



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

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MARBLEHEAD  
TOWN CLERK

JAN 27 PM 4:55


Town Clerk

Project Address 9 Bartlett Street (a/k/a Court), Marblehead, MA 01945

Assessor Map(s) 27 Parcel Number(s) 24 - 0

### OWNER INFORMATION

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

Signature  date January 26, 2021

Name (printed) Stephen R. Petersen

Address 6 Arlington Street, Unit 9, Boston, MA 02116

Phone Numbers: home 617-817-6262 work 617-224-1926

E-mail spetersen@priowealth.com fax -

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

Signature  date January 26, 2021

Name (printed) Robert C. McCann McCann & McCann, P.C.

Address 89 Newbury Street, Suite 302, Danvers, MA 01923

Phone Numbers: home - work 978-739-8484

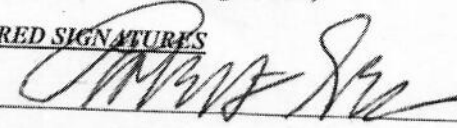
E-mail rmccann@mccannlaw.com fax 978-739-8455

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

SEE ATTACHED DESCRIPTION

- 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) 

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

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

**PROJECT DESCRIPTION & RELIEF REQUESTED**

**9 Bartlett Street (a/k/a/ Court  
Marblehead, MA**

The Applicant requests that the Zoning Board of Appeals grant a Special Permit allowing the construction of first and second floor additions and an attached garage on a non-conforming Lot which has less than the required Lot Width (at the rear of the Lot) with a pre-existing non-conforming single-family dwelling having less than the required Side Yard Set Back, with the proposed construction being partially within the Side Yard Set Backs and exceeding the allowed ten (10%) percent increase in Gross Floor Area on the property located at **9 BARTLETT STREET (A/K/A COURT)** in a **SHORELINE SINGLE RESIDENCE DISTRICT**.

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**SUMMARY OF PROJECT**

The project includes changes as depicted on the Plans submitted with the Application which include, but are not limited to:

- The addition of a Mudroom and Garage to the first floor of the dwelling with a portion of the Garage being in the right Side Yard Set Back;
- Additions to the second floor including renovations, a relocated Bar and Bath, a Hall, an Art Display / Library and a Studio with Bath and air conditioning equipment, a portion of the addition will be in the Side Yard Set Back.

The Open Space Ratio will be decreased to 3.18 but will remain more than three (3) times the minimum Open Space Ratio of 1.0.

Town of Marblehead  
**ZBA-APPLICATION**

Revision Date: 12-02-2020

Page 2 of 3

Project Address 9 Bartlett Street (a/k/a Court), Marblehead, MA 01945 Map(s)/Parcel(s) 27 / 24 - 0

**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-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

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**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 Nonconforming Building (§200-30.D)  
☐ Other Non-conformities (explain)  
☐ No Existing Dimensional Non-Conformities

**ADDITIONAL HEARINGS REQUIRED**

Conservation Commission Yes No ☒  
Historic District Commission Yes No ☒  
Planning Board Yes ☒ No

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

Yes ☒ No (explain)

Building Official

Date 1-27-2021

**ZBA-APPLICATION**

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Revision Date: 12-02-2020

Project Address 9 Bartlett Street (a/k/a Court), Marblehead, MA 01945 Map(s)/Parcel(s) 27 / 24 - 0**NET OPEN AREA (NOA)**

Lot area = A

**EXISTING****PROPOSED**

Area of features

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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'x18' 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 &gt;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 &gt;5' in height)

area under deck (if &gt;5' in height)

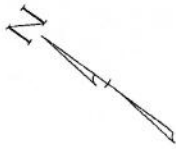
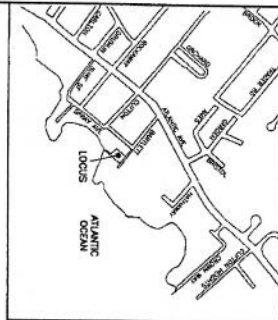
roofed porch(es)

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

**Proposed total change in GFA** = (proposed GFA - existing GFA) = 2,034**Percent change in GFA** = (proposed total change in GFA ÷ existing GFA) x 100 = 102.52 %**Existing Open Area Ratio** = (existing NOA ÷ existing GFA) = 6.94**Proposed Open Area Ratio** = (proposed NOA ÷ proposed GFA) = 3.18This worksheet applies 1. plan by/dated Hayes Engineering dated January 20, 2021to the following plan(s): 2. plan by/dated Pitman & Wardley dated January 18, 2021

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

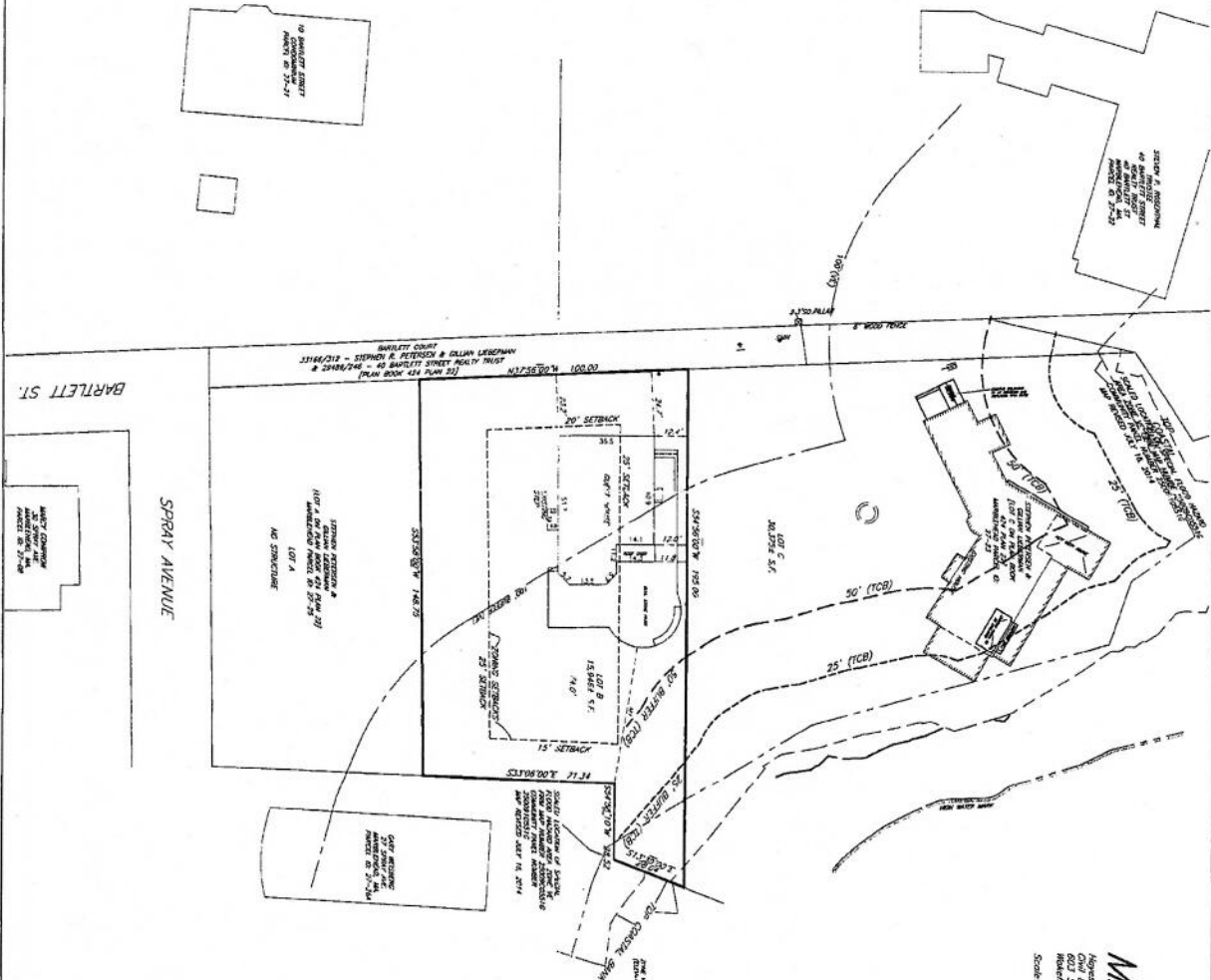
Building Official [Signature] Date 1-27-21



**ZONE: SHORELINE SINGLE RESIDENCE (SSR)**

MIN. FRONT SETBACK = 25' ft.  
MIN. SIDE SETBACK = 10' ft.  
MIN. REAR SETBACK = 10' ft.  
MIN. LOT AREA = 10,000 sq. ft.

ALIGNED	REQUIRED	EXISTING (MIN-MAX)
LOT AREA	10,000 S.F.	13,946 S.F.
FRONT YARD	20'	23.2'
SIDE YARD	25'	11.8'
REAR YARD	15'	74.0'
BLDG. COVERAGE		1850 S.F.
% COVERAGE		11.6%
MAX. HEIGHT	30'	



**Existing Conditions Plan**

**MARBLEHEAD, MASS.**

Maple Engineering, Inc.  
Civil Engineers & Land Surveyors  
100 South Street, Suite 200  
Marblehead, MA 01948  
Telephone: 781.246.2800  
Fax: 781.246.2806  
www.mapleeng.com

Scale: 1" = 20'

*Maple*

January 12, 2021

**19 BARLETT COURT**  
ASSESSOR'S PARCEL ID: 27-24

**OWNER:**  
**STEPHEN PETERSEN & GILLIAN LIEBERMAN**  
**11 BARLETT STREET**  
**MARBLEHEAD, MA**

1. PROPERTY INFORMATION IS TAKEN FROM A PLAN BY DARTMOUTH COLLEGE, 1974, AS RECORDED IN THE ESSEX SOUTH RECORDS OF DEEDS, BOOK 424, PAGE 22.

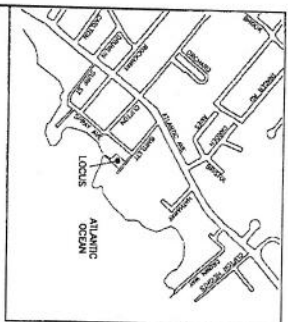
2. LOCATION OF STRUCTURES ON AIRLIFTING LOTS TAKEN FROM TOWN OF MARBLEHEAD ASSESSOR'S MAP.



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ZONE: SHORELINE SINGLE RESIDENCE (SSR)

MINIMUM SETTINGS:  
FRONT = 20 ft.  
SIDE = 25 ft.  
REAR = 15 ft.  
MIN. FRONTAGE = 100 ft.  
MIN. LOT AREA = 10,000 sq. ft.

	REQUIRED	EXISTING (MIN-MAX)	PROPOSED (MIN-MAX)
LOT AREA	10,000 S.F.	13,946 S.F.	13,946 S.F.
FRONT YARD	20'	23.5'	30.3'
SIDE YARD	25'	11.8'	16.7'
REAR YARD	15'	74.0'	90.6'
MAX. HEIGHT	30'	29'-3"	28'-8"



*Proposed Conditions Plan*  
in  
**MARBLEHEAD, MASS.**

Hyges Engineering, Inc.  
Civil Engineers & Land Surveyors  
603 Sohm Street  
Westfield, MA 01880

Scale: 1" = 20'

0' 10' 20' 40' 60'

January 13, 2022  
January 14, 2022

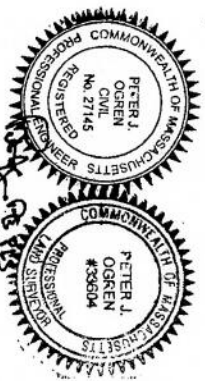
Telephone: 781.246.2900  
Facsimile: 781.246.7506  
www.hygeseng.com

#9 BARTLETT COURT  
ASSESSOR'S PARCEL ID: 27-24

UNITED:  
STEPHEN PETERSEN &  
GILLIAN LIEBERMAN  
11 BARTLETT STREET  
MARBLEHEAD, MA.

**LEGEND**

1. PRIMERIES INFORMATION IS TAKEN FROM A PLAN BY EASTERN LAND SURVEY ASSOCIATES, INC. DATED DECEMBER 14, 2009 AND RECORDED IN THE CLERK'S SOIN RECORD OF DEEDS AS PLAN BOOK 68-2A.
2. LOCATION OF SECTION CORNERS AND ADJACENT LOT# TAKEN FROM TOWN OF GREENSBORO RECORDS.
3. TOPOGRAPHIC INFORMATION SHOWN ON THIS PLAN TAKEN FROM THE 1974 ELEVATION DATA PROVIDED BY THE NORTH CAROLINA TOPOGRAPHIC MAP (1974-2014) SAATCHI PIONEER, AND IS NOT THE RESULT OF AN ACTUAL SURVEY BY HAYES ENGINEERING, INC.
4. VERTICAL DATUM IS THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD83).



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For Zoning Board  
Of Appeals**





# LIEBERMAN-PETERSEN GARAGE ADDITION

9 BARTLETT STREET  
MARBLEHEAD, MA 01945

ZONING BOARD PACKAGE  
ISSUED JANUARY 21, 2021

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

## EXISTING SQUARE FOOTAGE CALCULATIONS

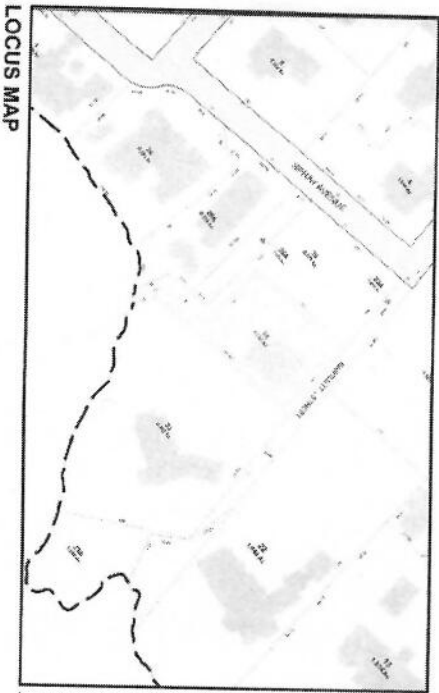
FIRST LEVEL	1,774 SQFT
SECOND LEVEL	125 SQFT
ROOFED PORCHES	85 SQFT
TOTAL	1,984 SQFT

## PROPOSED SQUARE FOOTAGE CALCULATIONS

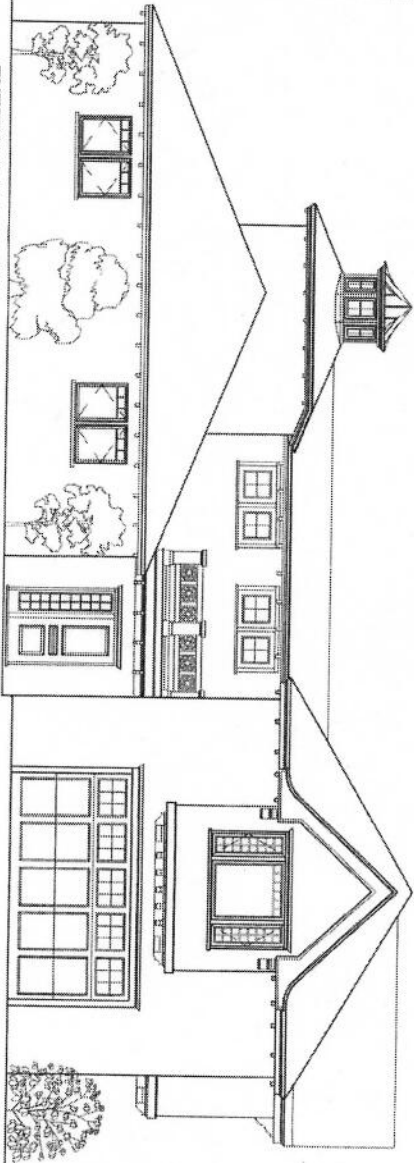
GARAGE	730 SQFT
FIRST LEVEL	1,977 SQFT
SECOND LEVEL	1,188 SQFT
ROOFED PORCHES	123 SQFT
TOTAL	4,018 SQFT

## DRAWINGS:

- A0 COVER PAGE
- SP SITE PLAN
- EX1 EXISTING FIRST FLOOR PLAN
- A1 PROPOSED FIRST FLOOR PLAN
- EX2 EXISTING SECOND FLOOR PLAN
- A2 PROPOSED SECOND FLOOR PLAN
- EX3 EXISTING DRIVEWAY ELEVATION
- A3 PROPOSED DRIVEWAY ELEVATION
- EX4 EXISTING SIDE ELEVATION
- A4 PROPOSED SIDE ELEVATION
- EX5 EXISTING SEASIDE ELEVATION
- A5 PROPOSED SEASIDE ELEVATION
- EX6 EXISTING SIDE ELEVATION
- A6 PROPOSED SIDE ELEVATION



LOCUS MAP



PITMAN & WARDLEY  
ASSOCIATES  
ARCHITECTURE & DESIGN

32 CHURCH ST. SALEM, MASSACHUSETTS  
Ph: 978-744-8982 Fax: 978-744-0469

9 BARTLETT GARAGE

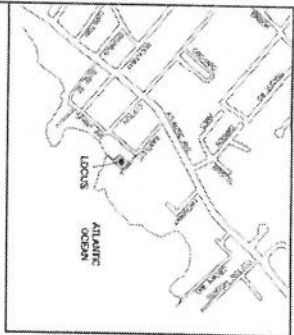
MARBLEHEAD, MA

DWG ISSUED: 01/21/21

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

ZONING BOARD SUBMITTAL

A0  
ARCHITECTURAL



**ZONE: SHORELINE SINGLE RESIDENCE (SSR)**

MINIMUM DISTANCES:  
 FRONT = 20' R  
 REAR = 10' R  
 SIDE = 10' R  
 MAX. HEIGHT = 100' H  
 MAX. LOT AREA = 10,000 S.F.

	ALLOWED	EXISTING (1990-1991)
LOT AREA	10,000 S.F.	15,946 S.F.
FRONT YARD	20'	23.2'
SIDE YARD	25'	11.6'
REAR YARD	15'	94.0'
GLZS. COVERAGE		78.0 S.F.
% COVERAGE		11.6%
MAX. HEIGHT	30'	



**Existing Conditions Plan**  
**in**  
**MARBLEHEAD, MASS.**

Map Prepared by the  
 City Engineer & Land Surveyor  
 501 Salem Street  
 Marblehead, MA 01948  
 Scale: 1" = 20'  
 Date: January 14, 2021

**#9 BARTLETT COURT**  
**ASSESSOR'S PARCEL ID: 27-24**

**OWNER:**  
**STEPHEN PETERSEN &**  
**GILLIAN LIEBERMAN**  
**11 BARTLETT STREET**  
**MARBLEHEAD, MA**

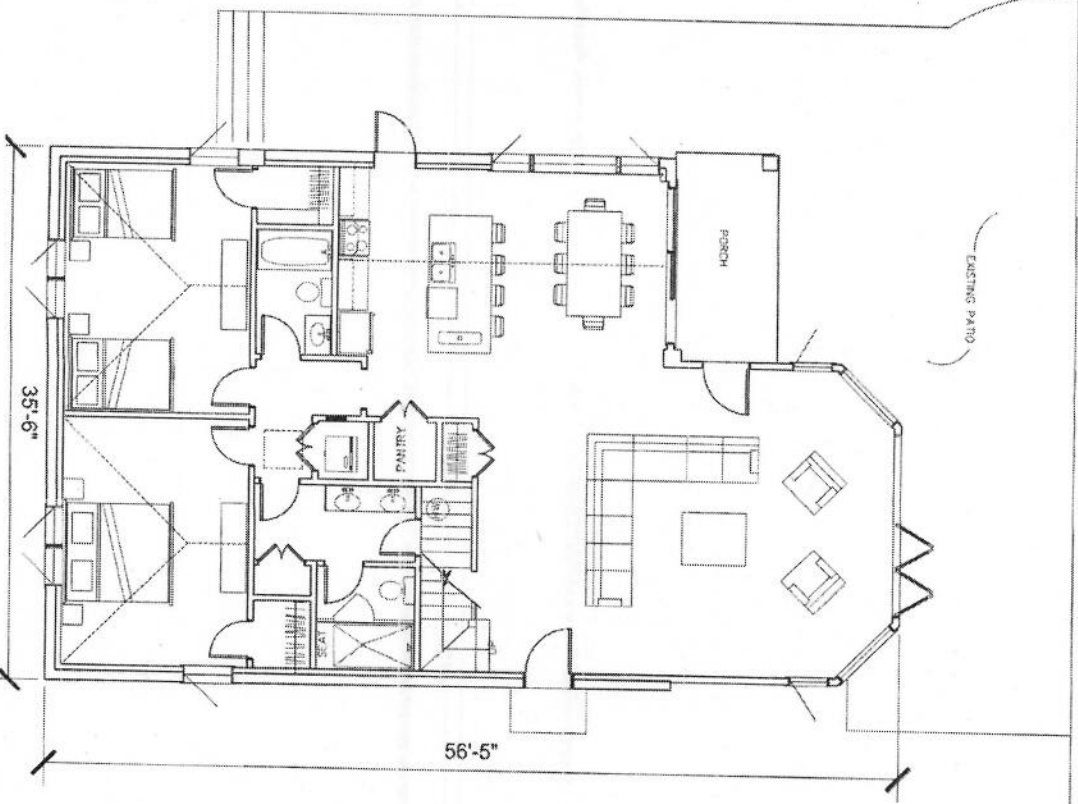
**PERMIT NOTES:**  
 1. PERMITTER REPRESENTATION IS TAKEN FROM A PLAN BY ENGINEER LAND SURVEYOR AND ARCHITECT, INC. DATED DECEMBER 14, 2020 AND REVISIONS TO THE PLAN ARE SHOWN IN RED.  
 2. LOCATION OF SANITARIUMS ON ADJACENT LOTS SHOWN FROM TOWN OF MARBLEHEAD RECORDS MAP.

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 Building Department  
 For Zoning Board  
 Or Appeals





Reviewed By  
Building Department  
For Zoning Board  
Of Appeals



**PITMAN & WARDLEY**  
ASSOCIATES  
ARCHITECTURE & DESIGN  
32 CHURCH ST. SALEM, MASSACHUSETTS  
Ph: 978-744-8982 Fax: 978-744-0469

**9 BARTLETT GARAGE**  
MARBLEHEAD, MA

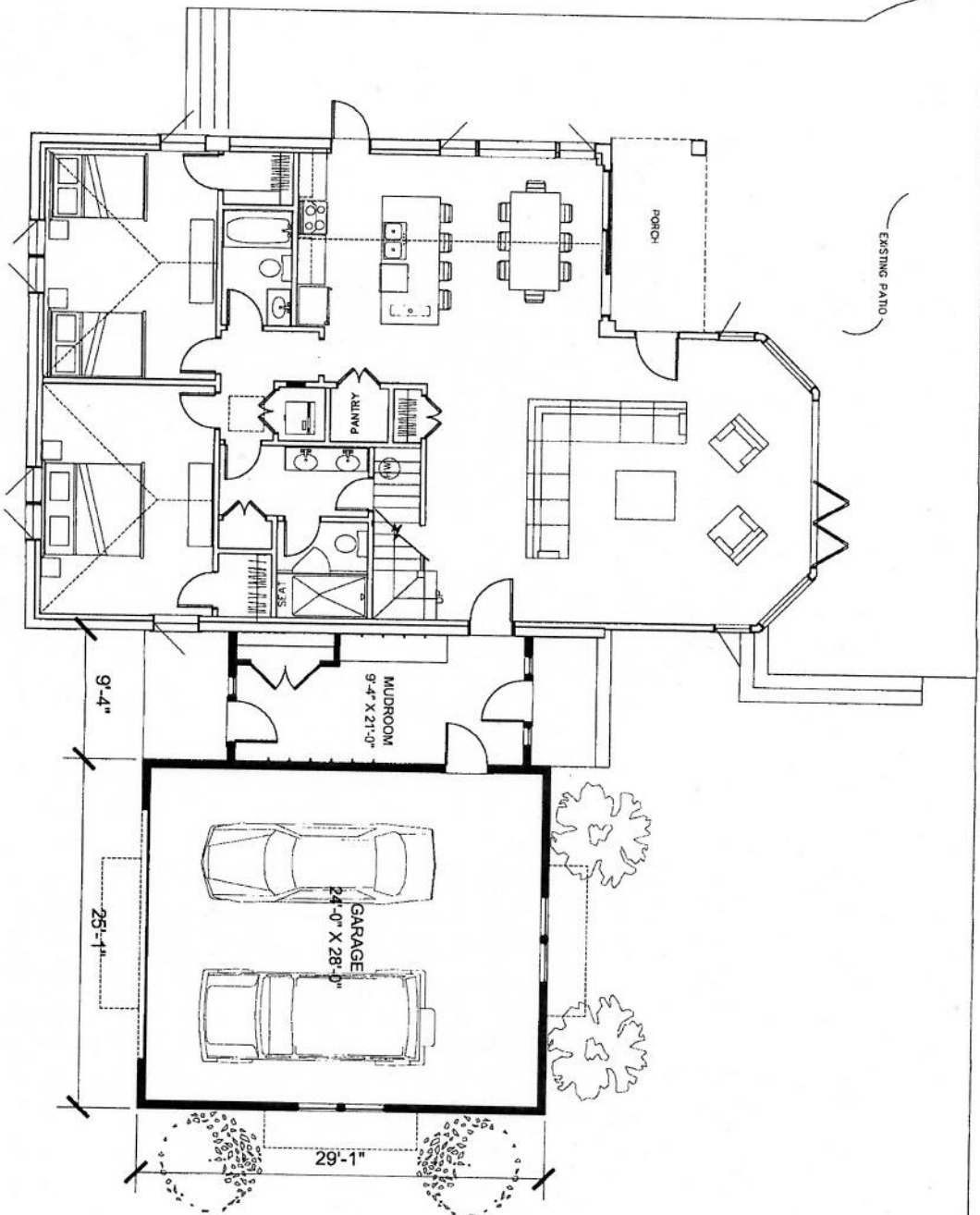
DWG ISSUED: 01/18/21  
SCALE: 1/8" = 1'-0"  
**EXISTING FIRST FLOOR PLAN**

**EX1**  
ARCHITECTURAL

**PITMAN & WARDLEY**  
ASSOCIATES  
ARCHITECTURE & DESIGN  
32 CHURCH ST. SALEM, MASSACHUSETTS  
Ph 978-744-8982 Fax 978-744-0400

## 9 BARTLETT GARAGE

MARBLEHEAD, MA



**DWG ISSUED:**

01/16/21

**SCALE:**

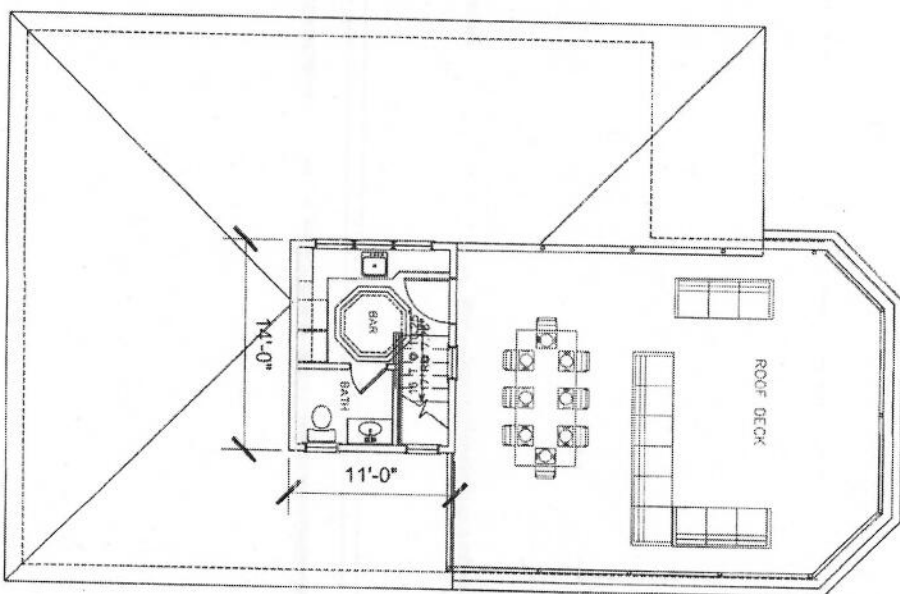
$$1/8^\circ = 1'.0^\circ$$

### FIRST FLOOR PLAN

A1

ARCHITECTURAL

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Building Department  
For Zoning Board  
Of Appeals



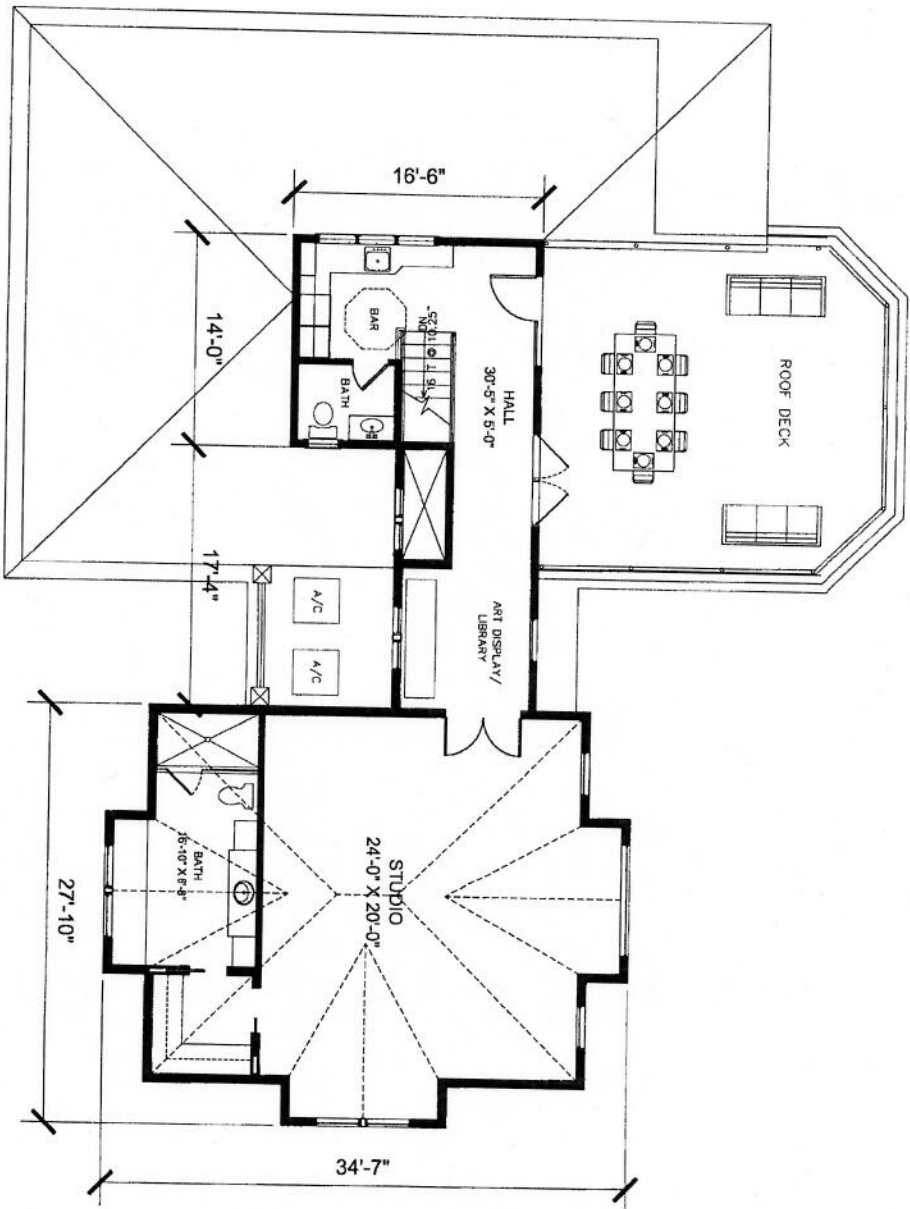
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**9 BARTLETT GARAGE**  
MARBLEHEAD, MA

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

**EX2**  
ARCHITECTURAL

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Building Department  
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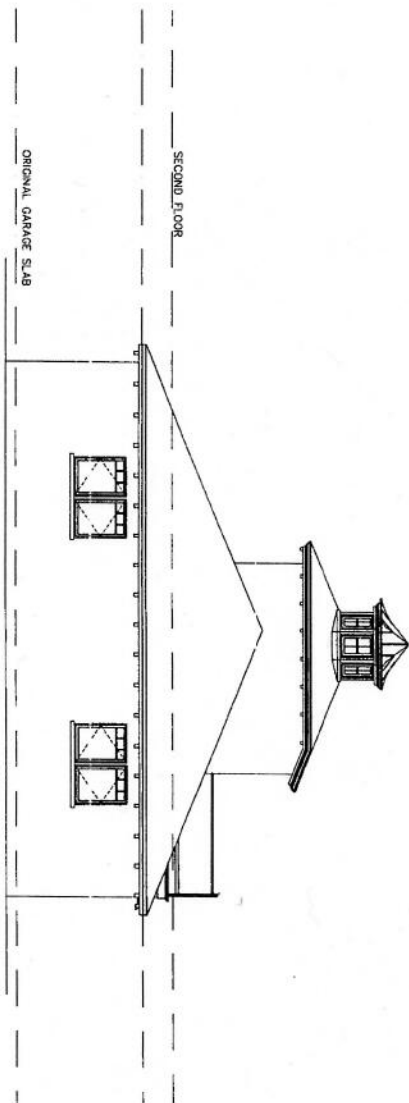
**9 BARTLETT GARAGE**  
MARBLEHEAD, MA

DWG ISSUED: 01/18/21  
SCALE: 1/8" = 1'-0"  
**SECOND FLOOR PLAN**

**A2**  
ARCHITECTURAL



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For Zoning Board  
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**9 BARTLETT GARAGE**

MARBLEHEAD, MA

DWG ISSUED: 07/18/21

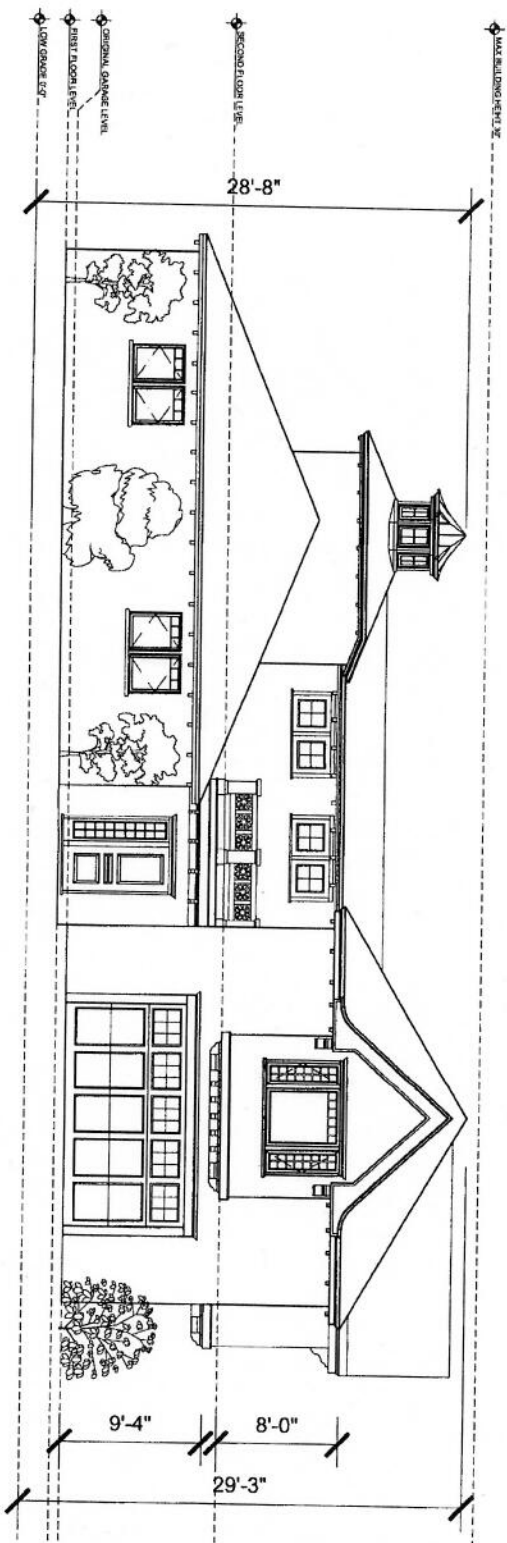
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**EXISTING ELEVATION**

**EX3**

ARCHITECTURAL

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Of Appeals



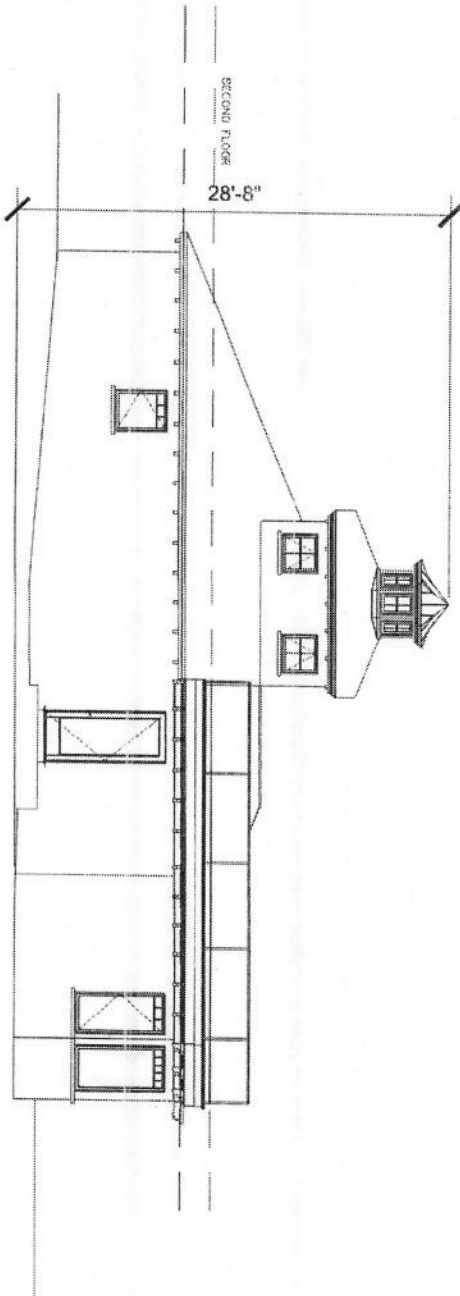
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**9 BARTLETT GARAGE**  
MARBLEHEAD, MA

DWG. ISSUED: 01/18/21  
SCALE: 1/8" = 1'-0"  
**PROPOSED ELEVATION**

**A3**  
ARCHITECTURAL

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Building Department  
For Zoning Board  
Of Appeals



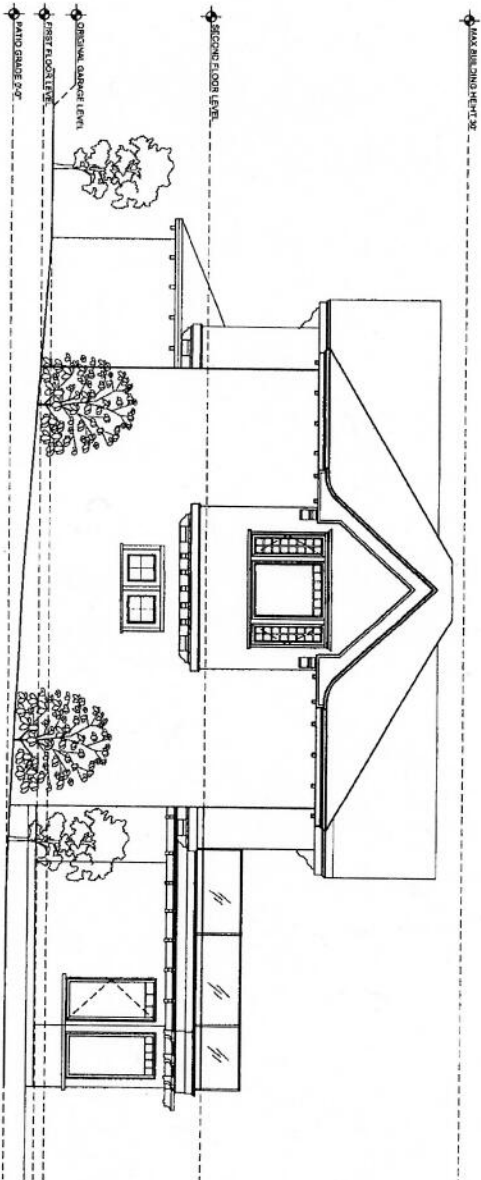
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ARCHITECTURE & DESIGN  
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PH. 978-744-8982 FAX 978-744-0409

**9 BARTLETT GARAGE**  
MARBLEHEAD, MA

DWG ISSUED 01/16/21  
SCALE 1/8" = 1'-0"  
**EXISTING ELEVATION**

**EX4**  
ARCHITECTURAL

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Building Department  
For Zoning Board  
Of Appeals



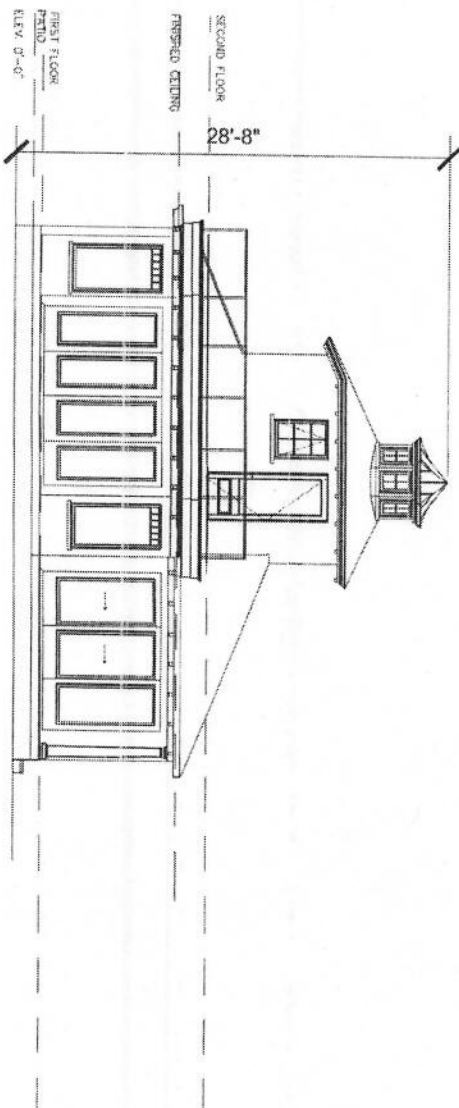
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ASSOCIATES  
ARCHITECTURE & DESIGN  
32 CHURCH ST SALEM, MASSACHUSETTS  
Ph 978-744-8982 Fax 978-744-0400

**9 BARTLETT GARAGE**  
MARBLEHEAD, MA

DWG ISSUED: 01/18/21  
SCALE: 1/8" = 1'-0"  
**SPRAY AVE. ELEVATION**

**A4**  
ARCHITECTURAL

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals



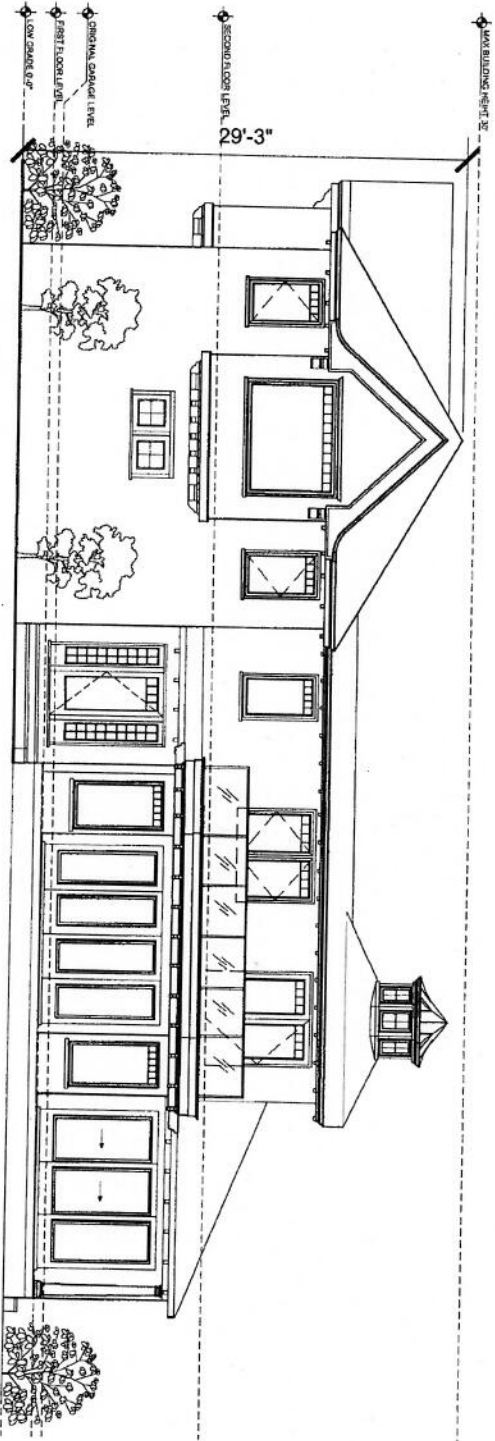
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ASSOCIATES  
ARCHITECTURE & DESIGN  
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**9 BARTLETT GARAGE**  
MARBLEHEAD, MA

DWG. ISSUED 01/18/21  
SCALE 1/8" = 1'-0"  
**EXISTING ELEVATION**

**EX5**  
ARCHITECTURAL

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Building Department  
For Zoning Board  
Of Appeals



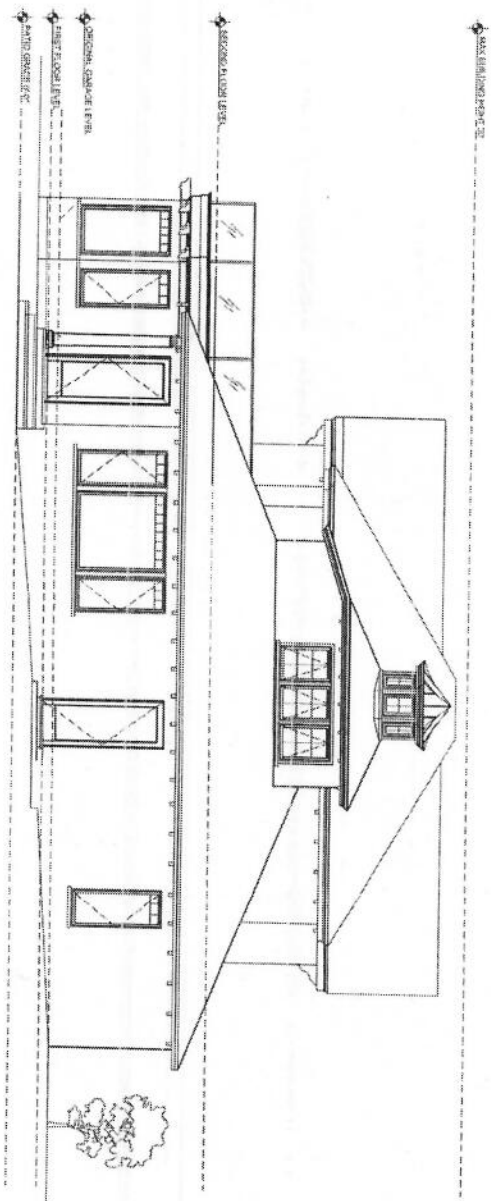
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ASSOCIATES  
ARCHITECTURE & DESIGN  
32 CHURCH ST. SALEM, MASSACHUSETTS  
Ph 978-744-8982 Fax 978-744-0400

**9 BARTLETT GARAGE**  
MARBLEHEAD, MA

DWG ISSUED: 011821  
SCALE: 1/8" = 1'-0"  
**SEASIDE ELEVATION**

**A5**  
ARCHITECTURAL

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Building Department  
For Zoning Board  
Of Appeals



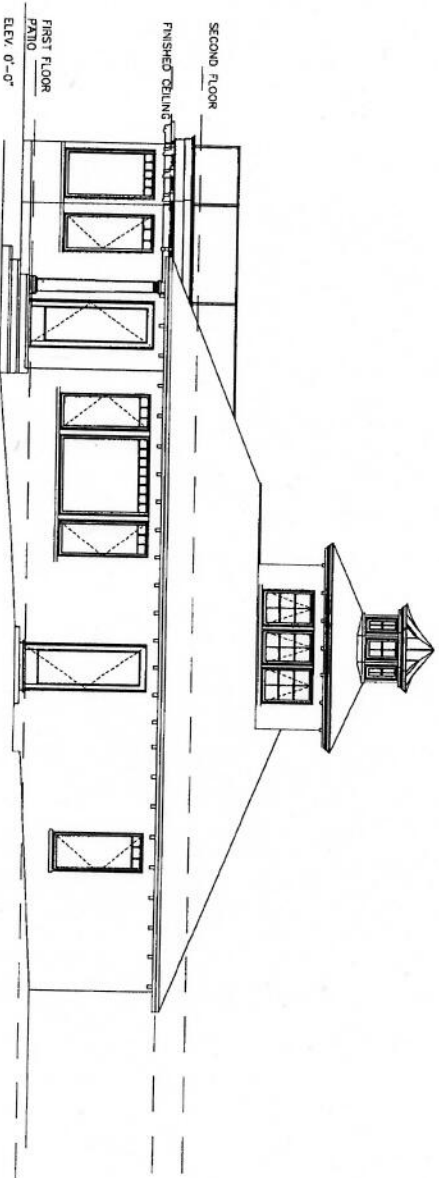
**PITMAN & WARDLEY**  
ASSOCIATES  
ARCHITECTURE & DESIGN  
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Ph 978-744-8982 Fax 978-744-0400

**9 BARTLETT GARAGE**  
MARBLEHEAD, MA

DWG. ISSUED: 01/16/21  
SCALE: 1/8" = 1'-0"  
**SIDE ELEVATION**

**A6**  
ARCHITECTURAL





**PITMAN & WARDLEY**  
ASSOCIATES  
ARCHITECTURE & DESIGN  
32 CHURCH ST. SALEM, MASSACHUSETTS  
Ph 978-744-8982 Fax 978-744-0400

**9 BARTLETT GARAGE**  
MARBLEHEAD, MA

DWG ISSUED: 01/18/21  
SCALE: 1/8" = 1'-0"  
**EXISTING ELEVATION**

**EX6**  
ARCHITECTURAL