



TOWN SEAL  
tel: 781-631-1529

fax: 781-631-2617  
Revision Date: 12-14-15

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

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

**ZBA APPLICATION**

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Town Clerk

Project Address 21 Puritan Road, Marblehead, MA 01945

Assessor Map(s) 139 Parcel Number(s) 27

**OWNER INFORMATION**

Signature [Signature] date April 3, 2020

Name (printed) 21 Puritan Road Realty Trust, Henry G. Brauer, Trustee

Address 8 Davis Road, Marblehead, MA 01945

Phone Numbers: home 617-285-2124

work - -

E-mail henry@hgbrauer.com

fax - -

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

Signature [Signature] date April 3, 2020

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

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

- 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)

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

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

*PROJECT DESCRIPTION AND RELIEF REQUESTED*

The Applicant requests that the Zoning Board of Appeals issue a Special Permit under the Zoning By-Laws and the Bransford line of cases for the demolition of an existing single-family dwelling, shed and accessory building and the approval for construction of a new single-family dwelling on a pre-existing non-conforming Lot which has less than the required Lot Area, Lot Frontage and Lot Width with a pre-existing non-conforming structure having less than the required Side Yard Set Back on the property located at **21 PURITAN ROAD** in a **SINGLE RESIDENCE DISTRICT**. The construction will be partially within the Side Yard Set Back and will constitute a "NEW BUILDING"

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

**Town of Marblehead**  
**ZBA-APPLICATION**  
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Revision Date: 12-14-2015

Project Address 21 Puritan Road, Marblehead, MA 01945

Map(s) / Parcel(s) 138 - 27

**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(4) 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(4) 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 type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Historic District Commission | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Planning Board               | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

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

Yes ☒ No ☐ (explain) \_\_\_\_\_

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

Date 4/7/2020

**Town of Marblehead**  
**ZBA-APPLICATION**

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Project Address 21 Puritan Road, Marblehead, MA 01945 Map(s) / Parcel(s) 139 - 27

**NET OPEN AREA (NOA)**

|   | <b><u>EXISTING</u></b> | <b><u>PROPOSED</u></b> |
|---|------------------------|------------------------|
| Lot area = A  | 8,279                  | 8,279                  |
| Area of features  |                        |                        |
| footprint of accessory building(s)                                | 292                    | -                      |
| footprint of building   | 1,006                  | 1,998                  |
| footprint of deck(s), porch(es), step(s), bulkhead(s)             | 56                     | 397                    |
| number of required parking spaces <u>2</u> x (9' x 20' per space) | 324                    | 324                    |
| area of pond(s), or tidal area(s) below MHH                       | 0                      | 0                      |
| other areas (explain) _____                                       | 0                      | 0                      |
| Sum of features = B   | 1,678                  | 2,719                  |
| Net Open Area (NOA) = (A - B)                                     | 7,051                  | 6,010                  |

**GROSS FLOOR AREA (GFA)**

|   |       |       |
|---|-------|-------|
| accessory structure(s)  | 292   | 0     |
| basement or cellar (area > 5' in height)  | 456   | 1,180 |
| 1st floor (12' or less in height) <small>NOTE: [for heights exceeding 12' see definition of STORY §200-7]</small> | 1,006 | 1,998 |
| 2nd floor (12' or less in height)   | 0     | 1,734 |
| 3rd floor (12' or less in height)   | 0     | 0     |
| 4th floor (12' or less in height)   | 0     | 0     |
| attic (area > 5' in height)   | 11    | 587   |
| area under deck (if > 5' in height)   | 0     | 0     |
| roofed porch(es)  | 0     | 84    |
| Gross Floor Area (GFA) = sum of the above areas   | 1,765 | 5,583 |

|   |  |
|---|--|
| <b><u>Proposed total change in GFA</u></b> = (proposed GFA - existing GFA)                | = 3,818                                |
| <b><u>Percent change in GFA</u></b> = (proposed total change in GFA ÷ existing GFA) x 100 | = 216 %                                |
| <b><u>Existing Open Area Ratio</u></b> = (existing NOA ÷ existing GFA)                    | Reviewed by Building Department = 3.99 |
| <b><u>Proposed Open Area Ratio</u></b> = (proposed NOA ÷ proposed GFA)                    | For Zoning Board Of Appeals = 1.08     |

This worksheet applies 1. plan by/dated 3/4/2020 by Pitman & Wardley Associates  
to the following plan(s): 2. plan by/dated 3/9/2020 by North Shore Survey, Inc.  
3. plan by/dated \_\_\_\_\_

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

Date 4/6/2020