



January 16, 2020

Wenham Zoning Board of Appeals  
Wenham Town Hall  
138 Main Street, 2<sup>nd</sup> Floor  
Wenham, MA 01984

*By Hand Delivery*

**Subject: Application to Voluntarily Demo &  
Reconstruct a Single-Family Dwelling at  
128 Topsfield Road (Map 16, Lot 97)**

Ladies and Gentlemen:

On behalf of the property owner and Petitioner, Howard Squires, we are pleased to provide five (5) copies of the attached Zoning Board of Appeals Application with accompanying project plans, architectural drawings, and a \$500 filing fee for the subject property.

In summary, the Petitioner proposes demolition of the existing dilapidated wood-framed building and construction of a new single-family residence with in-law apartment and two attached 2-car garages. The existing parcel is a conforming lot located in the Residential (R) zoning district. Special Permits in accordance with Section 4.1 and Section 4.3.2 of the Town Zoning Bylaws are requested as described in the Application.

We look forward to discussing this Application with the Board. Should you have any questions or comments, or require additional information, please do not hesitate to contact the undersigned.

Very truly yours,  
**Griffin Engineering Group, LLC**

A handwritten signature in blue ink, appearing to read "Robert H. Griffin, P.E.", is written over the printed name.

Robert H. Griffin, P.E.

Enclosures: Application w/ Plans & Attachments (5 copies)  
Filing Fee - \$500

Cc: H. Squires (1 copy)



# Town of Wenham

Town Hall  
138 Main Street  
Wenham, MA 01984

## ZONING BOARD OF APPEALS

TEL 978-468-5520

FAX 978-468-8014

### APPLICATION FOR PUBLIC HEARING

**Appeal From the Action of the Building Inspector - Fee: \$250**

**Special Permit for Single Family Residence - Fee: \$250**

**Special Permit for All Others Including Commercial - Fee: \$400**

**Variance - Fee: \$250**

**Application to Amend, Modify or Transfer a Variance or Special Permit - Fee: \$250**

**Checks made payable to the Town of Wenham**

DATE: \_\_\_\_\_

PHONE: 978-977-0401

EMAIL: hsquires@comcast.net

APPLICANT: Howard A. Squires

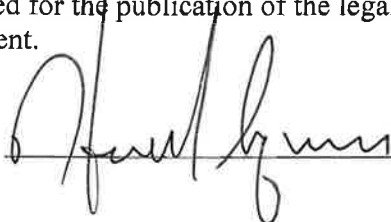
LOCATION OF PROPERTY: 128 Topsfield Road

Applicable Section of Zoning Bylaw: Section 4.1, Section 4.3.2 & Section 13.4.3

NATURE OF APPLICATION:  
(attach narrative and or site plan as appropriate)

Please see attached description.

I hereby request a hearing before the Board of Appeals with reference to the above noted application. I understand I will be billed for the publication of the legal notice and have completed the attached acknowledgement.

Signed 

## ATTACHMENT A

The Petitioner, Howard Squires, proposes to voluntarily demolish the existing dwelling and construct a single-family dwelling with an accessory apartment and two, 2-car garages. The Petitioner seeks the following relief from the Board of Appeals:

- A Special Permit from Section 4.1. of the Town of Wenham Zoning By-laws granting the Petitioner permission to construct private garages for more than 3 motor vehicles.
- A Special Permit from Section 4.3.2. of the Town of Wenham Zoning By-laws granting the Petitioner permission for an accessory apartment (in-law apartment ).

### EXISTING LOT AND STRUCTURE

The parcel is approximately 40,934 sq. ft. and is located approximately 360-feet east of the Maple Street, Cherry Street, and Topsfield Street intersection. The property is a conforming lot located within the Wenham Residential District (R). The Petitioner proposes no changes to the lot size or parcel boundaries.

The property is currently developed with an approximately 1,300 square-foot single-family residence with associated "U" shaped gravel driveway and storage shed. The existing dwelling front, side, and rear yard setbacks comply with the Residential District zoning requirements. The existing 4-bedroom dwelling is in substantial disrepair. The site is served by municipal water and a failing on-site wastewater disposal system. A fire destroyed a barn on the property in August 2018.

### PROPOSED RESIDENCE

As shown on the accompanying plans, the Petitioner proposes razing the existing dilapidated residence and constructing a new 4-bedroom single-family residence with one bedroom in-law apartment and two attached 2-car garages. The proposed building will be of conventional wood-frame construction on a cast-in place concrete foundation and conforming to Residential District zoning setbacks. A 2-car garage will be constructed on the northeast and southeast sides of the proposed dwelling. Each garage will be accessed by a bituminous-concrete driveway extending off a "jug handle" turnaround. The "jug handle" turnaround will utilize the existing driveway curb cuts along Topsfield Road. The Petitioner is requesting Special Permit approval for the in-law apartment and to construct two 2-car garages.

The one-bedroom in-law apartment is located on the first floor on the south side of the proposed residence. The apartment is approximately 996 sq. ft. which is approximately 20% of the single-family dwelling. The in-law apartment meets the requirements outlined in *Section 4.3.2.2* in the Wenham Zoning Bylaw, as described below.

- 1) Separate Housekeeping Unit - The proposed in-law accessory apartment functions as a separate unit from the principal unit. It has a separate kitchen, laundry room, bedroom, living/dining room, and bathroom.

- 2) Lot Size – The lot is approximately 40,934 sq. ft. which is greater than the minimum lot size required (20,000 sq. ft.) in order to have an accessory apartment attached to a single-family residence.
- 3) Off-Street Parking – The proposed dwelling provides at least 4 off-street parking spaces. This exceeds the minimum requirement of 3 off-street parking spaces.
- 4) Appearance - The proposed dwelling appearance will be compatible with the residential character of the neighborhood. Refer to Architectural drawings.
- 5) Number of Accessory Apartments – As required, only one accessory apartment will be created on the parcel.
- 6) On-Site Wastewater Disposal & Drainage - The existing 4-bedroom dwelling is connected to a failing on-site septic system. A new Title 5-compliant septic system will be installed to serve the proposed 4-bedroom dwelling and one bedroom in-law apartment.

The proposed project will increase the amount of impervious area on-site. To mitigate for this, a rain garden is proposed to capture and infiltrate the majority of the roof runoff. Also, two crushed stone infiltration strips are proposed along driveway capturing and infiltrating driveway runoff.

- 7) Ingress & Egress – The in-law apartment will have a separate exterior door for ingress and egress to the front porch and to its garage.

The proposed single-family dwelling with in-law apartment and two, 2-car garages will not negatively impact the neighborhood nor substantially derogate from the intent and purpose of the Bylaw. The proposed dwelling will meet all of the Special Permit criteria outlined in *Section 13.4.3* in the Wenham Zoning Bylaws that apply to the project, as outlined below:

- 1) **Community needs which are served by the proposal** - The proposed single-family dwelling with in-law apartment and two, 2-car garages will have no significant effect on social, economic, or community needs since an existing single-family already exists on the subject property.
- 2) **Traffic flow and safety, including parking and loading** - The proposed single-family dwelling with in-law apartment and two, 2-car garages will have

no significant effect on traffic flow and safety on adjacent ways, as it simply replaces an existing residence with a new residence. Topsfield Road is a state designated route with adequate capacity for the proposed project.

3) **Adequacy of utilities and other public services –**

**Water.** There is no significant increase in water usage associated with this request.

**Sewer.** The existing 4-bedroom dwelling is connected to a failing on-site septic system. A new Title 5-compliant septic system will be installed to serve the proposed 4-bedroom dwelling with one bedroom in-law apartment.

4) **Neighborhood character and social structures –** The proposed single-family dwelling with in-law apartment and two, 2-car garages will have no effect on the neighborhood character and social structure. The proposed dwelling appearance will be compatible with the neighborhood.

5) **Impacts on the natural environment –** No wetland resource areas are located on or adjacent to the property. Mature trees will be removed within and directly adjacent to the proposed dwelling and on-site septic system.

6) **Potential fiscal and economic impact, including impact on town services, tax base, and employment –** The proposed single-family dwelling with in-law apartment and two, 2-car garages will have only minor potential fiscal impact. The dwelling may lead to a slight increase in the Petitioner's property valuation, thereby causing an increase in property taxes.