



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

2020 SEP -1 PM 4:32

RECEIVED
MARBLEHEAD
TOWN CLERK

Town Clerk

Project Address 436 ATLANTIC AVE

Assessor Map(s) _____ Parcel Number(s) 8 36 0

OWNER INFORMATION

Signature Barbara W. Goldman date 8/13/2020

Name (printed) Barbara W. Goldman

Address 436 Atlantic Avenue

Phone Numbers: home 781 639 1772 mobile 781 492 1616 work -

E-mail barbara.w.goldman@outlook.com fax -

APPLICANT or REPRESENTATIVE INFORMATION (if different from owner)

Signature _____ date _____

Name (printed) _____

Address _____

Phone Numbers: home _____ work _____

E-mail _____ fax _____

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

HIP ROOF OVER EXISTING GARAGE IN SIDELINE SETBACK

HEIGHT OF PROPOSED GARAGE ATTIC WILL BE LESS THAN 5 FT AT PEAK

- 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)

[Signature]

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 436 ATLANTIC AVENUE Map(s) / Parcel(s) 8 36 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) Residential

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"/>

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 9/1/2020

3
175

**TOWN OF MARBLEHEAD
BOARD OF APPEALS**

2006033000259 Bk:25509 Pg:322
03/30/2006 11:56:00 OTHER Pg 1/3

**Application of Barbara Goldman and Mark Gelfand,
Trustees of Plan B Realty Trust
For a Special Permit pursuant to § 200-36.A.
With respect to the property located at
436 Atlantic Avenue
Assessors Map No. 8, Parcel 36**

Pursuant to notice mailed, postage prepaid, to the petitioners, abutters, and persons to whom such notice is required to be given, and pursuant to advertisements in *The Marblehead Reporter* on December 22, and December 29 of 2005, the Board of Appeals held a scheduled hearing at the Selectmen's Room at Abbot Hall, Marblehead, Massachusetts on Tuesday, January 10, 2006 at or after 8:30 p.m. and continued with evidence heard to February 14, 2006 at or after 9:00 p.m.

Sitting for the Board of Appeals were members, Shefftz, Tenenbaum, Casey, Burke-Jacobson and Chairman Moriarty.

The applicants appeared on January 10, 2006 with Attorney Paul Lynch and plans drawn by Grazado/Velleco Architects, dated November 22, 2005 in addition to a site plan drawn by Hayes, Engineering, Inc., Professional Land Surveyor, dated December 19, 2005 seeking permission to construct an addition to a single-family dwelling. The property is located in a Shoreline Single Residence District. The applicant originally proposed to construct an attached two-car garage with second story living area located on the Atlantic Avenue end of the dwelling. At the hearing held on January 10, 2006 a direct abutter, David Koh voiced concern that the garage addition would completely dwarf Koh's home and eliminate light on that side of the home. Dr. Kohn presented cardboard mockups to illustrate his point. The hearing was continued to February 14, 2006 to give the parties an opportunity to discuss the matter.

On February 14, 2006 the hearing was resumed on or after the scheduled time of 9:00 p.m. with the original members in attendance on January 10, 2006 except for member Casey. The applicant agreed to proceed with four members present. Attorney Lynch advised the Board that the applicants wished to amend their application by striking that portion of the relief sought with respect to the new garage and second story addition. A revised set of floor plans and elevations dated February 10, 2006 (the "Amended Plans") was submitted to the Board together with a revised open area work sheet signed by Robert Ives, Building Commissioner. The Board was advised that the proposal was then limited to the enclosure of the greater portion of the covered porch on the ocean side; the removal of stairs on the ocean end as well as the removal of two sets of stairs on the westerly side of the dwelling and their replacement with one set of stairs. In addition the existing cut out between the kitchen and the existing garage would be enclosed to accommodate an elevator as well as a new bulkhead as shown on the plans. The only

Page 1 of 3

Filed with Town Clerk _____ on _____ at _____

other changes to the dwelling under the amended application were the enlargement of the dormer on the ocean end, installation of a new dormer on the Atlantic Avenue end and changing the dormers on the easterly side from two to one. The new construction will add 110 square feet of gross floor area and maintain an open area ratio of 2.27.

Attorney Lynch explained that the structure needed a great deal of repair in order to restore it and that portions may need to be rebuilt with new footings, stating, however those portions shall be rebuilt in accordance with the plans, elevations and within existing footprints.

No one spoke in opposition to the application and Dr. Koh stated he had no objection to the application as amended.

The Board voted to allow the applicants to amend the application.

Based on the above factors, the Board made the necessary findings as set forth in Section 200-36.B of the By-Laws as most recently amended, to wit: That the granting of the application will be consistent with the general purpose and intent of the Bylaw; that the specific site is an appropriate location for the existing building; that neither the addition to the building nor the use of the building will adversely affect the neighborhood; that there will be no nuisance or serious hazard to vehicles or pedestrians resulting from the construction of the building; and that adequate and appropriate facilities will be provided for the proper operation of the building.

The Board voted unanimously as follows:

Ms. Burke-Jacobson—Yes

Ms. Shefftz—Yes

Mr. Moriarty—Yes

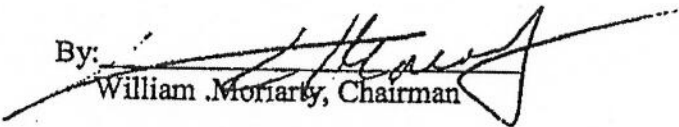
Ms. Tenenbaum—Yes

The Special Permit is granted, subject to the following conditions:

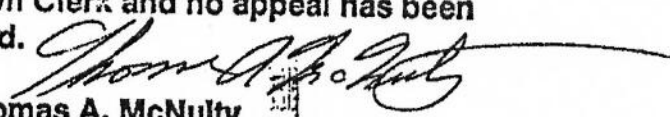
1. This special permit is issued on the condition that there shall be no construction at any time following the vote of the Board of Appeals which either differs from the construction set forth on Amended Plans approved and stamped by the Board of Appeals by that vote, or which is inconsistent with this decision and these conditions, without the applicant obtaining prior written approval from the Board of Appeals for such construction. Additionally, no demolition, building or occupancy permit, whether temporary, conditional or permanent, shall issue for any work on the premises, except for the existing demolition permit, unless and until a copy of this decision, endorsed

by the Town Clerk, is recorded in the Registry of Deeds as required by General Laws Chapter 40A. The application for and/or issuance of any such permit prior to the recording of the endorsed copy of this decision shall render this special permit null and void.

BOARD OF APPEALS
TOWN OF MARBLEHEAD

By: 
William Moriarty, Chairman

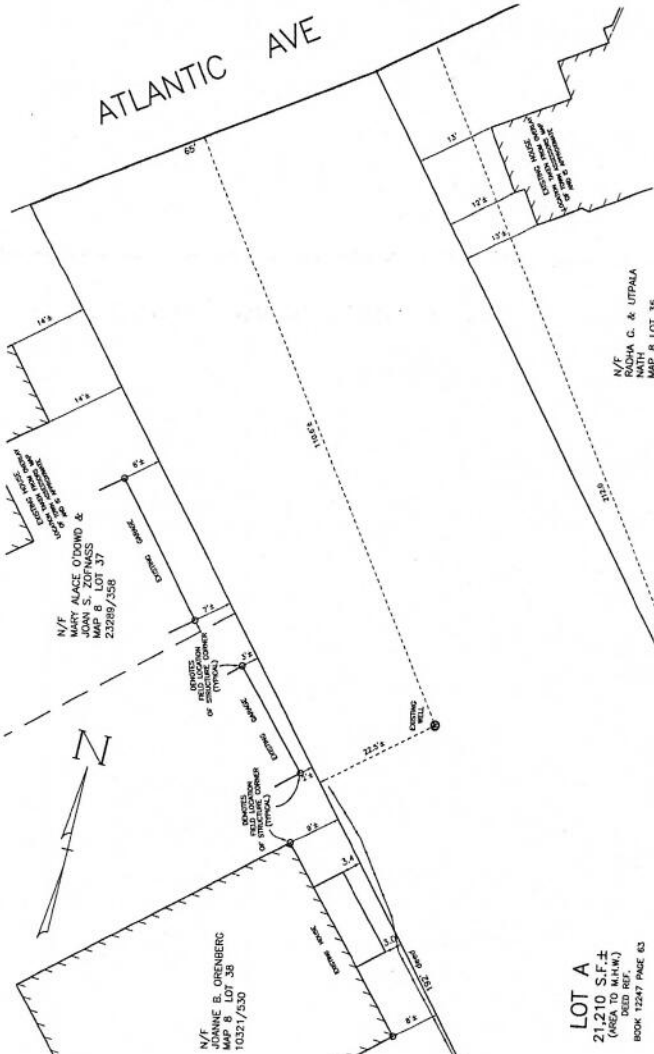
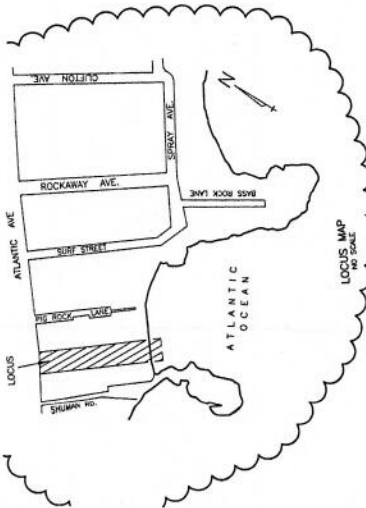
I hereby certify that twenty days
Have elapsed since this decision has
been filed in the office of the
town Clerk and no appeal has been
filed.


Thomas A. McNulty
Town Clerk-Marblehead

RECEIVED
MARBLEHEAD
TOWN CLERK
2006 MAR - 9 PM 4: 26

ATLANTIC AVE

SHUMAN ROAD



LOT A
21,210 S.F. ±
(AREA TO BE BOUNDARY)
BOOK 12247 PAGE 63

N/F
KAREN L. WEBSTER &
DAVID S. EVANS
MAP 8 LOT 34
Doc. #431144

I CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF MASSACHUSETTS. I CERTIFY THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE MASSACHUSETTS REGULATION OF THE BOARD OF LAND SURVEYING, CHAPTER 26B, SECTION 27B. I CERTIFY THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE MASSACHUSETTS REGULATION OF THE BOARD OF LAND SURVEYING, CHAPTER 26B, SECTION 27B. I CERTIFY THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE MASSACHUSETTS REGULATION OF THE BOARD OF LAND SURVEYING, CHAPTER 26B, SECTION 27B.



ZONE: SHORLINE SINGLE RESIDENCE

MINIMUM SETBACKS:
FRONT = 10'
SIDE = 10'
REAR = 10'
MIN. LOT AREA = 10,000 S.F.

Plan of Land in
MARBLEHEAD, MASS.
Hayer Engineering, Inc.
2015 Commercial Street
Marblehead, MA 01945
Telephone: 781-546-2800
Fax: 781-546-2596
www.hayereng.com
Scale: 1" = 10'
0" 5' 10' 20'
July 30, 2020
OWNER: BARBARA GOLDMAN
#436 ATLANTIC AVE
MAP 8 LOT 36

A1

FLOOR PLANS

DATE: 10 AUGUST 2020
SCALE: 1/8"=1'-0"

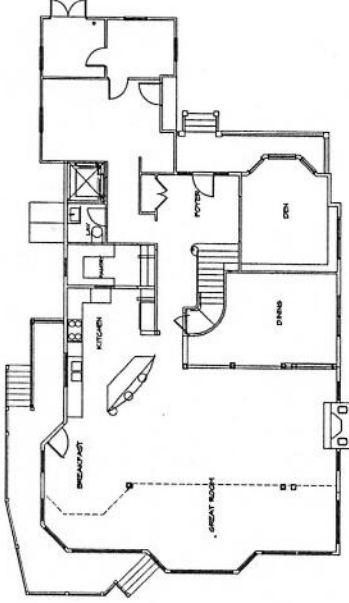
GOLDMAN
Residence
436 Atlantic Avenue
Marblehead, MA 01945

GRAZADO VELLECO ARCHITECTS
LITTLE HARBOR MARBLEHEAD, MA 01945
TEL: 781-631-4949

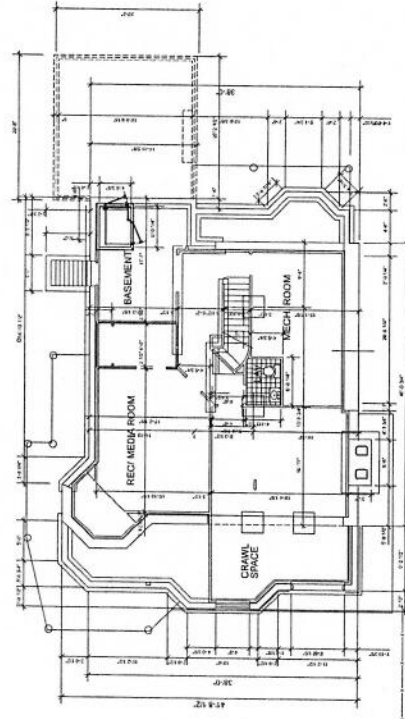
EXISTING FIRST FLOOR PLAN



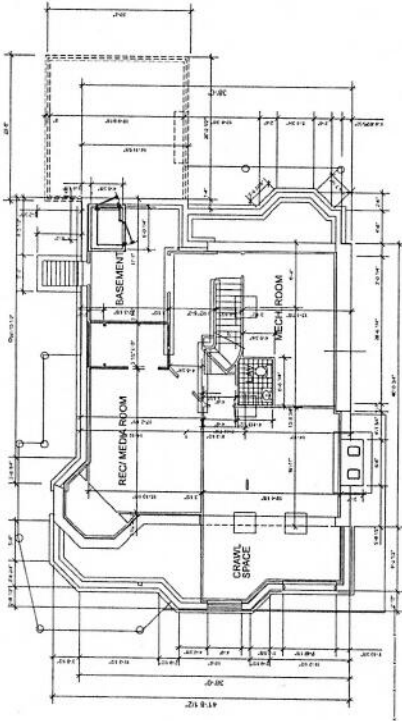
FIRST FLOOR PLAN
NO CHANGE

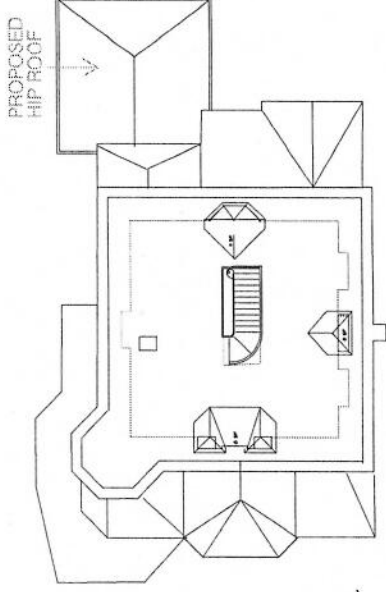


EXISTING BASEMENT PLAN

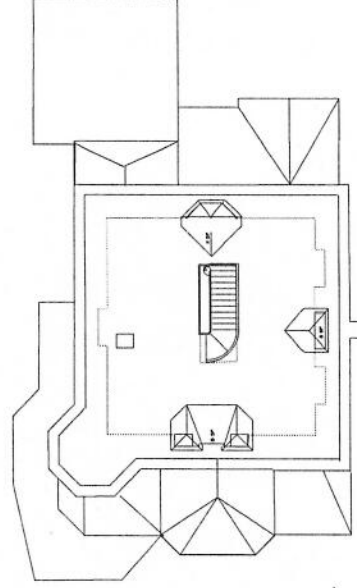


BASEMENT PLAN
NO CHANGE

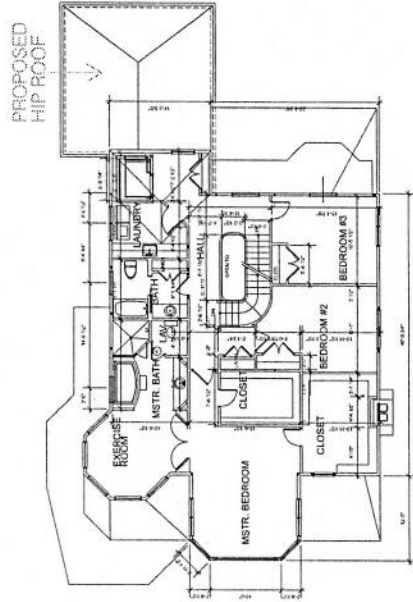




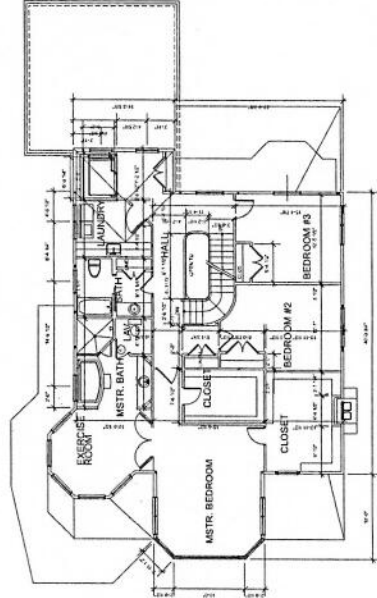
THIRD FLOOR WITH PROPOSED
HIP ROOF ON EXISTING FLAT ROOF
GARAGE



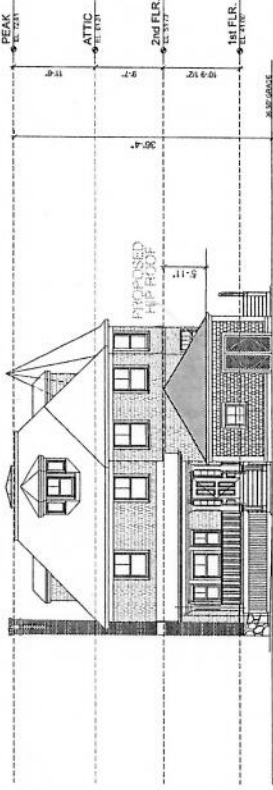
EXISTING THIRD FLOOR PLAN



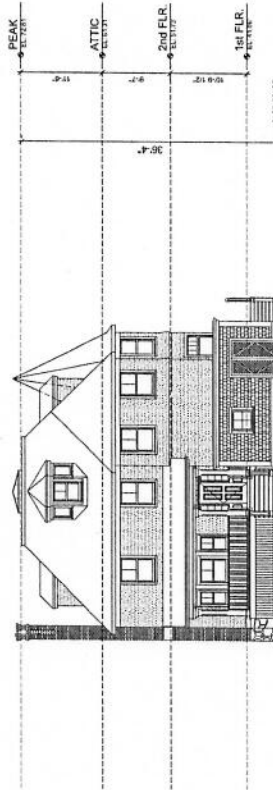
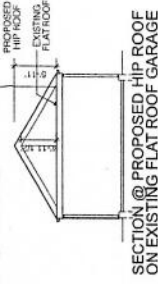
SECOND FLOOR WITH PROPOSED
HIP ROOF ON EXISTING FLAT ROOF
GARAGE



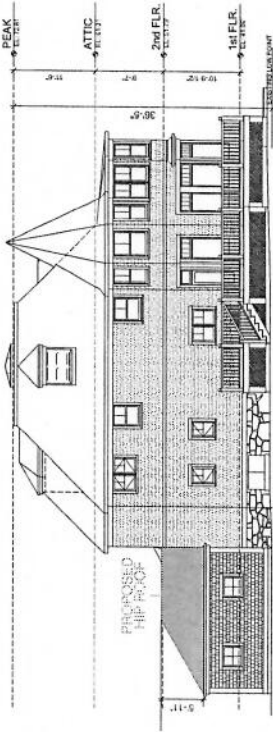
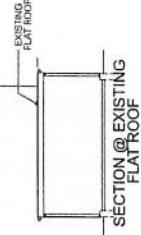
EXISTING SECOND FLOOR PLAN



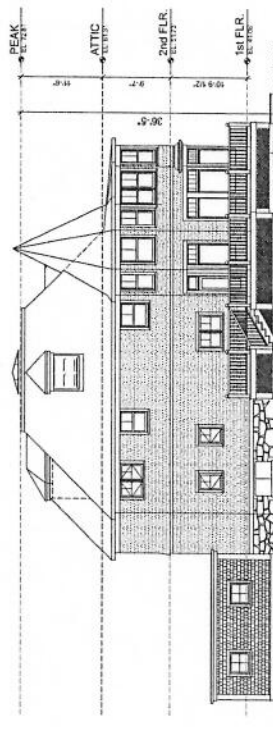
STREET SIDE ELEVATION
WITH PROPOSED HIP ROOF
ON EXISTING GARAGE



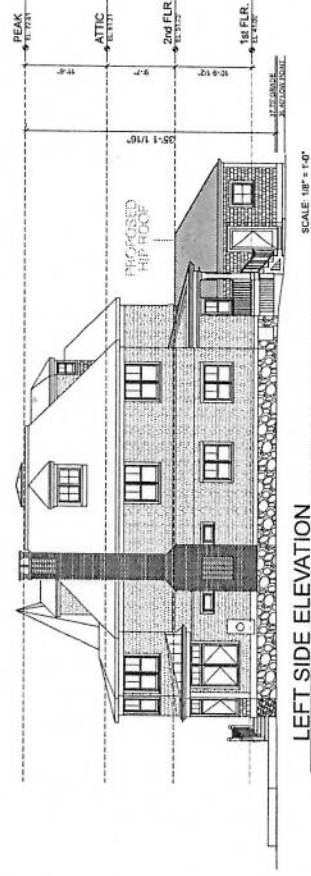
EXISTING STREET SIDE ELEVATION



RIGHT SIDE ELEVATION
WITH PROPOSED HIP ROOF
ON EXISTING GARAGE



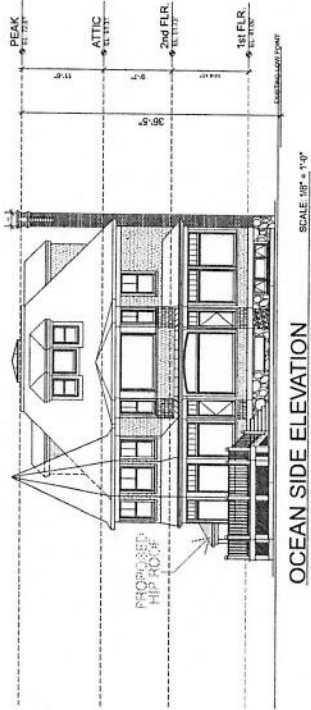
EXISTING RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION
WITH PROPOSED HIP ROOF
ON EXISTING GARAGE



LEFT SIDE ELEVATION
WITH EXISTING FLAT ROOF GARAGE



OCEAN SIDE ELEVATION
WITH PROPOSED HIP ROOF
ON EXISTING GARAGE



OCEAN SIDE ELEVATION
WITH EXISTING FLAT ROOF GARAGE