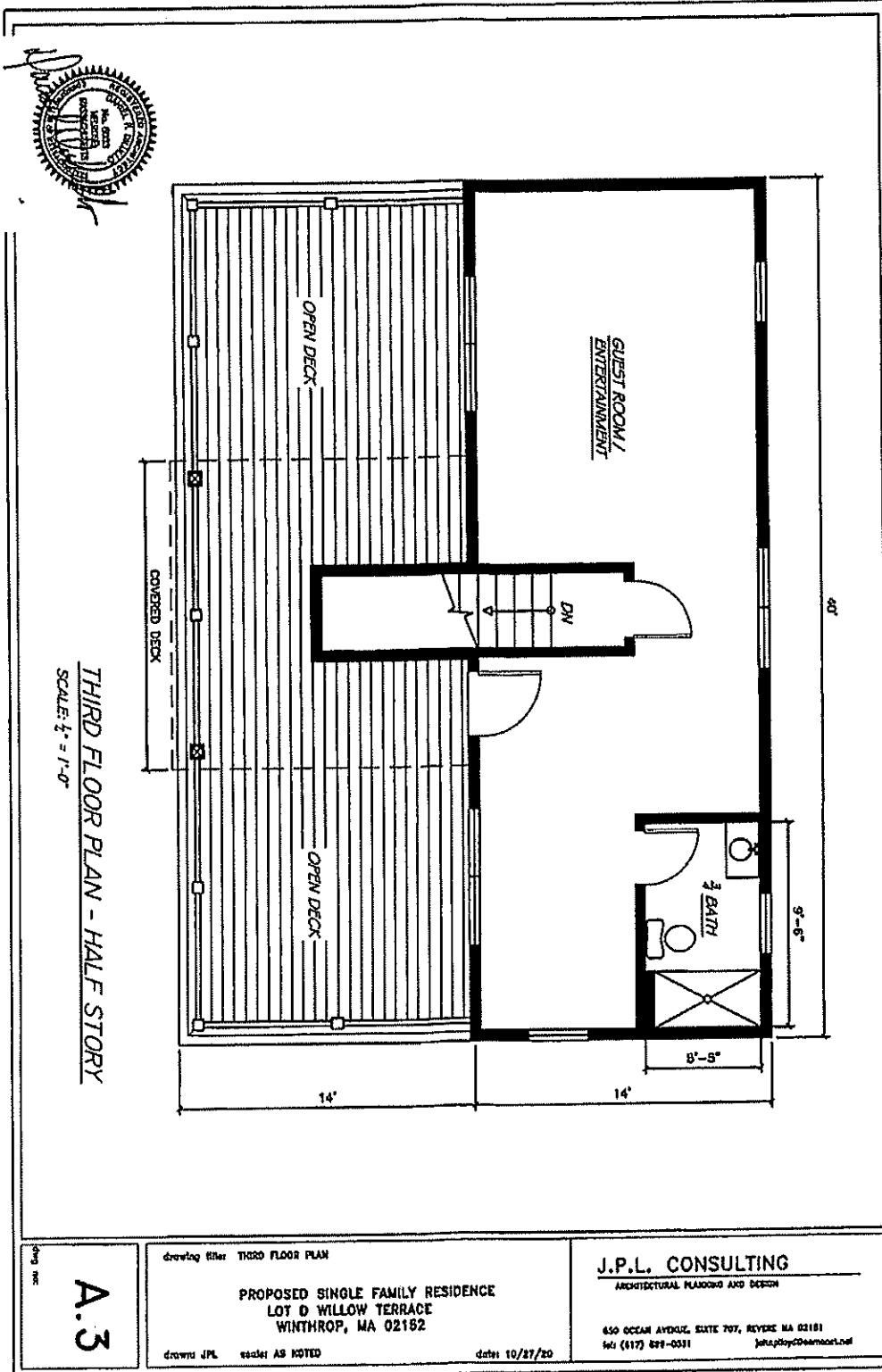
drawn: JPL scales: AS NOTED

date: 10/27/20

J.P.L. CONSULTING

ARCHITECTURAL PLANNING AND DESIGN

630 OCEAN AVENUE, SUITE 707, REVERE, MA 02151
tel: (617) 849-0351 jehg@jplconsulting.com

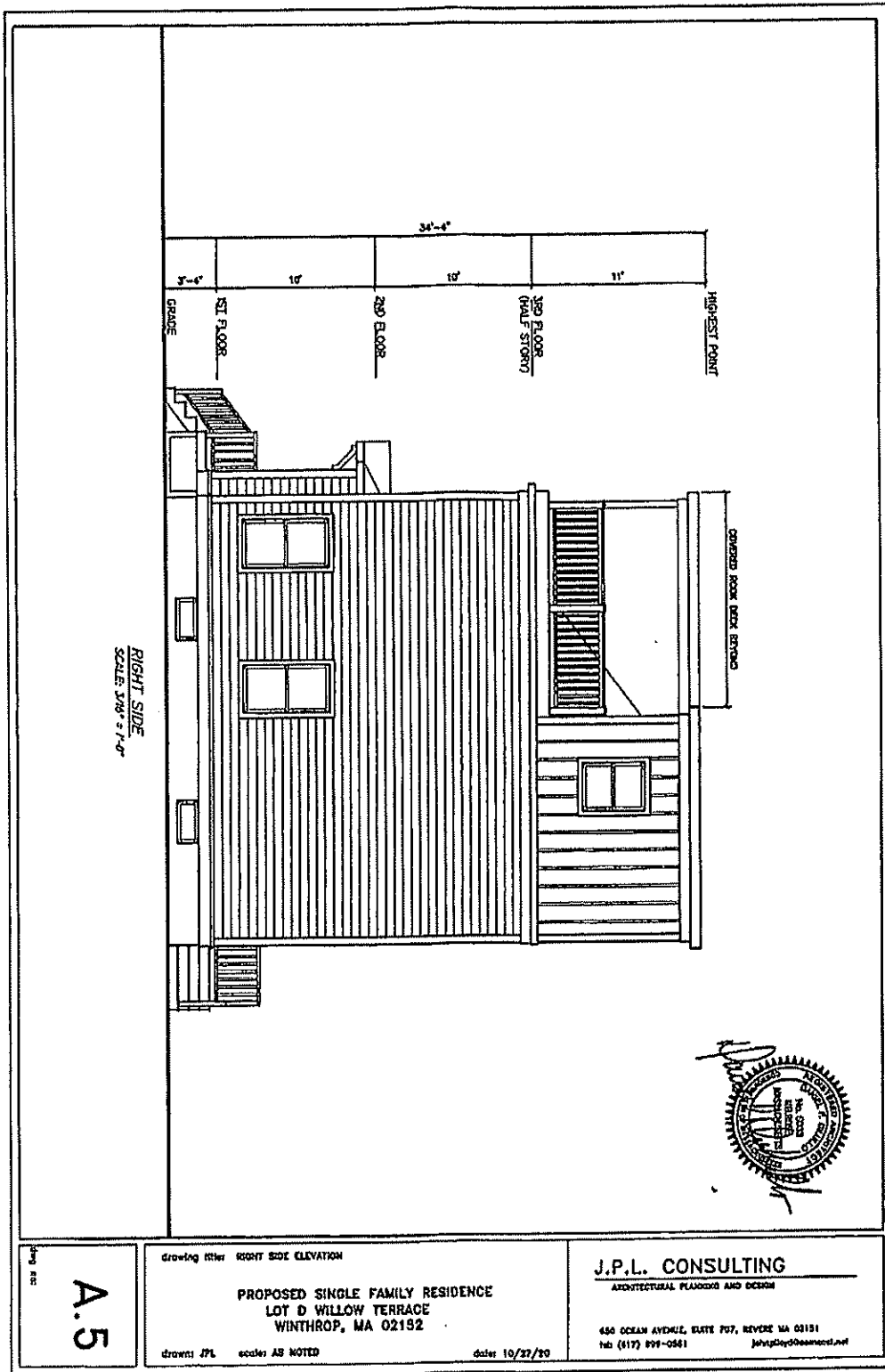


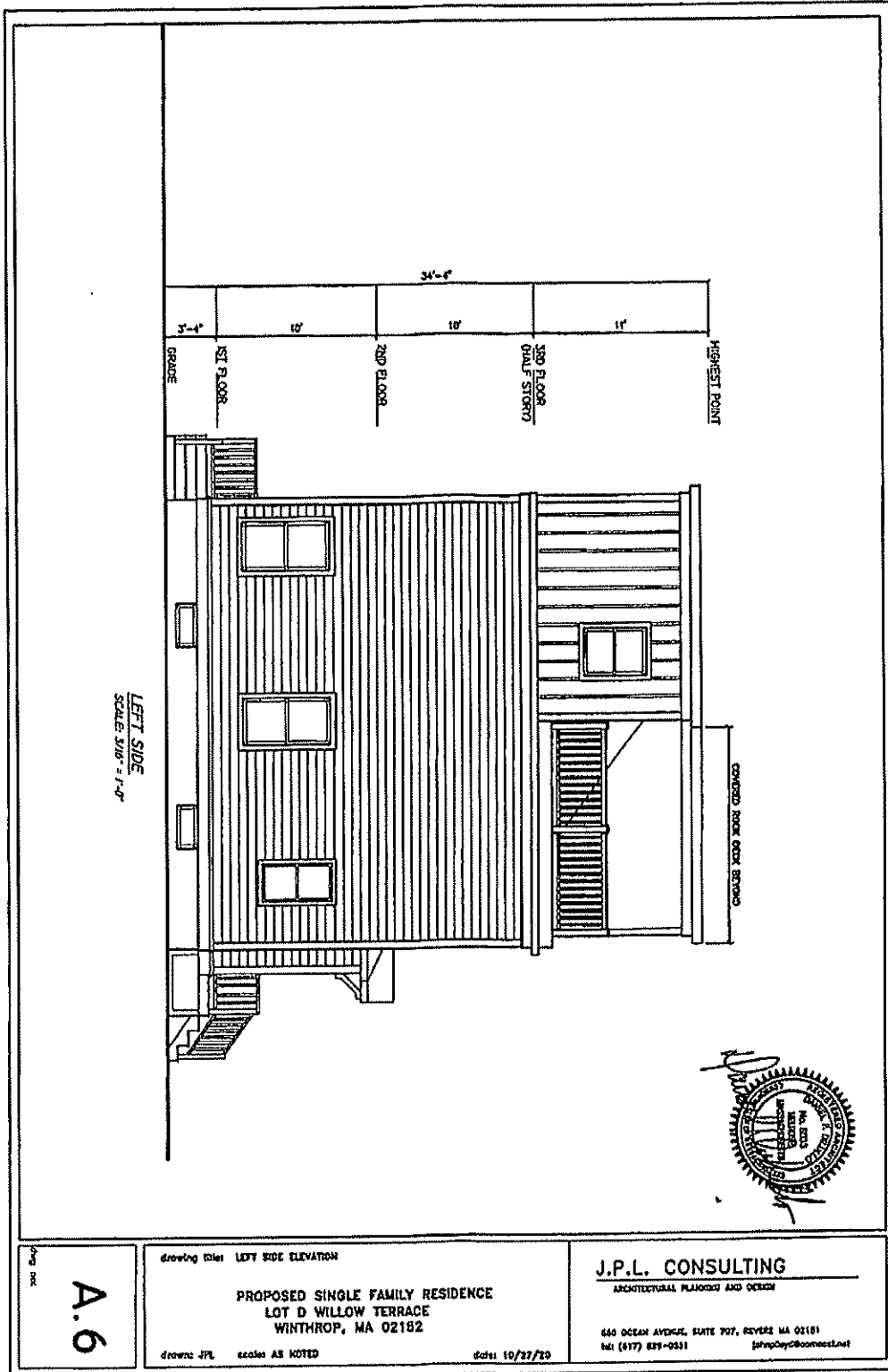
THIRD FLOOR PLAN - HALF STORY
SCALE: 1/4" = 1'-0"

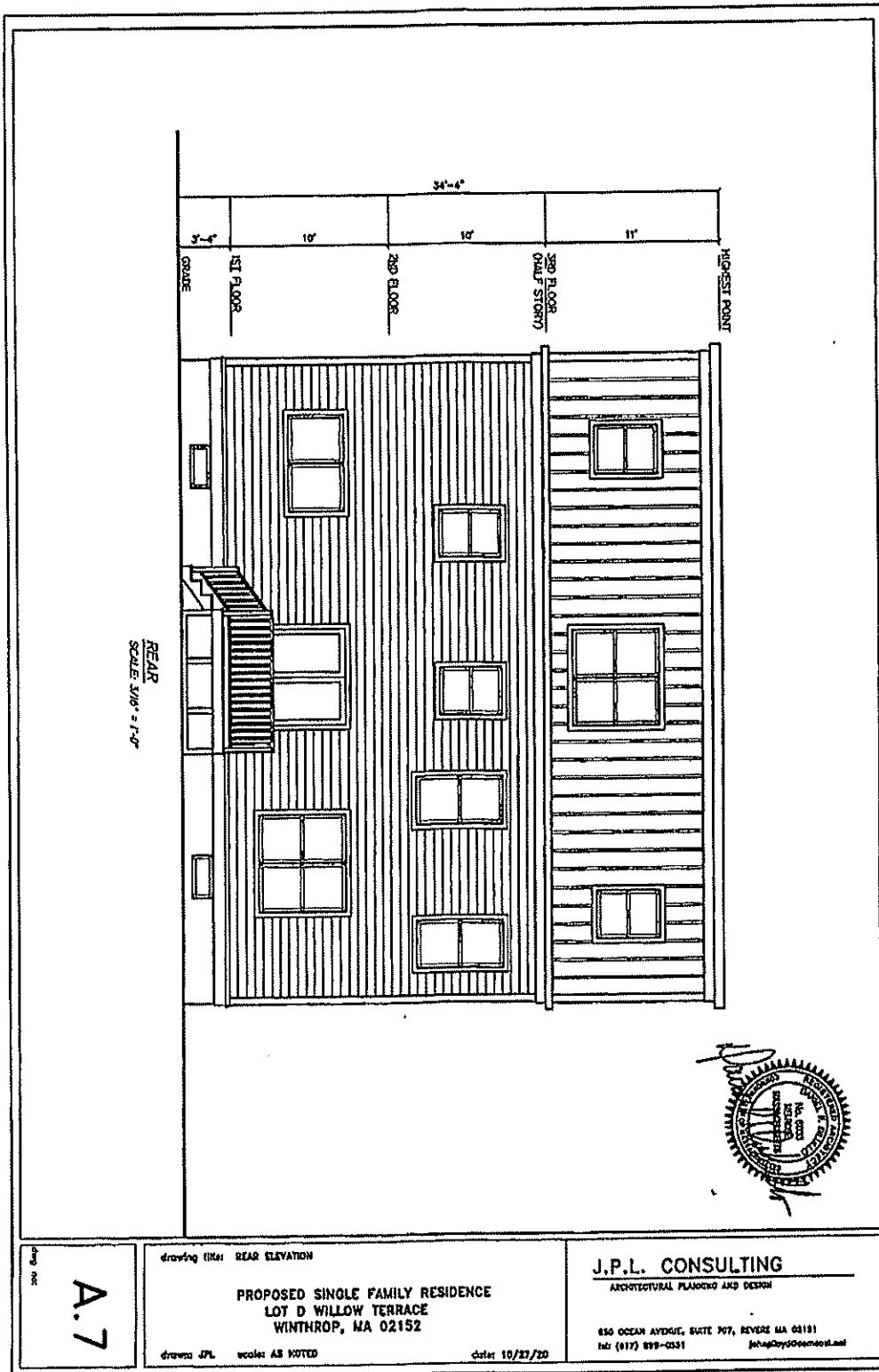
A.3

drawing title: THIRD FLOOR PLAN
PROPOSED SINGLE FAMILY RESIDENCE
LOT D WILLOW TERRACE
WINTHROP, MA 02182
drawn: JPL scale: AS NOTED date: 10/27/20

J.P.L. CONSULTING
ARCHITECTURAL PLANNING AND DESIGN
650 OCEAN AVENUE, SUITE 707, REVERE MA 02151
tel: (617) 898-0531 jpl@jplconsulting.com







A.7

NICOLE M. FERRARA

**PROPOSED HOUSE ON LOT D
9 WILLOW TERRACE**

Owner of vacant lot adjacent to her home at 9 Willow Terrace proposed to build a 2.5 story, one-family home on the lot. All dimensional regulations and parking requirements are met and require no relief. However, the lot contains 4048 square feet of land. The lot was created by way of a subdivision plan in July 1926. According to Section 17.16.020.j, lots subdivided prior to November 3, 1955 require a minimum of 5000 square feet. Therefore:

Owner requires a Variance from Section 17.16.020, minimum lot size.

RECEIVED

2020 NOV -9 P 1:36

Application No. 019-2020

Date: NOV -9 2020

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: 105 SAGAMORE AVENUE, WINTHROP

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

1. Applicant Submitting this application is:

Name: DAVID B. COHEN & LINDA A. COHEN

Address: 105 Sagamore Avenue

City/Town: Winthrop, Massachusetts 02152

Telephone: 617-276-4496

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:

David and Linda Cohen

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

Book: 63903 Page: 213

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

See Plans Attached. Plot Plan of Land, Interior Plan s

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 7989 square feet of land upon which is built a large residential home containing a three floor main unit and a small in-law unit at grade. There is parking for at least 6 cars on the lot. All utilites are on site and operational.

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

The appellant requests a variance from the provisions of section 17.52.030 (use variance) to allow the use of the building for more than two dwelling units. The Building Inspector's Zoning Review Letter indicates the necessity of a parking variance, however, the plan submitted herewith shows six zoning code compliant off-street parking spaces.

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 shape of the lot has uneven boundary lines and the lot rises steeply in the rear.

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 not add any strain to the municipal services nor create any parking stress in the neighborhood or surrounding area. No expansion of the building envelope will occur. The subject lot has ample parking and is compliant with the Winthrop Zoning Code.

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

The home is similar in size and scope with surrounding homes. It will be in harmony with the surrounding neighborhood style homes and number of units in each. [Please refer to photos provided herewith.]

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

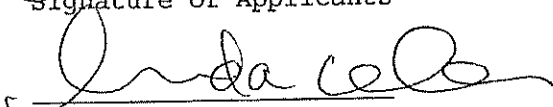
Granting the relief will not create undue stress on municipal services and will not increase density in the BA District and will not burden the abutting or surrounding properties. The request by the owner satisfies all of the conditions precedent to the issuance of a variance pursuant to the Zoning Ordinance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

Date of DENIAL, signed by the Building Inspector: 11/5/2020

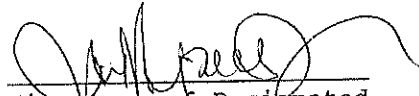
I hereby certify that the foregoing information contained in this application is true and complete.


Signature of Applicants

11/6/20
Date


Signature of Owner

11/6/20
Date


Signature of Designated Representative

11/6/20
Date

ALL MUST SIGN THIS APPLICATION

RECEIPT

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

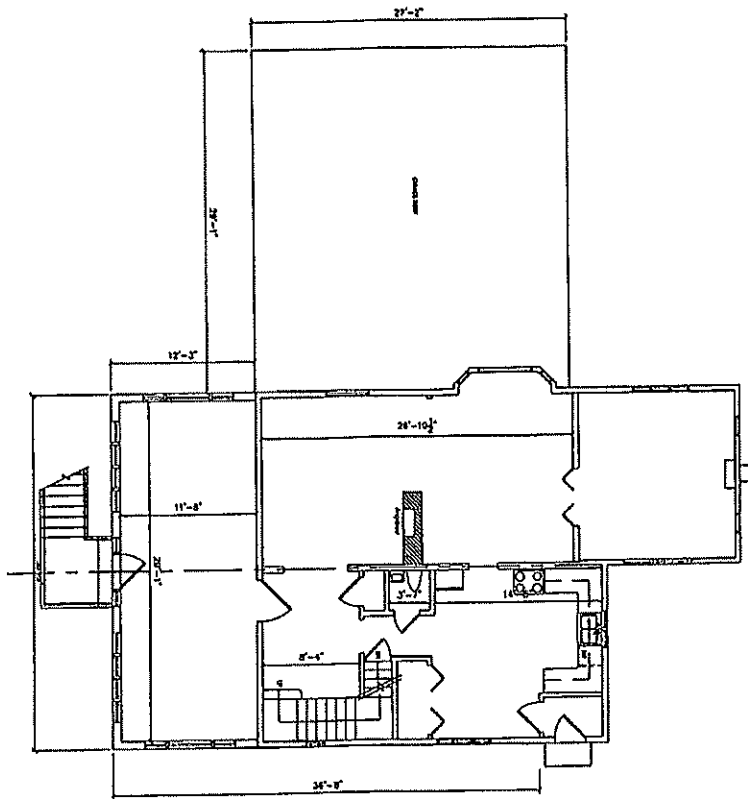
NOV - 9 2020
Date: _____

By: 
Carla Vitale



SCALE: 1/4"=1'-0"

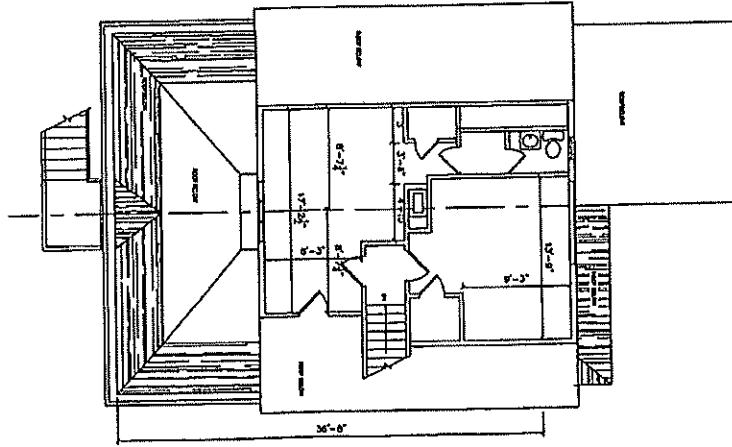
	EXISTING FLOOR PLANS	105 Sagamore Av. Winthrop, Massachusetts	J.P.L. CONSULTING ARCHITECTURAL, PLANNING & DESIGN	
	Project No.	Address	City	State
	Client	Project	Project	Project
	Project	Project	Project	Project
	Project	Project	Project	Project



EXISTING FIRST FLOOR PLAN
SCALE: 1/8"=1'-0"

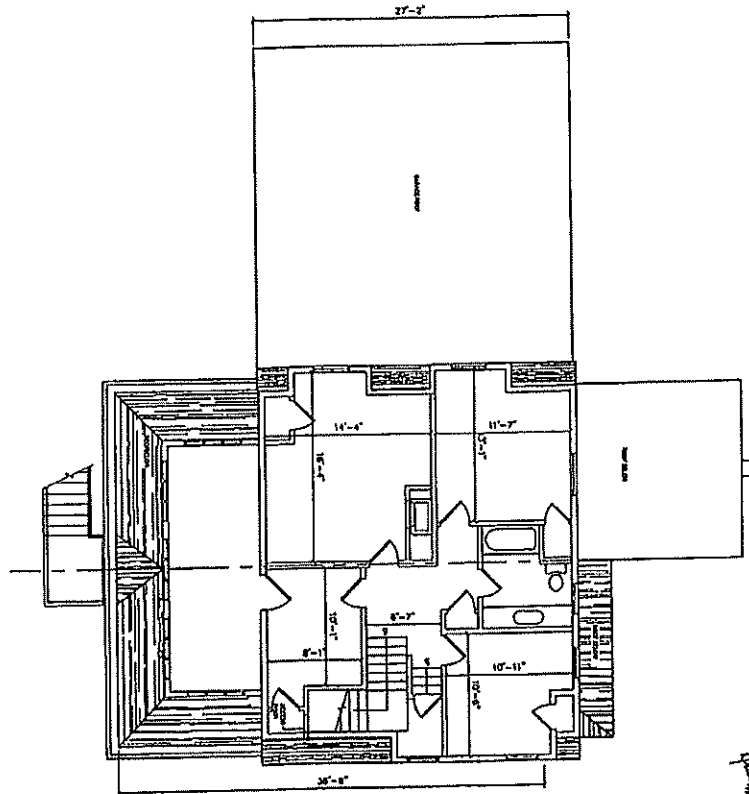


A.2	drawing title EXISTING FLOOR PLANS	project 105 Sagamore Ave. Winthrop, Massachusetts	revision <table border="1"> <tr><td>1</td><td></td></tr> <tr><td>2</td><td></td></tr> <tr><td>3</td><td></td></tr> <tr><td>4</td><td></td></tr> <tr><td>5</td><td></td></tr> <tr><td>6</td><td></td></tr> <tr><td>7</td><td></td></tr> <tr><td>8</td><td></td></tr> <tr><td>9</td><td></td></tr> <tr><td>10</td><td></td></tr> </table>	1		2		3		4		5		6		7		8		9		10		J.P.L. CONSULTING ARCHITECTURAL PLANNING & DESIGN 220 BEACON AVE. SUITE 207, BOSTON, MASSACHUSETTS 02111 Tel: (617) 552-1851 JPMPL@PRODIGY.NET
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3																								
4																								
5																								
6																								
7																								
8																								
9																								
10																								
drawing by checked by date 10/11/2002																								



EXISTING THIRD FLOOR PLAN

SCALE: 1/8"=1'-0"



EXISTING SECOND FLOOR PLAN

SCALE: 1/8"=1'-0"



A.3	Project No. EXISTING FLOOR PLANS	Project 105 Segomora Av. Winthrop, Massachusetts	Revisions <table border="1"> <tr><td>1</td><td></td></tr> <tr><td>2</td><td></td></tr> <tr><td>3</td><td></td></tr> <tr><td>4</td><td></td></tr> <tr><td>5</td><td></td></tr> <tr><td>6</td><td></td></tr> <tr><td>7</td><td></td></tr> <tr><td>8</td><td></td></tr> <tr><td>9</td><td></td></tr> <tr><td>10</td><td></td></tr> </table>	1		2		3		4		5		6		7		8		9		10		J.P.L. CONSULTING ARCHITECTURAL, PLANNING & SURVEY ONE BECKETT DRIVE, SUITE 102, BOSTON, MASSACHUSETTS 02111 TEL: (617) 462-1111 JPM@JPMCONSULT.COM
	1																							
2																								
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4																								
5																								
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7																								
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9																								
10																								
Drawn By Scale AS NOTED Date 12/12/2018																								



SCALE: 1/4"=1'-0"

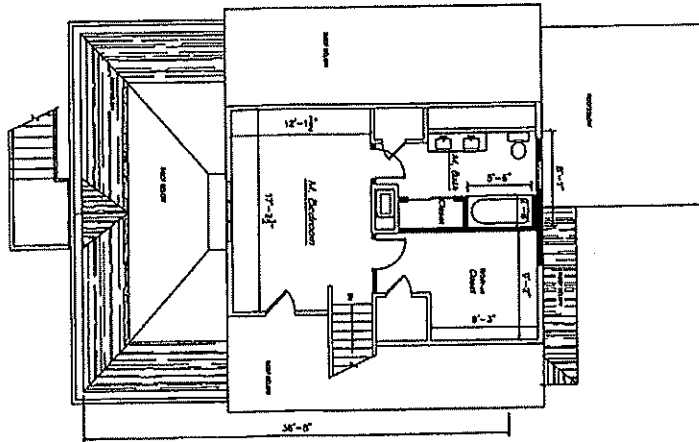
44-38861-1000

J.P.L. CONSULTING
ARCHITECTURE, PLANNING & DESIGN
1206 BROAD AVE. UNIT 202, DENVER, COLORADO 80202
303 (377) 891-8822
JCONSULT@AOL.COM

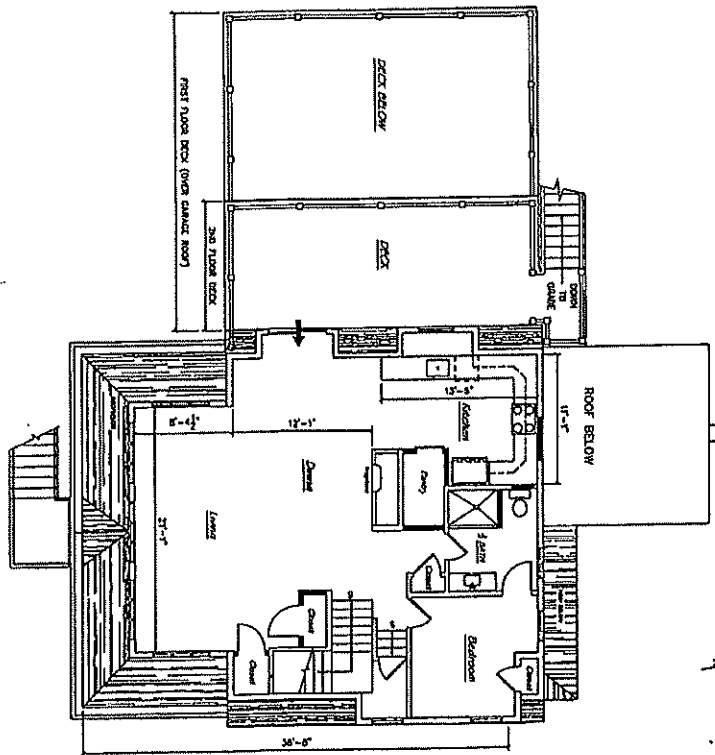


220 BROADWAY, NEW YORK, NEW YORK, NEW YORK
NEW YORK, NEW YORK, NEW YORK

SCALE: 1/4"=1'-0"



SCALE: 1/4"=1'-0"



J
i

PROPOSED FLOOR PLANS

105 Sagamore Av.
Winthrop, Massachusetts

[illegible]

J.P.L. CONSULTING
ACCOUNTING, PLANNING & TAX

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 01-17-2008 BY 60322 UCBAW

Replacement Cost

Less Depreciation: \$346,300

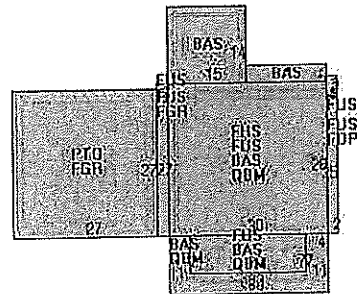
Building Attributes	
Field	Description
Style	Old Style
Model	Residential
Grade:	Average
Stories:	2 1/2 Stories
Occupancy	1
Exterior Wall 1	Wood Shingle
Exterior Wall 2	Brick Veneor
Roof Structure:	Gambrel
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Plastered
Interior Wall 2	Drywall
Interior Fir 1	Hardwood
Interior Fir 2	
Heat Fuel	Oil
Heat Type:	Hot Water
AC Type:	None
Total Bedrooms:	4 Bedrooms
Total Bthrms:	2
Total Half Baths:	0
Total Xtra Fixtrs:	
Total Rooms:	8 Rooms
Bath Style:	
Kitchen Style:	
Num Kitchens	01
Cndtn	
Usrflid 103	
Usrflid 104	
Usrflid 105	
Usrflid 106	
Usrflid 107	
Num Park	
Fireplaces	
Usrflid 108	
Usrflid 101	Stone/Br
Usrflid 102	
Usrflid 100	04

Building Photo



(http://images.vgsi.com/photos/WinthropMAPPhotos/A00\00\53\03.jpg)

Building Layout



(http://images.vgsi.com/photos/WinthropMAPPhotos/Sketches/7276_7276.j)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	1,425	1,425
FUS	Upper Story, Finished	1,108	1,108
FHS	Half Story, Finished	840	420
FGR	Garage, Frame	783	0
FOP	Porch, Open	8	0
PTO	Patio	729	0
QBM	Bsmnt, 1/4 Finished	1,170	0
		6,063	2,953

105 SAGAMORE AVE

Location 105 SAGAMORE AVE

Mblu 63/36///

Acct#

Owner DAMICO CHARLES S

PBN

Assessment \$672,000

Appraisal \$672,000

PID 7276

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2020	\$352,700	\$319,300	\$672,000
Assessment			
Valuation Year	Improvements	Land	Total
2020	\$352,700	\$319,300	\$672,000

Owner of Record

Owner DAMICO CHARLES S
Co-Owner JANET L DAMICO
Address 105 SAGAMORE AVE
WINTHROP, MA 02152-1033

Sale Price \$0
Certificate
Book & Page 8331-290/0
Sale Date 01/01/1988

Ownership History

Ownership History				
Owner	Sale Price	Certificate	Book & Page	Sale Date
DAMICO CHARLES S	\$0		8331-290/0	01/01/1988

Building Information

Building 1 : Section 1

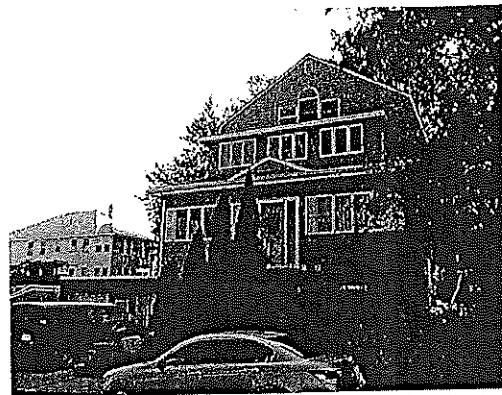
Year Built: 1909
Living Area: 2,953
Replacement Cost: \$474,425
Building Percent Good: 73

Replacement Cost

Less Depreciation: \$346,300

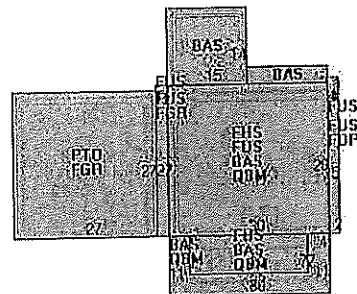
Building Attributes	
Field	Description
Style	Old Style
Model	Residential
Grade:	Average
Stories:	2 1/2 Stories
Occupancy	1
Exterior Wall 1	Wood Shingle
Exterior Wall 2	Brick Veneer
Roof Structure:	Gambrel
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Plastered
Interior Wall 2	Drywall
Interior Flr 1	Hardwood
Interior Flr 2	
Heat Fuel	Oil
Heat Type:	Hot Water
AC Type:	None
Total Bedrooms:	4 Bedrooms
Total Bthrms:	2
Total Half Baths:	0
Total Xtra Fixtrs:	
Total Rooms:	8 Rooms
Bath Style:	
Kitchen Style:	
Num Kitchens	01
Cndtn	
Usrflid 103	
Usrflid 104	
Usrflid 105	
Usrflid 106	
Usrflid 107	
Num Park	
Fireplaces	
Usrflid 108	
Usrflid 101	Stone/Br
Usrflid 102	
Usrflid 100	04

Building Photo



(<http://images.vgsi.com/photos/WinthropMAPPhotos/A000005303.jpg>)

Building Layout



(http://images.vgsi.com/photos/WinthropMAPPhotos/Sketches/7276_7276.j)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	1,425	1,425
FUS	Upper Story, Finished	1,108	1,108
FHS	Half Story, Finished	840	420
FGR	Garage, Frame	783	0
FOP	Porch, Open	8	0
PTO	Patio	729	0
QBM	Bsmnt, 1/4 Finished	1,170	0
		6,063	2,953

Extra Features

Extra Features				Legend
Code	Description	Size	Value	Bldg #
FPL1	FIREPLACE-BRICK	1.00 UNITS	\$1,700	1

Land

Land Use

Use Code 1010
 Description SINGLE FAM RES
 Zone
 Neighborhood R5
 Alt Land Appr No
 Category

Land Line Valuation

Size (Acres) 0.11
 Frontage 0
 Depth 0
 Assessed Value \$319,300
 Appraised Value \$319,300

Outbuildings

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
FGR1	GARAGE-AVE			360.00 S.F.	\$4,700	1

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2020	\$352,700	\$319,300	\$672,000
2019	\$336,000	\$294,200	\$630,200
2018	\$319,300	\$224,500	\$543,800

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Gregg, Hunt, Ahern & Embry
One Cranberry Hill
Suite 304
Lexington, MA 02421

DEED

WE, CHARLES S. D'AMICO and JANET L. D'AMICO, husband and wife,
of Winthrop, Massachusetts 02152

for consideration paid of \$ 700,000.00

Grant to: DAVID B. COHEN and LINDA A. COHEN, husband and wife,
as tenants by the entirety,
of 105 Sagamore Avenue, Winthrop, Massachusetts 02152

WITH QUITCLAIM COVENANTS

A certain parcel of land with the buildings thereon now known as and numbered 105 Sagamore Avenue, situated in Winthrop, Suffolk County, Massachusetts, being lot 21 in Block U on a plan by H.T. Whitman dated May 1, 1889, recorded with Suffolk Deeds at the end of Book 1873 and a portion of lot 4 on a plan by Aspinwall & Lincoln dated July 24, 1919, recorded with said Deeds, Book 4154, Page 612, together bounded and described as follows:

NORTHEASTERLY: by Sagamore Avenue seventy-six and 26/100 (76.26) feet;
SOUTHEASTERLY: by the remaining portion of said lot 4, fifty-four (54) feet;
EASTERLY: by the remaining portion of said lot 4, eighteen and 33/100 (18.33) feet;
SOUTHEASTERLY: again by the remaining portion of said lot 4, twenty-nine (29) feet;
SOUTHWESTERLY: by lots 23 and 24 on first mentioned plan seventy-four and 50/100 (74.50) feet;
NORTHWESTERLY: by lot 20 on first mentioned plan one hundred (100) feet.

Together containing 7987 square feet more or less. See also plan by Whitman & Howard dated June 28, 1948, recorded with said Deeds, Book 6450, Page 229, showing the portion of lot 4 above described.

For Grantor's Title see Deed from Joseph M. Winston and Edward W. Keough dated December 8, 1969 and recorded with the Suffolk County Registry of Deeds in Book 8331, Page 290.

We, Charles S. D'Amico and Janet L. D'Amico hereby release all homestead rights we may have in this property which may have been created by operation of law or by the recording of a homestead declaration with the Suffolk County Registry of Deeds and swear under the pains and penalties of perjury that there are no other persons entitled to claim the benefit of a homestead in and to the property conveyed by this deed.

Property Address: 105 Sagamore Avenue, Winthrop, MA. 02152

Witness our hands and seals this 30th day of September, 2020.

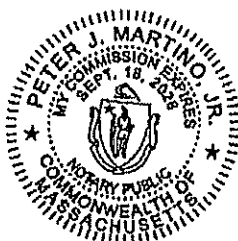
Witness to Both Signatures
Witness to Both Signatures
Charles S. D'Amico
CHARLES S. D'AMICO

Janet L. D'Amico
JANET L. D'AMICO

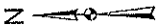
Commonwealth of Massachusetts

Suffolk, ss.

On this 30th day of SEPTEMBER, 2020, before me, the undersigned notary public, personally appeared, CHARLES S. D'AMICO and JANET L. D'AMICO proved to me through satisfactory evidence of identification, which was a Massachusetts's drivers license, to be the persons whose names are signed above and acknowledged to me that they signed it voluntarily for its stated purpose and swore or affirmed to me that the contents of the document are truthful and accurate to the best of their knowledge and belief.



Peter J. Martino, Jr.
Peter J. Martino, Jr.
Notary Public
My Commission Expires: September 18, 2026

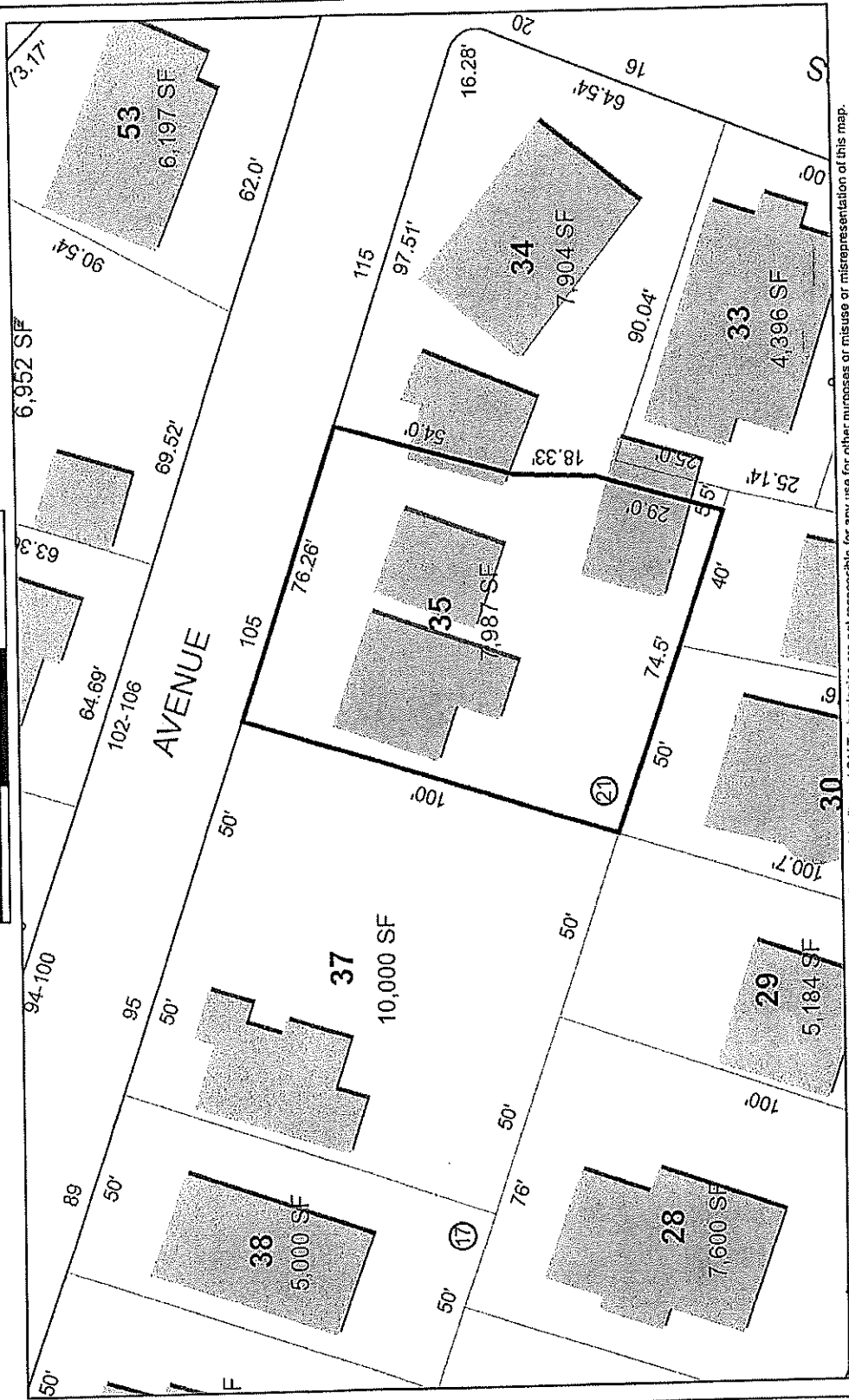


Winthrop, MA

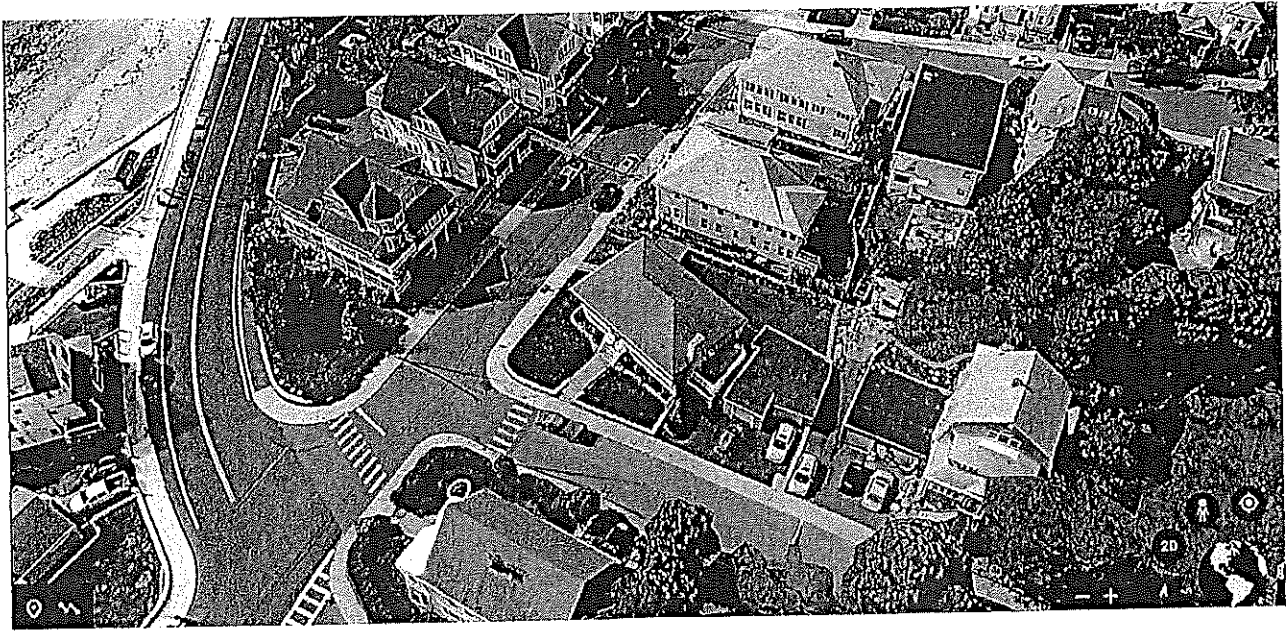
1 inch = 34 Feet

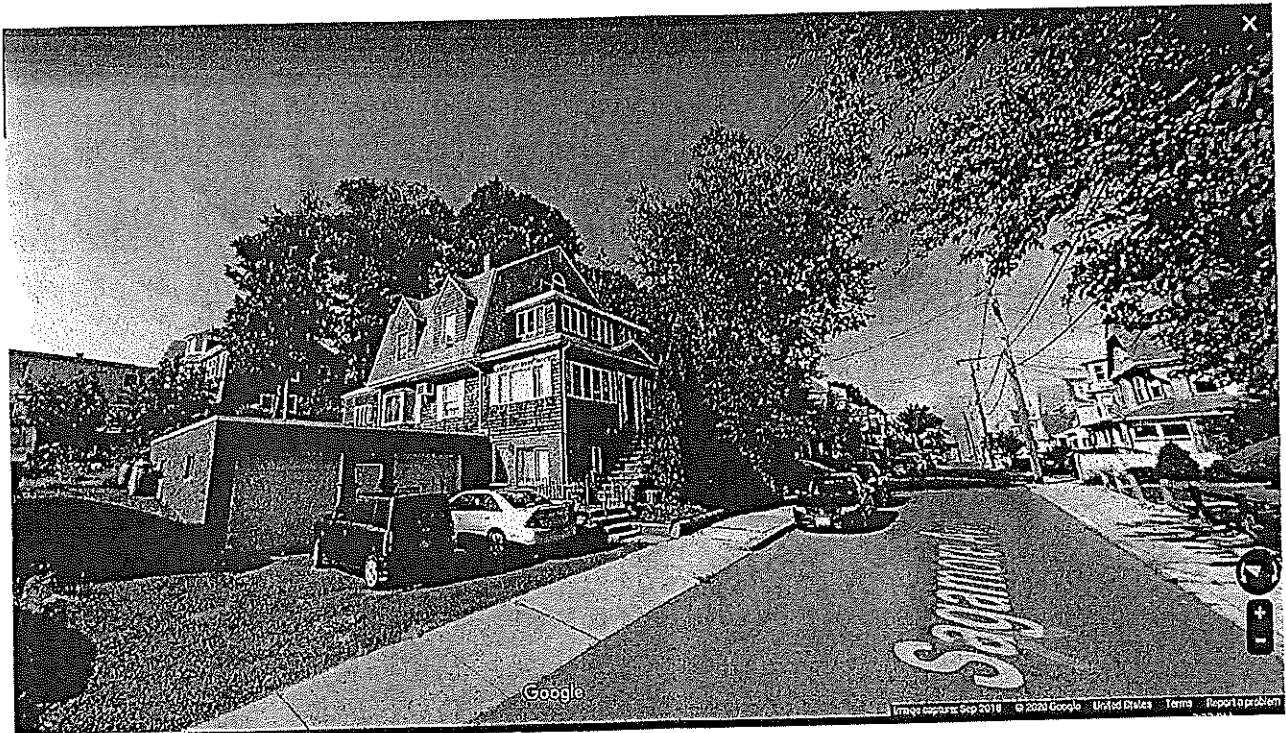
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November 6, 2020



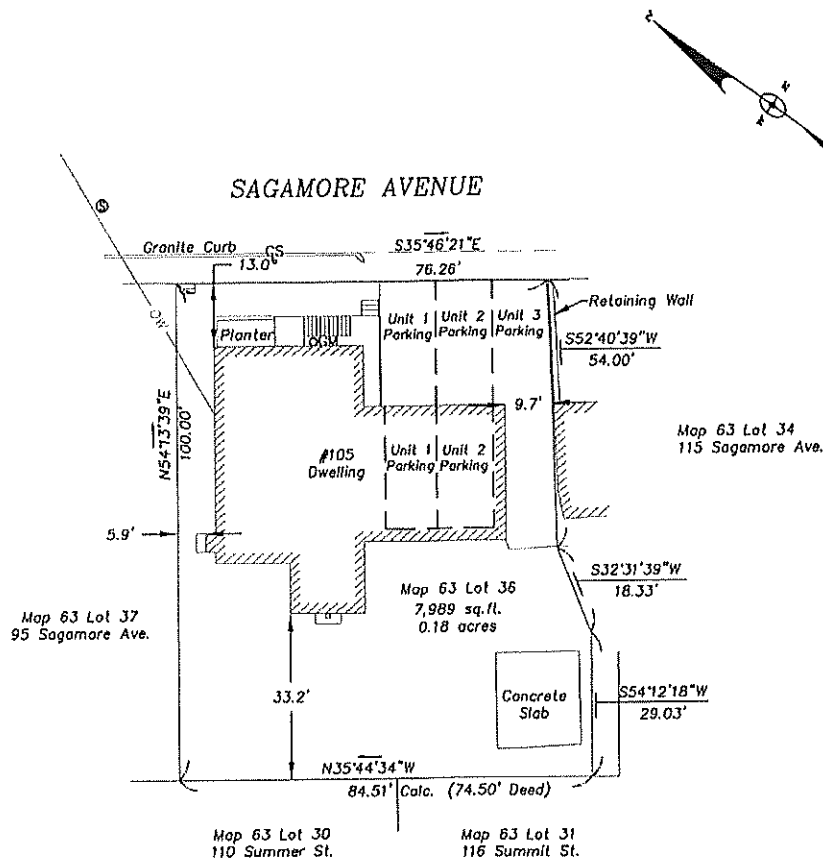
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ZONING DISTRICT - R5

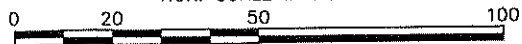
REFERENCES:
 1) Deed Book 63903 Page 213
 2) Plan in Bk. 1873 @ End
 3) Plan in Bk. 4154 Pg. 612
 4) Plan in Bk. 6450 Pg. 229

**PARKING PLAN
 105 SAGAMORE AVENUE
 WINTHROP, MASSACHUSETTS**

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

October 28, 2020 Scale: 1"=20'

HOR. SCALE IN FEET



LINDA COHEN

105 SAGAMORE AVENUE
PROPOSED CONVERSION FROM
TWO-FAMILY TO THREE FAMILY.

The owner currently has two units, a small in-law apartment at grade, and a main unit that occupies all of the first, second, and top floors. There are two kitchens at the property. The C.O. reflects a single family home. Owner proposes to have the small in-law apartment recognized as legally existing, and to convert the upper three floors from one large unit to two medium sized units, thereby creating a three unit residential dwelling. The in-law unit will remain as shown. The First Floor will be comprised of one dwelling unit. The Second and Top Floors will be comprised of another (new) dwelling unit. There are 5 existing parking spaces on the lot. Therefore:

Owner would require a variance as follows:

1. Variance from the provisions of Section 17.52.030 for use as a three family residential dwelling.
2. Variance from the provisions of Section 17.20 - Table of Off Street Parking Regulations.