



TOWN SEAL  
tel: 781-631-1529

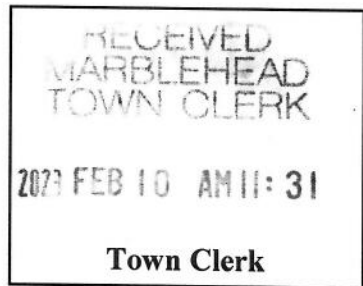
fax: 781-631-2617  
Revision Date: 12-02-20

# Town of Marblehead **ZONING BOARD OF APPEALS**

Mary A. Alley Municipal Building  
7 Widger Road, Marblehead, MA 01945

## **ZBA APPLICATION**

PAGE 1 of 3



Project Address 72 East Orchard Street

Assessor Map(s) 89 Parcel Number(s) 23

### **OWNER INFORMATION**

Signature \_\_\_\_\_ date \_\_\_\_\_

Name (printed) David Lowy and Virginia Lowy

Address 72 East Orchard Street, Marblehead, MA 01945

Phone Numbers: home 978-317-2737 work \_\_\_\_\_

E-mail vbuckingham@comcast.net fax \_\_\_\_\_

### **APPLICANT or REPRESENTATIVE INFORMATION** (if different from owner)

Signature [Signature] date 2/9/23

Name (printed) David Lowy and Virginia Lowy

Address c/o Paul M. Lynch, Esq., Zero Spring Street, Marblehead, MA 01945

Phone Numbers: home \_\_\_\_\_ work 781-631-7808

E-mail lynch@marbleheadlaw.com fax \_\_\_\_\_

### **PROJECT DESCRIPTION & RELIEF REQUESTED** (attach additional page if necessary)

Special Permit to construct an addition to the existing non-conforming single-family dwelling on a lot with less than the required lot frontage, lot width and front and side yard setbacks.

The new addition will be located within the required front yard setback.

- Please schedule a Zoning / Application review with the Building Department by calling 781-631-2220.
- Obtain the Town Clerk's stamp and submit 12 copies of each of the following to the Town Engineer's Office:
  - the signed and stamped application (3 pages);
  - current survey plan (not older than 90 days) as prepared by a Registered Professional Land Surveyor;
  - the project design plans as required;
  - check for the applicable fee payable to the Town of Marblehead.
- Any relevant permit(s) that were previously issued must be available for review by the Board of Appeals at the scheduled hearing. (Section 3(D), Board of Zoning Appeals Rules & Regulations).

### **REQUIRED SIGNATURES**

1. Building Commissioner (pages 1, 2 and 3) [Signature]

2. Town Clerk's stamp (upper right corner)

2-10-23

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

**View Bylaws - (Chapter 200, Zoning) - online at: [www.marblehead.org/](http://www.marblehead.org/)**

**Town of Marblehead**  
**ZBA-APPLICATION**  
Page 2 of 3

Revision Date: 12-02-2020

Project Address 72 East Orchard Street

Map(s) / Parcel(s) 89/23

**ZONING DISTRICT** (circle all that apply)

B B1 BR CR SCR ECR GR SGR **(SR)** SSR ESR SESR HBR U SU

**CURRENT USE** (explain) Special Permit to construct an addition to the existing single-family dwelling

**CURRENT USE CONFORMS TO ZONING** (Article IV, Table 1)

Yes ☒ No ☐ (explain) \_\_\_\_\_

**PROPOSED CHANGE OF USE**

No ☒ Yes ☐ (explain) \_\_\_\_\_

**PROPOSED CONSTRUCTION QUALIFIES AS "Building New"** (§200-7) Yes ☐ No ☒

**EXISTING DIMENSIONAL NON-CONFORMITIES** (check all that apply)

☐ Lot Area - Less than required (§200-7 and Table 2)

☒ Lot Width - Less than required (§200-7)

☒ Frontage - Less than required (§200-7 and Table 2)

☒ Front Yard Setback - Less than required (Table 2)

☐ Rear Yard Setback - Less than required (Table 2)

☒ Side Yard Setback - Less than required (Table 2)

☐ Height - Exceeds maximum allowed (§200-7 and Table 2)

☐ Open Area - Less than required (§200-7, §200-15.B(2) and Table 2)

☐ Parking - Less than required; undersized; tandem (§200-17 to §200-21) (circle all that apply)

☐ Other Non-conformities (explain) \_\_\_\_\_

☐ No Existing Dimensional Non-conformities

**NEW DIMENSIONAL NON-CONFORMITIES** (check all that apply)

☐ Lot Area - Less than required (§200-7 and Table 2)

☐ Lot Width - Less than required (§200-7)

☐ Frontage - Less than required (§200-7 and Table 2)

☒ Front Yard Setback - Less than required (Table 2)

☐ Rear Yard Setback - Less than required (Table 2)

☐ Side Yard Setback - Less than required (Table 2)

☐ Height - Exceeds maximum allowed (§200-7 and Table 2)

☐ Open Area - Less than required (§200-7, §200-15.B(2) and Table 2)

☐ Parking - Less than required; undersized; tandem (§200-17 to §200-21) (circle all that apply)

☐ Exceeds 10% Expansion Limits for Non-conforming Building (§200-30.D)

☐ Other Non-conformities (explain) \_\_\_\_\_

☐ No New Dimensional Non-conformities

**ADDITIONAL HEARINGS REQUIRED**

Conservation Commission Yes ☐ No ☒

Historic District Commission Yes ☐ No ☒

Planning Board Yes ☐ No ☒

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

**DESIGN & SURVEY PLANS MEET -ZBA- RULES & REGULATIONS** (Sections 3(A) and 3(C))

Yes ☒ No ☐ (explain) \_\_\_\_\_

Building Official \_\_\_\_\_

Date 2-10-23

**Town of Marblehead**  
**ZBA-APPLICATION**  
 Page 3 of 3

Revision Date: 12-02-2020

Project Address 72 East Orchard Street

Map(s) / Parcel(s) 89/23

**NET OPEN AREA (NOA)**

Lot area = A

**EXISTING**

**PROPOSED**

Area of features

footprint of accessory building(s)

10,822

10,822

footprint of building

0

0

2,111

2,111

footprint of deck(s), porch(es), step(s), bulkhead(s)

356

387

number of required parking spaces 2 x (9' x 18' per space)

324'

324

area of pond(s), or tidal area(s) below MHW

0

0

other areas (explain) \_\_\_\_\_

0

0

Sum of features = B

2,791

2,822

Net Open Area (NOA) = (A - B)

8,031

8,000

**GROSS FLOOR AREA (GFA)**

accessory structure(s)

0

0

basement or cellar (area >5' in height)

1,236

1,236

1st floor (12' or less in height) NOTE: [for heights exceeding

2,111

2,111

2nd floor (12' or less in height) 12' see definition

1,332

1,332

3rd floor (12' or less in height) of STORY §200-7]

0

0

4th floor (12' or less in height)

0

0

attic (area >5' in height)

60

60

area under deck (if >5' in height)

402

402

roofed porch(es)

26

71

Gross Floor Area (GFA) = sum of the above areas

5,167

5,212

**Proposed total change in GFA** = (proposed GFA - existing GFA)

= 45

**Percent change in GFA** = (proposed total change in GFA ÷ existing GFA) x 100

= .87 %

**Existing Open Area Ratio** = (existing NOA ÷ existing GFA)

= 1: 1.55

**Proposed Open Area Ratio** = (proposed NOA ÷ proposed GFA)

= 1: 1.53

This worksheet applies 1. plan by/dated Tucker Architecture & Landscape / 1/05/2023

to the following plan(s): 2. plan by/dated North Shore Surve/ 1/06/2023

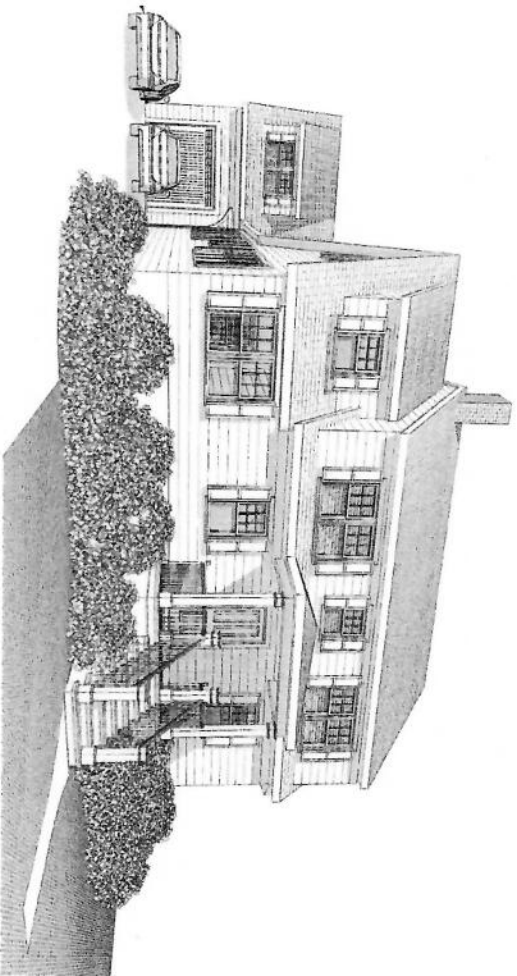
3. plan by/dated \_\_\_\_\_

Building Official \_\_\_\_\_

Date 2-10-23

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

**ZONING DISTRICT - SINGLE RESIDENCE**



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(781) 651-5546  
Tucker Architecture and Landscape LLC

**Drawing Index:**

- |     |                              |
|-----|------------------------------|
| CVR | Cover                        |
| X1  | Existing Basement Plan       |
| 1   | Proposed Basement Floor Plan |
| X2  | Existing First Floor Plan    |
| 2   | Proposed First Floor Plan    |
| X3  | Existing Second Floor Plan   |
| 3   | Proposed Second Floor Plan   |
| X4  | Existing Roof Plan           |
| 4   | Proposed Roof Plan           |
| X5  | Existing Building Elevations |
| 5   | Proposed Building Elevations |
| X6  | Existing Building Elevations |
| 6   | Proposed Building Elevations |

ISSUANCE DATE:  
2023 01 05 2PM SET

**NOT FOR CONSTRUCTION**

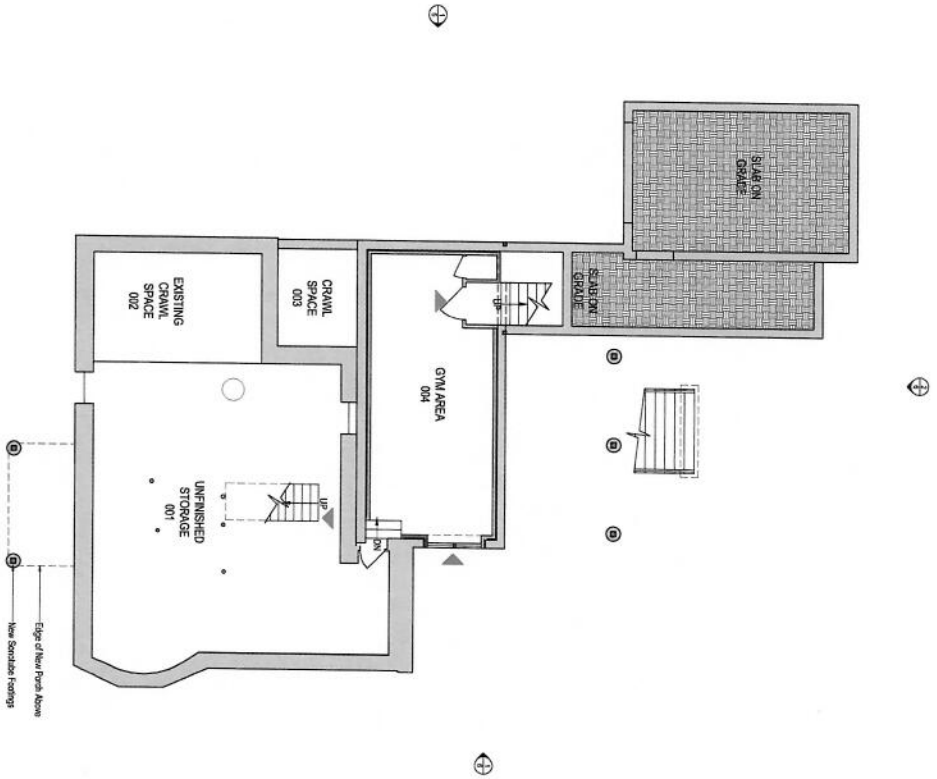
Lowy Residence  
72 Orchard Street  
Marshfield, MA

Cover

DATE: 05/05/2023 10:30 AM  
SCALE: 1/8" = 1'-0"  
PAGE NO.:  
CVR



① **Basement Floor Plan**  
Scale: 3/16"=1'-0"

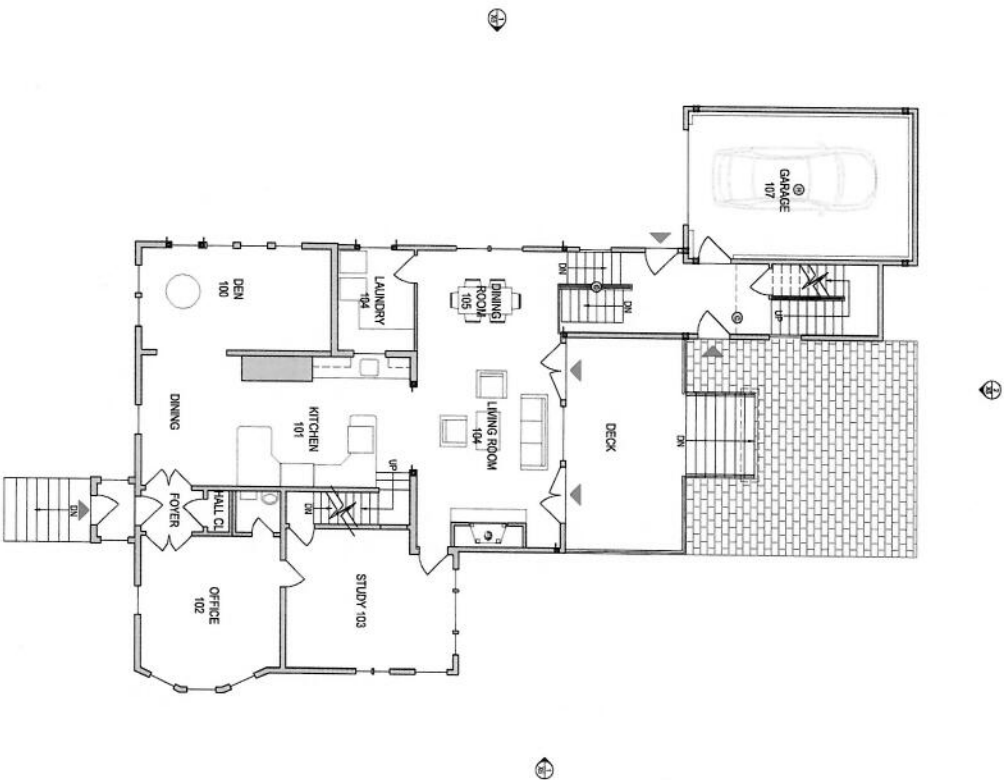


  
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**Lowy Residence  
72 Orchard Street  
Marblehead, MA  
Proposed Basement  
Floor Plan**

NOTE: ORIGINAL DRAWING SET TO MATCH FULL SCALE

PAGE NO. 1



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PLAY WALL LEGEND

- Proposed Start Month
- Existing Month to Remove
- Existing Month to Stay
- Existing Month to be Reopened
- Proposed Curbside Pickups

Months of Signs to be Erected

NOT FOR CONSTRUCTION

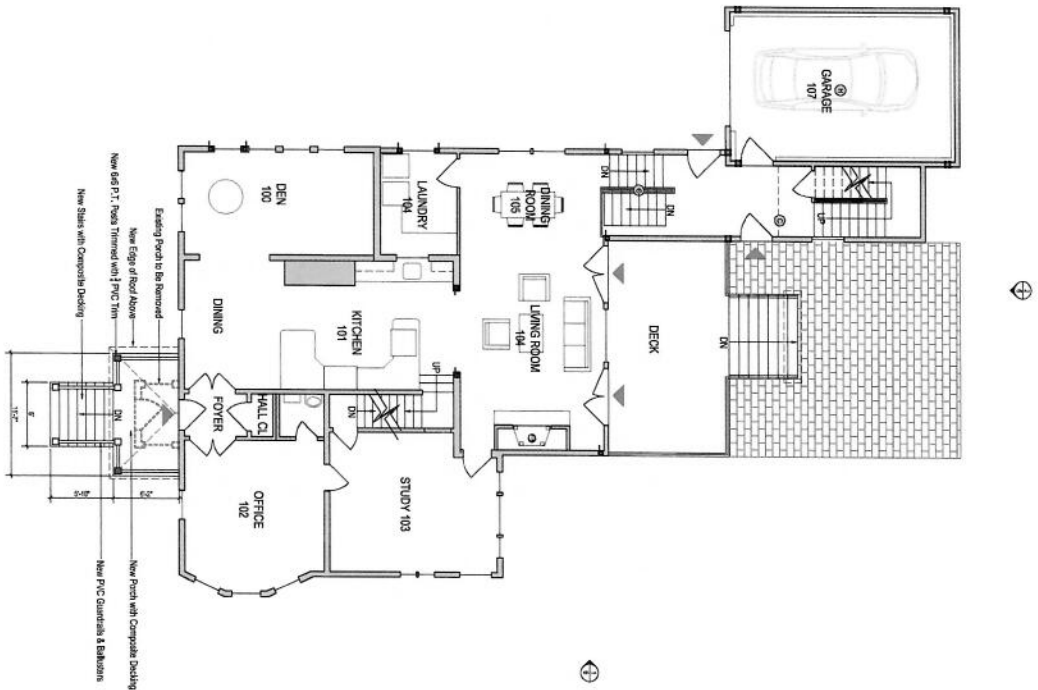
Lowy Residence  
72 Orchard Street  
Marblehead, MA

### Existing First Floor Plan

NOTE: ORIGINAL DRAWING SET TO 2008 FULL SCALE

X2





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**PLAN WALL LEGEND**

- Proposed New Walls
- Existing Walls to be Retained
- Existing Walls to be Removed
- Proposed Concrete Walls
- Proposed Glass in Existing

REVISION DATE:  
2023 01 05 ZSA SET

**NOT FOR CONSTRUCTION**

Lowy Residence  
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Marshfield, MA

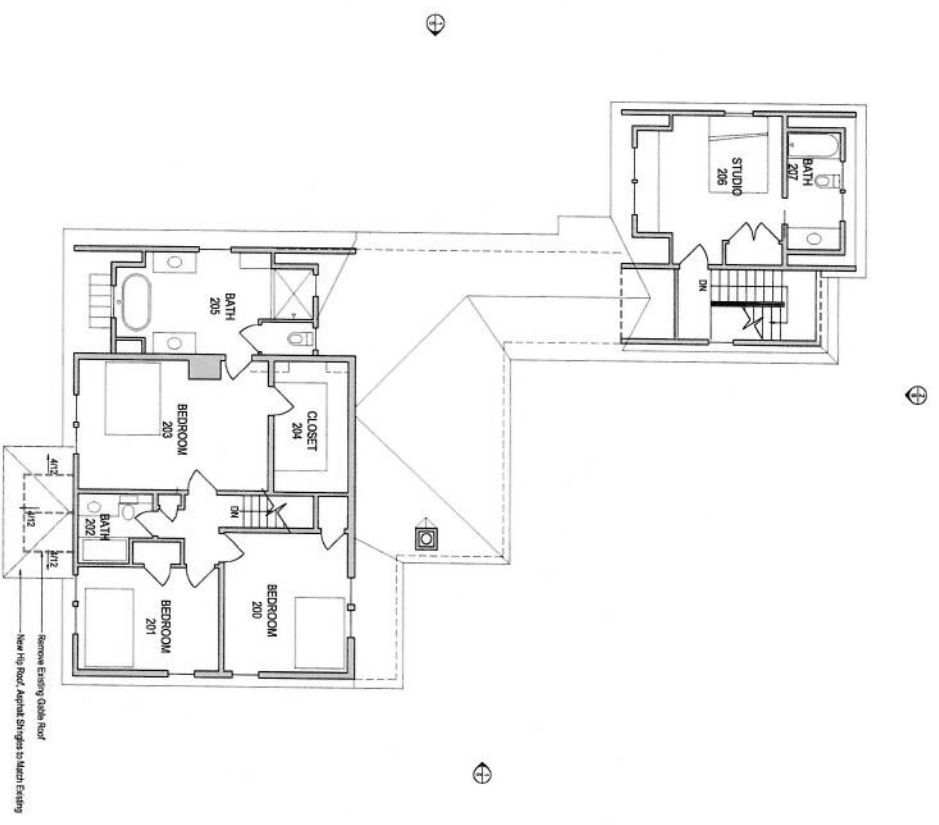
**Proposed First Floor Plan**

NOT ORIGINAL DRAWING SET TO EXISTING SCALE

PAGE NO. 2



1 Second Floor Plan



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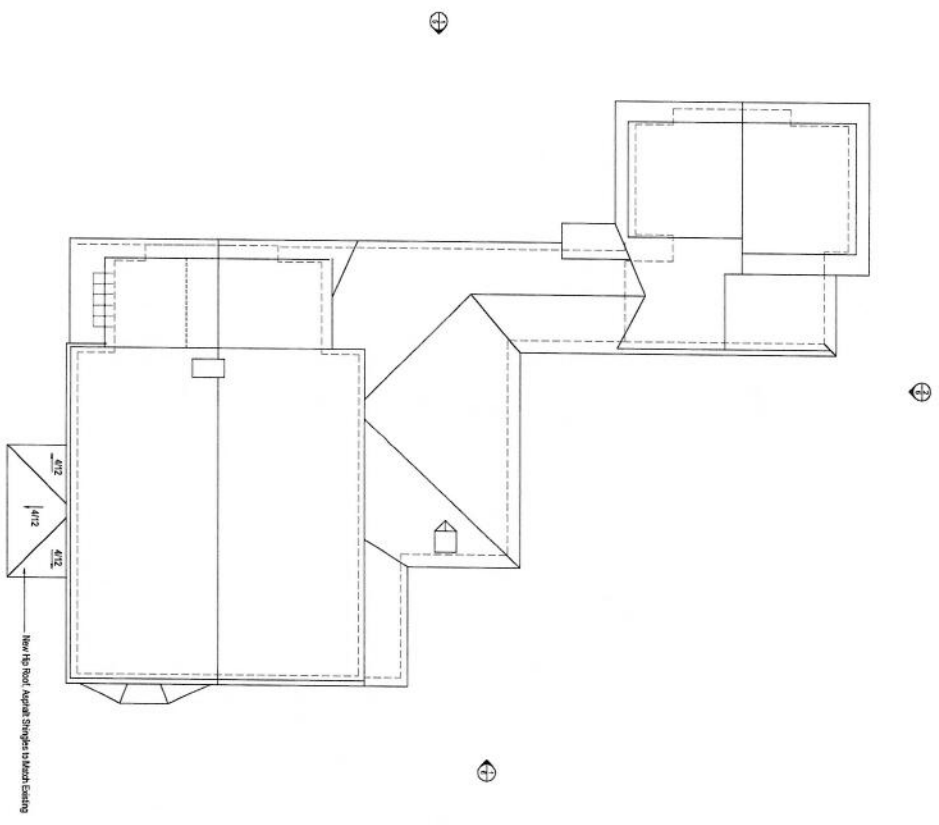
**NOT FOR CONSTRUCTION**  
 Lowy Residence  
 72 Orchard Street  
 Marblehead, MA  
 2023 01 05 ZBA SET

PARTIAL LEGEND  
 Proposed Roof Walls  
 Existing Walls to be Retained  
 Existing Walls to be Removed  
 Proposed Curved Walls  
 Range of 1/8" = 1'-0"

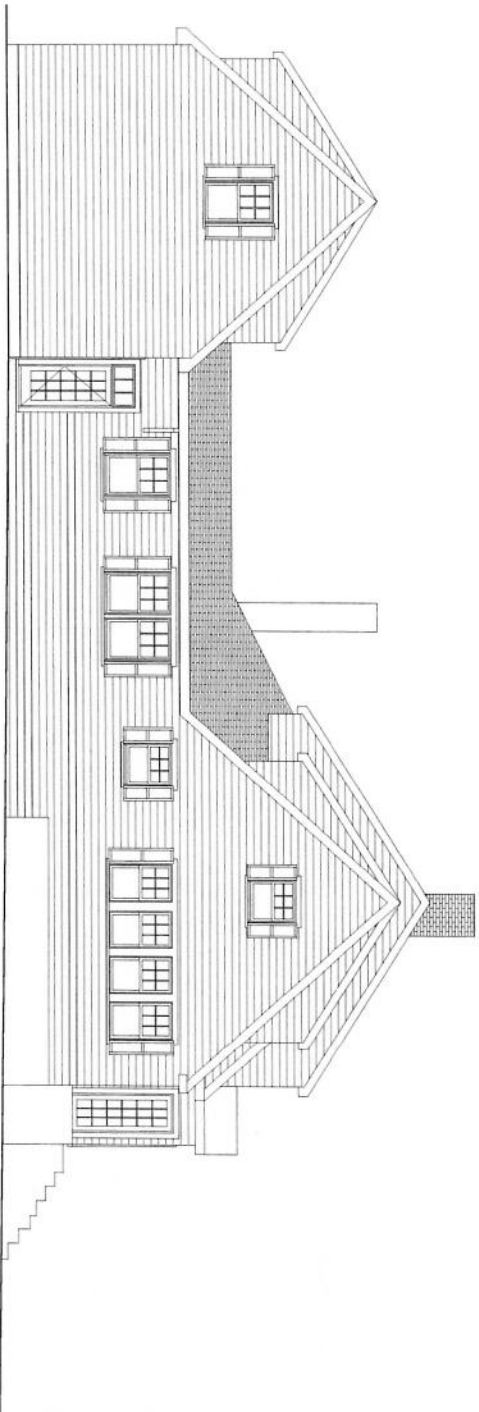
NOTED DATE:  
 2023 01 05 ZBA SET

NOT FOR CONSTRUCTION SET TO EXISTING SET  
 3

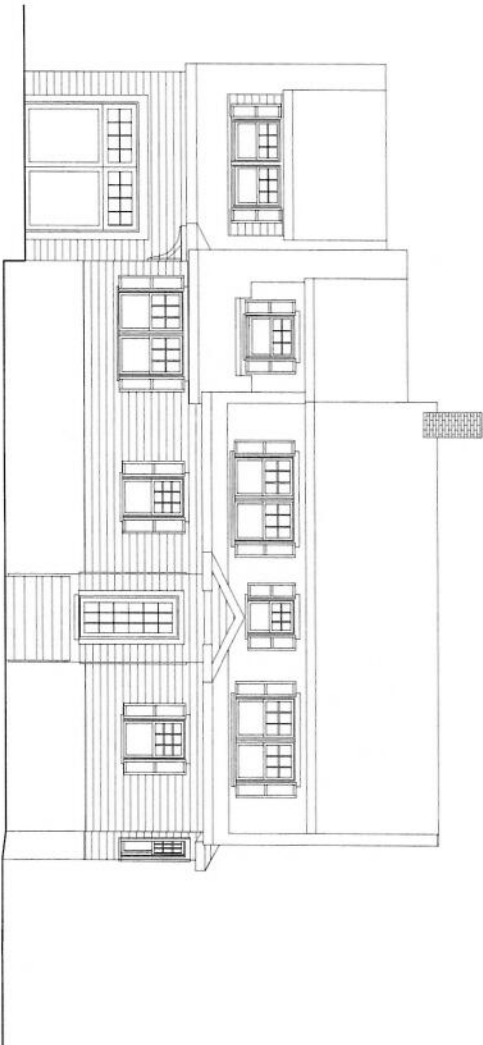




<p><b>TUCKER</b>          Architecture &amp; Landscape          56 Atlantic Avenue, Marshfield, MA          www.TuckerArch.com          (781) 631-3546          Tucker Architecture and Landscape LLC</p>		<p><b>PLAN WALL LEGEND</b></p> <ul style="list-style-type: none"> <li>Proposed Deck Walls</li> <li>Existing Walls to be Retained</li> <li>Existing Walls to be Removed</li> <li>Proposed Existing Walls</li> <li>Proposed Existing Walls</li> <li>Roofs of 12 years or Older</li> </ul> <p><b>REVISION DATE:</b>          2023.01.05 ZDA SET</p>
<p><b>NOT FOR CONSTRUCTION</b></p>		<p><b>Lowry Residence</b>          72 Orchard Street          Marshfield, MA</p> <p><b>Proposed Roof Plan</b></p>
<p>NOTE: DIMENSIONS SHOWN ARE TO FACE UNLESS NOTED OTHERWISE.</p> <p>0 1 2 3 4</p>		<p>DATE: 01/05/2023</p>



① Left Side Elevation  
Scale: 1/8" = 1'-0"



② Front Elevation  
Scale: 1/8" = 1'-0"



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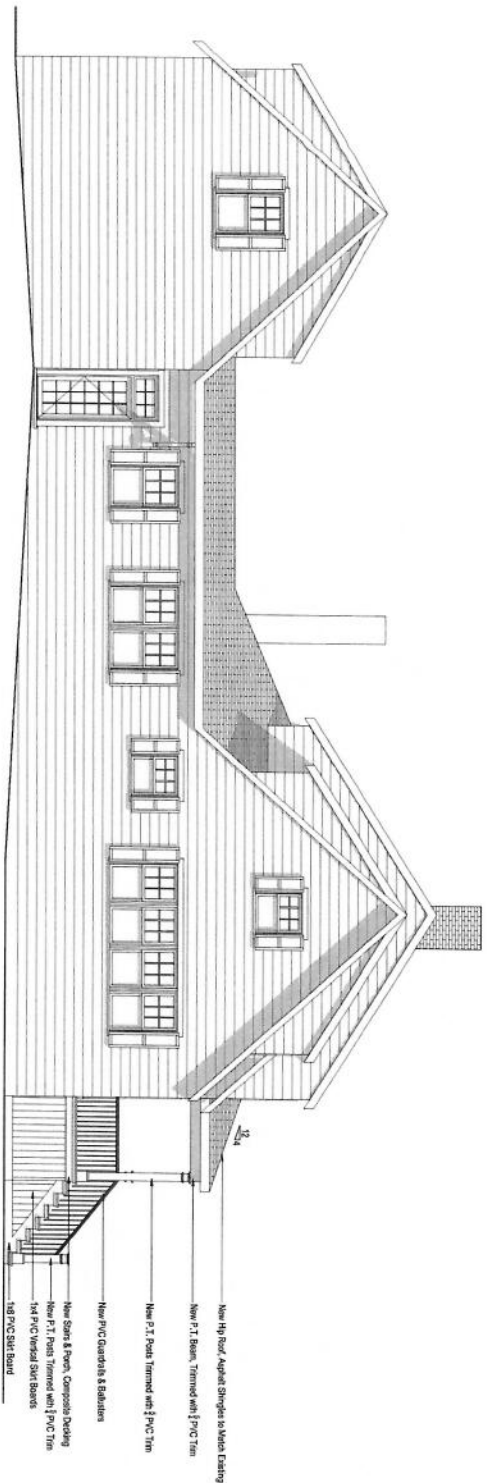
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2023 01 05 29A SET

NOT FOR CONSTRUCTION

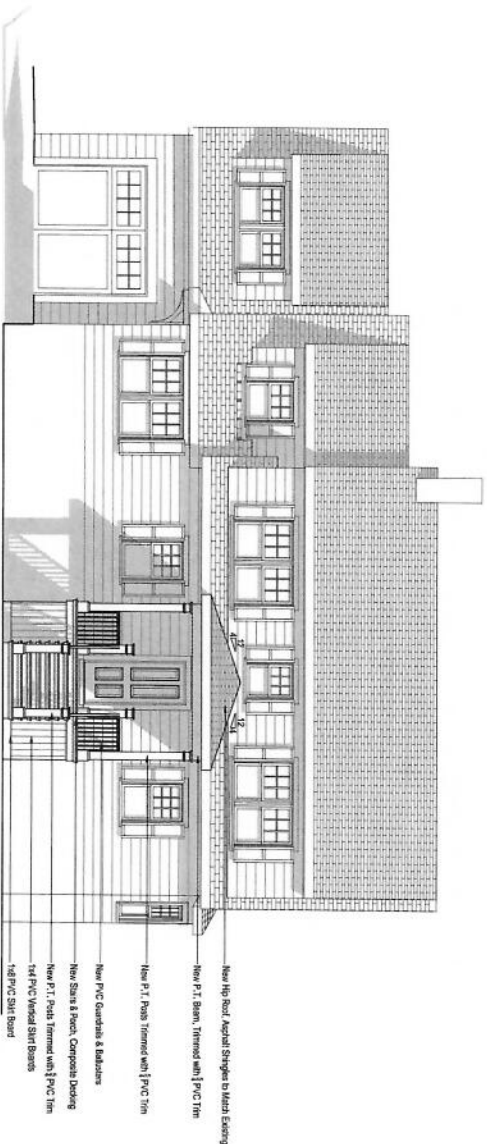
Lowy Residence  
72 Orchard Street  
Marshfield, MA

Existing Building Elevations

NOTE: ORIGINAL DRAWING SET TO 1/8" = 1'-0" SCALE  
PAGE NO. X5



1 Left Side Elevation  
Scale: 1/4\"/>



2 Front Elevation  
Scale: 1/4\"/>

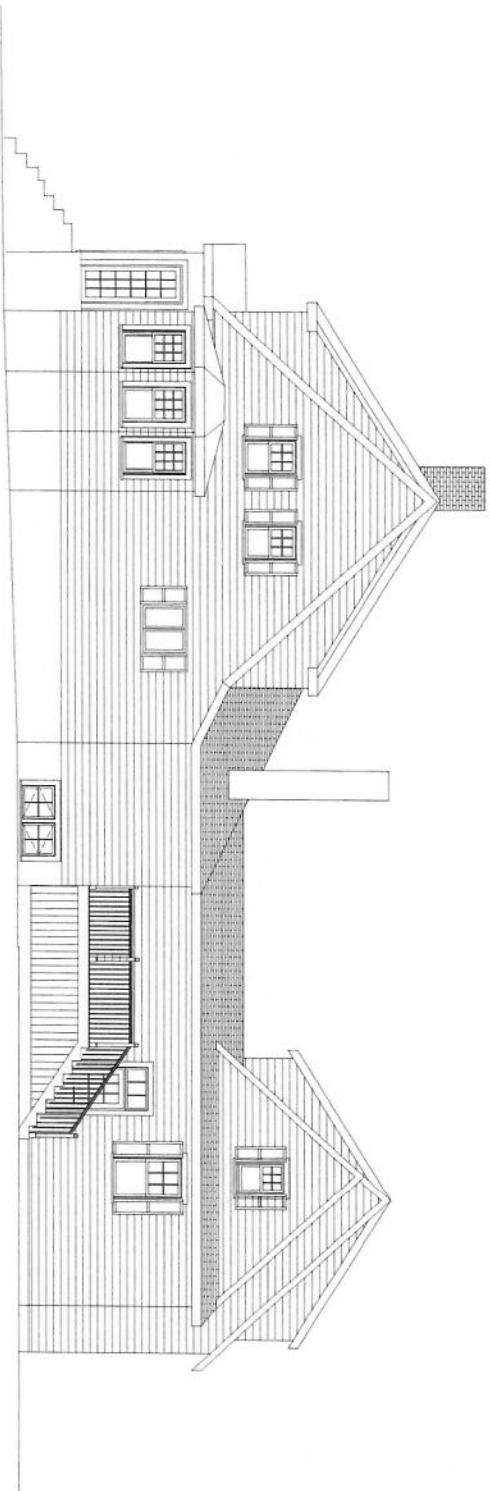
  
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2023 01 05 ZBA SET

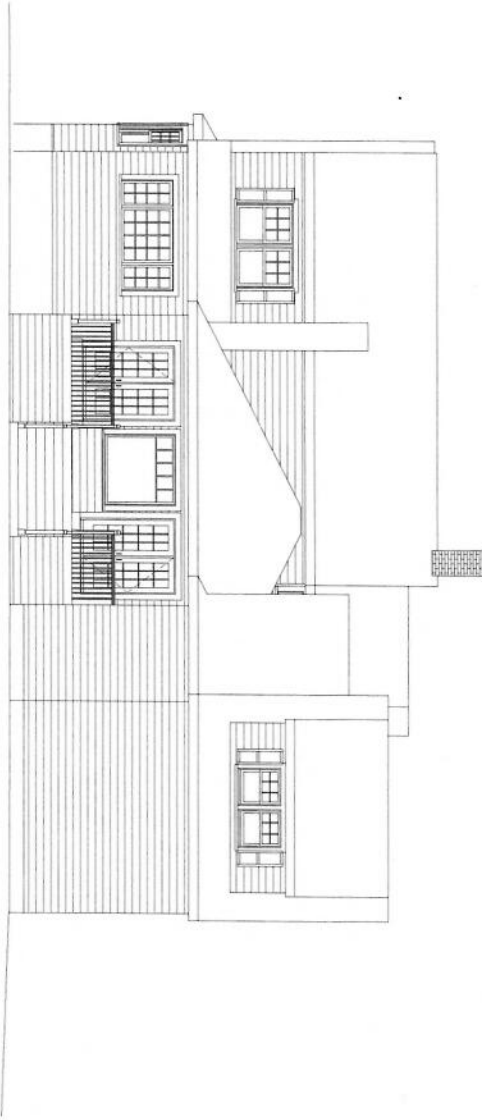
Lowy Residence  
72 Orchard Street  
Marshfield, MA

Proposed Building Elevations

SCALE: 1/4\"/>




① Right Side Elevation  
Scale: 1/8" = 1'-0"



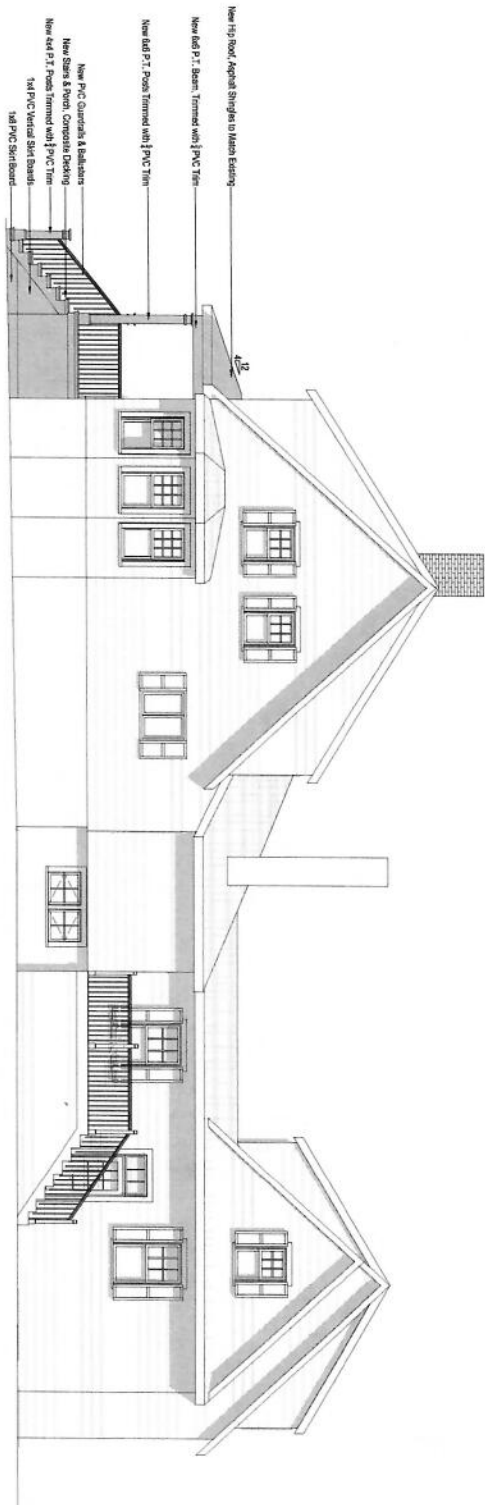
② Rear Elevation  
Scale: 1/8" = 1'-0"

  
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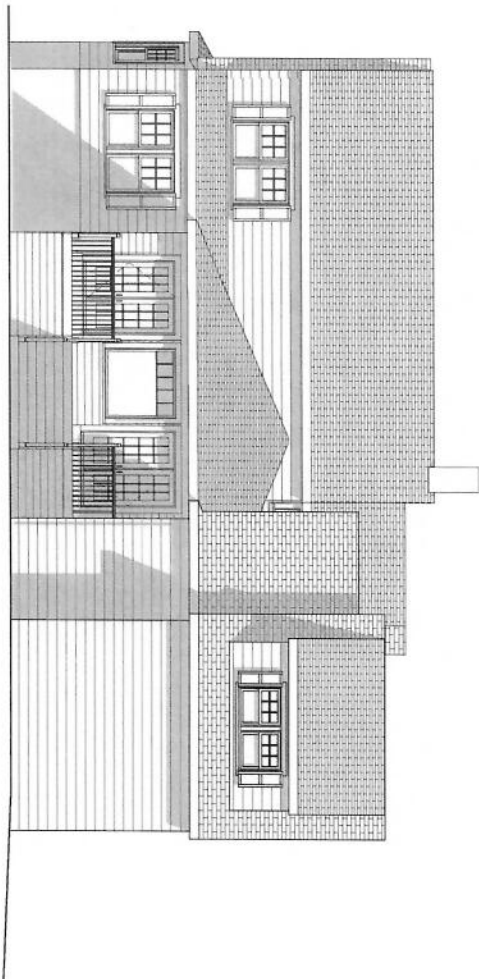
REVISION DATE  
 2023.01.05 28A SET  
**NOT FOR CONSTRUCTION**

Lowy Residence  
 72 Orchard Street  
 Marblehead, MA  
**Existing Building Elevations**  
 NOTE: ORIGINAL DRAWING SET 1/10/2020 (S.L. SCALE)  
  
 PAGE NO. **X6**





① Right Side Elevation  
Scale: 1/8" = 1'-0"



② Rear Elevation  
Scale: 1/8" = 1'-0"