



TOWN SEAL
tel: 781-631-1529

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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

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2022 APR 27 AM 11:57
Town Clerk

Project Address 16 Hathaway Road

Assessor Map(s) 22070-492 Parcel Number(s) 28 20 0

OWNER INFORMATION

Signature Isaac Dyer date 4/27/2022

Name (printed) Isaac Dyer and Julie Duffy

Address 16 Hathaway Road

Phone Numbers: home 617-877-7141 work

E-mail Skip.dyer@spire.net fax

APPLICANT or REPRESENTATIVE INFORMATION (if different from owner)

Signature Robert Bramhall date 4/26/22

Name (printed) Robert Bramhall - Rob Bramhall Architects

Address 14 Park Street Andover, MA 01810

Phone Numbers: home work 978-749-3663

E-mail rob@robbramhallarchitects.com fax

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

(see attached document)

- 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)

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

Reviewed by
Building Department
For Zoning Board
4-27-2022

Project Description & Relief Requested

Isaac Dyer and Julie Duffy
16 Hathaway road
Marblehead, MA 01945

The property that is the subject of this application is a non-conforming lot as it pertains to frontage (61.44 feet rather than 100 feet) and lot width (61.44 feet rather than 75 feet). It is improved with a single-family home that is non-conforming as to side yard setback (8.3 feet rather than 25 feet) and building height (38.1 feet rather than 30 feet). Based on the Assessor's records the house was built around 1900 and has been occupied by the current owner for about 20 years. The current owners would like to renovate and modernize their home. The property is located in the Shoreline Single Residence (SSR) Zoning District.

The main expansion as a result of the renovation will be having a more complete second floor. Minimal changes to the footprint are proposed. The proposed Open Area Ratio will continue to well in excess of the required ratio of 1.0 at 1.4. The project will exceed the 10% expansion limit for a non-conforming building.

The work will be in the side yard set back and the ht. of the building will be marginally increased due to the slope of the property.

Detail of the renovation:

1. Basement/rear walk out
 - Reconstruct existing rear patio with deck structure above.
2. First floor
 - Removal of the deck, hot tub and stairs on South side of property. Reconstruction of a new porch, covered porch, and stairs generally in the same location as existing.
 - Infill of first floor area on the west side of the first floor complying with the required side setbacks.
 - Modifications to create covered entry within the existing first floor footprint for the main and side entry locations.
 - Removal of existing side east side yard entry porch
3. Second floor
 - Addition of second floor living space under a gambrel roof structure springing from the existing first floor eave line over the garage and northern section of the dwelling.
 - Addition and reconstruction of gambrel dormers
4. Third floor
 - Removal of third floor living space and existing dormers and construction of gambrel dormer on the west side to match the exiting ridge ht.
5. General and complete restoration of the exterior including new siding, windows, trim and roofing as detailed on the Architectural plans.
6. General and complete restoration of the interior as detailed on the Architectural plans.

14 Park Street
Andover, Massachusetts
01810
Telephone: 978 749 3663
Facsimile: 978 749 9659

The applicant seeks a special permit for use and dimension under Section 200-36 for the following relief:

1. Special Permit for change of non-conforming building (Section 200- 30C and Section 200-30D)
2. Special Permit to alter the dimensional requirements in Table 2 by special permit (Section 200-37 A. (1)).

Applicant reserves its rights to the extent the Marblehead Zoning By-law special permit requirements and criteria are inconsistent with the provision of G.L. c.40A, Section 6.

Town of Marblehead
ZBA-APPLICATION

Revision Date: 12-02-2020

Page 2 of 3

Project Address 16 HATHAWAY ROAD Map(s) / Parcel(s) 28/20

ZONING DISTRICT (circle all that apply)

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

CURRENT USE (explain) SINGLE RESIDENCE

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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Historic District Commission	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Planning Board	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

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 [Signature] Date 4-27-2022

Town of Marblehead
ZBA-APPLICATION
 Page 3 of 3

Revision Date: 12-02-2020

Project Address 16 Hathaway Road

Map(s) / Parcel(s) 22070-492 / 28 20 0

NET OPEN AREA (NOA)

Lot area = A

EXISTING

PROPOSED

Area of features

footprint of accessory building(s)

footprint of building

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

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

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

other areas (explain) _____

Sum of features = B

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

GROSS FLOOR AREA (GFA)

accessory structure(s)

basement or cellar (area >5' in height)

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

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

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

4th floor (12' or less in height)

attic (area >5' in height)

area under deck (if >5' in height)

roofed porch(es)

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

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

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

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

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

This worksheet applies 1. plan by/dated Site Plan-Existing - dated 2/15/22 by North Shore Survey
 to the following plan(s): 2. plan by/dated A1,A2,A3,A4,A5,A6 and A7 dated 4/26/22 by Rob Bramhall Architects
 3. plan by/dated _____

Building Official _____

Date 4-27-2022