



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

PAGE 1 of 3

RECEIVED
MARBLEHEAD
TOWN CLERK

2020 JUL 29 PM 2:10
Town Clerk

Project Address 28-30 Franklin ST

Assessor Map(s) 167 Parcel Number(s) 6/9

OWNER INFORMATION (28 FRANKLIN)

Signature Sally B. Sands date JULY 27, 2020

Name (printed) SALLY BULL SANDS & LAWRENCE J. SANDS

Address 28 FRANKLIN ST

Phone Numbers: home 781-631-2482 work SALLY 508-843-7401
E-mail Sallybsands@gmail.com fax LARRY 862-579-7760
LSands16@hotmail.com

APPLICANT or REPRESENTATIVE INFORMATION (if different from owner) (30 FRANKLIN)

Signature Sally B. Sands date JULY 27, 2020

Name (printed) SALLY B. SANDS, TRUSTEE / HARRIETT B. BULL RE. TRUST
Address 30 FRANKLIN ST OF 1993

Phone Numbers: home 781-631-2482 work 508-843-7401

E-mail Sallybsands@gmail.com fax ---

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

The sub-division of two parcels of land each with a
single-family structure. The sub-division will add
area from one lot to another and result in no new
non-conformities.

- 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) _____

Reviewed by
Building Department
For Zoning Board
Of Appeals

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

Town of Marblehead
ZBA-APPLICATION
Page 2 of 3

Revision Date: 12-14-2015

Project Address 28 FRANKLIN ST Map(s) / Parcel(s) 167/6

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 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 ☐ N/A

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"/>

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 7/28/2020

Town of Marblehead
ZBA-APPLICATION

Revision Date: 12-14-201

Page 3 of 3

Project Address	28 Franklin	Map(s) / Parcel(s)	167/6
NET OPEN AREA (NOA)		EXISTING	PROPOSE
Lot area = A		4989	5796
Area of features			
footprint of accessory building(s)		0 SF	89
footprint of building		883 SF	883
footprint of deck(s), porch(es), step(s), bulkhead(s)		0 SF	0
number of required parking spaces 2 x (9'x18' per space)		324 SF	324
area of pond(s), or tidal area(s) below MHW		0 SF	0
other areas (explain)		0	0
Sum of features = B		1207	1296
NET OPEN AREA (NOA) = (A - B)		3782 SF	4500
GROSS FLOOR AREA (GFA)			
accessory structure(s)		0	89
basement or cellar (area > 5' in height)		872 SF	872
1st floor (12' or less in height)	NOTE: [for heights exceeding	872 SF	872
2nd floor (12' or less in height)	12' see definition	872 SF	872
3rd floor (12' or less in height)	of STORY ~200-7]	343	343
4th floor (12' or less in height)		0	0
attic (area > 5' in height)		0	0
area under deck (if > 5' in height)		0	0
roofed porch(es)		0 SF	0
Gross Floor Area (GFA) = sum of the above areas		2959 SF	3048
Proposed total change in GFA = (proposed GFA - existing GFA)		=	89
Percent change in GFA = (proposed total change in GFA / existing GFA) x 100		=	3.0077729
Existing Open Area Ratio = (existing NOA / existing GFA)		Reviewed by Building Department	= 1.2781345
Proposed Open Area Ratio = (proposed NOA / proposed GFA)		For Zoning Board Of Appeals	= 1.47637795
This worksheet applies	1. plan by/dated	NORTH SHORE SURVEY CORP	
to the following plan(s):	2. plan by/dated		

 7/28/2020



Sally Sands <sallybsands@gmail.com>

28-30 Franklin division survey attached

2 messages

Sally Sands <sallybsands@gmail.com>

Tue, Jul 21, 2020 at 5:14 PM

To: Bunny Merrill <bunny@elmoremountainfarm.com>, Peter Merrill <peter@elmoremountainfarm.com>

Sally B. Sands

(h) 781-631-2482

(c) 508-843-7401

 **FranklinSt-ANRplan-1.pdf**
147K

Peter Merrill <peter@elmoremountainfarm.com>

Wed, Jul 22, 2020 at 8:47 AM

To: Sally Sands <sallybsands@gmail.com>

Cc: Bunny Merrill <bunny@elmoremountainfarm.com>

Sally:

This will confirm that Bunny and I have received and reviewed the June 25, 2020 plan for resetting the lot lines at 28 and 30 Franklin Street and that we fully support what you propose to do.

Peter and Bunny Merrill
26 Franklin Street

Peter Merrill
Elmore Mountain Farm, LLC
1108 Elmore Mountain Rd.
Morrisville, VT 05661
phone: 802-793-5355
fax: 802-888-8585
email: peter@elmoremountainfarm.com
website: www.elmoremountainfarm.com

Become a fan and follow us on Facebook at <http://www.facebook.com/pages/Elmore-Mountain-Farm/326610450398?ref=ts>

[Quoted text hidden]

 **FranklinSt-ANRplan-1.pdf**
147K

From: EDMUND BULLIS nabullis@verizon.net
Subject: Re: 28/30 Franklin changes to common line
Date: Jul 27, 2020 at 11:41:13 AM
To: Sally Sands sallybsands@gmail.com

Anne and I have reviewed the new survey plan to redraw the boundary between 28 and 30 Franklin Street. We support this new plan and are happy to send this e-mail to this effect. Please let us know if there is anything else we could do to support this effort.

Edmund P. and Anne S. Bullis. 34 FRANKLIN STREET

On Sunday, July 26, 2020, 04:53:18 PM EDT, Sally Sands <sallybsands@gmail.com> wrote:

Hi Bullis'

I am going before ZBA to change the common line between the two houses, now that the pool is gone. We are returning the lines pretty much to the 1970 (pre-pool) line straight back between the two houses to the Doak's Lane Development. We have two non-conforming lots now; but these changes will increase the narrowest width of 28 Franklin's lot to make it less non-conforming. I have attached the new survey plan.

We are required to get input from the abutters to bring to the hearing. If you support our new survey plan, could you please send me an email to that effect to attach to my ZBA application?

Thank you.

Sally

--

Sally B. Sands

(h) 781-631-2482

(c) 508-843-7401