

Notice of Public Hearing - Town of Hamilton Zoning Board of Appeals

A Public Hearing will be held on Wednesday, March 6, 2024, at 577 Bay Road, Hamilton, MA, Town Hall, Memorial Room, & via Zoom, to commence at 7:00 PM. The application is for the property owned by Michael & Lindsay Syer, for the property located at 22 Lincoln Avenue, Assessor's Map 47, Lot 46. Applicants are seeking a Finding under Zoning Bylaw Section 5.3.4.5 for dimensional relief from front set-back requirements. A copy of the complete application is available for review in the Building Department during the regular hours of operation of the Town Hall at 299 R Bay Road.

Bruce Gingrich, Chair

APPLICATION CHECK SHEET
HAMILTON ZONING BOARD OF APPEALS

EXTENSION OR ALTERATION OF NON-CONFORMING USE

8 copies of all Materials. Refer to Instruction Sheet.
Section of the Zoning By-Law covering desired Board action(s)

Existing Non-Conformity – Check all that apply

- Lot size
- Lot coverage
- Side yard setback
- Front yard setback
- Rear yard setback
- Frontage
- Other. Specify. _____

LOT size is 9600 SF
80' Frontage BUILT IN
1907

Extension/Alteration of a single or 2-family residential structure is allowed as a matter of right if the extension or alteration meets either of the following:

- Existing structure is on a conforming lot but is non-conforming because it encroaches on a setback. **The proposed alteration or extension will not change the setbacks that fail to conform.** The entire structure meets all other requirements of the by-law. **Proposed set back is LESS NON CONFORMING**
- Existing structure is non-conforming solely because it is located on a lot which is non-conforming as to size and/or frontage as a result of a zoning change. Existing structure and alteration/extension meet all other current requirements of the zoning by-law (setbacks, height, lot coverage, etc).

USE BUILT
1907
16 CHANGE 1954

Visual Materials Required - Scaled drawings showing at a minimum the following

1. Site Plan: Include at a minimum:
 - Plan showing total parcel of land
 - Title block with Date
 - Scale
 - North Arrow
 - All property lot lines with dimensions
 - Area of parcel of land
 - All building locations with dimensions of structures and dimensions to lot lines
 - Location and use of all adjacent structures with dimensions to lot lines if applicant is seeking relief to construct within 20 feet of another building or if applicant is seeking to meet the average front yard setback requirements in lieu of the 25 foot setback.
 - Zoning District including Watershed Protection areas and Historic District areas. If property falls within more than one district, plan shall show all district lines.
 - Location of wetlands protected areas.
2. Exterior Elevations of the Building
3. Scaled floor plan of both new and existing structure

6' IN 6
RELIEF UNDER
SECTION
3, 4, 5



TOWN OF HAMILTON
ZONING BOARD OF APPEALS

REQUEST FOR FINDINGS OF FACT
EXTENSION OR ALTERATION OF A NON-CONFORMING USE

Date Submitted: 2-14-2024

Applicant Name: Michael and Lindsay Syer

Non-Conforming Property Located at: 22 LINCOLN AVE

Note the Existing Non-Conformity (check all that apply):

- Lot Size HOUSE WAS BUILT IN 1907
- Front Yard Setback PRE-ZONING ADOPTION OF 1954
- Side Yard Setback
- Rear Yard Setback
- Lot Coverage
- Property/Building Use
- Other: _____

Will the proposed extension or alteration meet current zoning requirements:

- Yes
- No: State non-compliance of extension/alteration PROPOSED IS LESS NON CONFORMING THAN EXISTING. CURRENT HOUSE IS 10' FROM FRONT SETBACK, PROPOSED WILL BE 18' (SETBACK = 25') (MEETS SIDE + REAR SETBACKS)

Will the proposed extension or alteration further encroach on the existing non-conformity

- Yes: State further encroachment

No

- Applicant shall state that the extension or alteration reflects the nature and purpose of the previous use (or) that the extension or alteration is no different in kind in its effect on the neighborhood as compared with the previous use, for the following reasons:

CURRENT HOME. ADDITION USE IS FOR GARAGE/SINGLE FAMILY USE. IS SET BACK FURTHER THAN

Applicant shall state that the extension or alteration will not be substantially more detrimental to the neighborhood than the existing non-conforming use or structure for the following reasons:

- ① LESS NON CONFORMING THAN EXISTING
- ② FITS IN WITH NEIGHBORHOOD (CHARACTER / SETBACKS)
- ③ MEETS SIDE AND REAR SETBACKS

Signed: [Signature]

Address: 22 Lincoln Avenue

South Hamilton, MA 01982

Phone: (203) 953-6439

TOWN OF HAMILTON
ZONING BOARD OF APPEALS

APPLICATION FOR ZONING BOARD OF APPEALS HEARING
To be completed by all Applicants

Date Submitted: 2/14/2024

Applicant Name: Michael + Lindsay Syer Phone: (203) 453-6439

Applicant Address: 22 Lincoln Avenue, South Hamilton, MA 01982

Applicant respectfully petitions the Board of Appeal for the following: RELIEF UNDER SECTION 5.3.4.5

That he/she is seeking (check all that apply):

- Variance: (State Type)
- Extension or Alteration of a Non-Conforming Use, Structure, or Lot
- Site Plan Review
- Abbreviated Site Plan Review
- Special Permit: (State Type)
- Appeal of Decision of the Building Inspector
- Conversion for Temporary Living Area
- Comprehensive Permit

Other: FINDING OF FACT UNDER SECTION 5.3.4.5

Address of Property if different from Applicant Address above:

Owner of property if different from Applicant noted above:

Note: If not the owner of the property, applicant must provide proof they are either the holder of a written option to purchase the property (or) verification they have authority to act on behalf of the owner of the property.

Zoning District: R-1A
Existing Lot Size: 9,600 SF

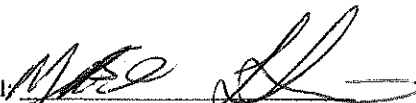
State Briefly what structures are on the property: HOUSE, SHED, DECK

State in detail what the petitioner desires to do at said subject property: ADDITION TO INCLUDE GARAGE, FAMILY ROOM, 2 Bed Rooms. CURRENT HOUSE IS 10' FROM STREET, PROPOSED 18.2' TO 19.6' FROM STREET (SETBACK IS 25')

State whether any petition as to the said premises has been submitted to this Board within the last five years. If so, give details: NO

State if any Building Permit has been granted to said premises within the past two years. If yes, give details: NO

HOUSE WAS BUILT 1907
ZONING ESTABLISHED 1954
LOOKING FOR "DIM RELIEF"
FROM DIMENSIONAL FRONT SETBACK
"SECTION 4" AND "FINDING" UNDER
ZONING BY LAW 5.3.4.5
SECTION 5

Signed: 

Address: 22 Lincoln Avenue
S. Hamilton, MA 01982

Phone: (203) 453-6439

February 14, 2024

To Whom it May Concern,

Our names are Michael and Lindsay Syer, and we have been living in Hamilton since the spring of 2018. Several years ago, and after touring many towns, we felt that Hamilton was the perfect place to start the next chapter of our lives and begin our family. Its charm, community feel, good school system, access to public transportation, and proximity to work and family is what we had been looking for. We purchased a home on Lincoln Avenue, where we have lived for the last five and a half years. Our daughter, Olivia, was born in October of 2019 and our decision to begin our family in Hamilton proved to be a good one. We have loved every aspect of raising our daughter in such a great town.

A few years ago, as the need for more space increased, we began to search for our next home in Hamilton. We knew that we didn't want to live in any other town, but were unsuccessful with the competitiveness of the housing market. As we plan to welcome our 2nd child in June, the need for space has become our priority. We felt that the best course of action was to add on to our current home to give us the space for our growing family. We love our neighborhood, friendships we have made, proximity to schools, among many other aspects.

With that said, to move forward with our ideal plan, we are seeking a finding under section 5.3.4.5 and relief from dimensional front setback under section 4. If we can do so, we feel that it will be the perfect home for us while keeping the character and charm of our neighborhood. In addition, our proposed addition is less non-conforming than the current house, which was built in 1907, in regards to the front setback, and complies with all other setbacks and percentage of building coverage on the lot.

Thank you for your time and consideration.

Sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is more compact and appears to be 'MS', while the signature on the right is more fluid and cursive, likely representing 'LS' for Lindsay Syer.

Michael and Lindsay Syer

**TOWN OF HAMILTON
Zoning Board of Appeals
CERTIFICATE OF PARTIES IN INTEREST**

Pursuant to Massachusetts General Laws, Chapter 40A, Section 11, the undersigned Assessor of the Town of Hamilton, hereby certifies that the names and addresses appearing on the list appended hereto are those of the:

- X (a) abutters 100'
(b) owners of land directly opposite on any public or private street or way
(c) owners of land within 300' of the property line of the property at:

22 Lincoln Ave

So. Hamilton

Dated February 20, 2024

Prepared by Assessor's Office of the Town of Hamilton.

Jane Dooley
Assistant Assessor

ARGETES CYNTHIA A
2 LINCOLN AV
SOUTH HAMILTON, MA 01982

GOODRIDGE ANYA
11 WESTERN AV
SOUTH HAMILTON, MA 01982

MACGREGOR WALLACE & SUSAN
20 BAKER AV
SOUTH HAMILTON, MA 01982

BAKER CHRISTOPHER K
BAKER JENELLE L
2 SPRING AV
SOUTH HAMILTON, MA 01982

HAMILTON TOWN OF
577 BAY RD
HAMILTON, MA 01936

MCCORMACK ASHLEY
24 WESTERN AV
SOUTH HAMILTON, MA 01982

BAUMEISTER DEAN C
BAUMEISTER STEPHANIE L
5 LINCOLN AV
SOUTH HAMILTON, MA 01982

HAMILTON TOWN OF
TOWN HALL
SOUTH HAMILTON, MA 01982

PAINCHAUD RENE A
PAINCHAUD SANDRA
264 ASBURY ST
SOUTH HAMILTON, MA 01982

BENSON, CHRISTOPHER P.
PENIL-COBO, MARIA
270 ASBURY ST 2
SOUTH HAMILTON, MA 01982

HAYDEN ERIKA L
GEROGIANNIS CHRISTINA S
30 LINCOLN AV
S. HAMILTON, MA 01982

PERKINS GEORGE C JR
280 ASBURY ST
SOUTH HAMILTON, MA 01982

BUCKLEY ELIZABETH
BUCKLEY WESLEY
14 LINCOLN AV
SOUTH HAMILTON, MA 01982

HERR, ELIZABETH L.
270 ASBURY ST 1
SOUTH HAMILTON, MA 01982

PETRI PITT III
18 BAKER AV
S HAMILTON, MA 01982

CANE JESSICA
18 WESTERN AVE
S. HAMILTON, MA 01982

JENSEN GARY R
DEBRANNE
21 LINCOLN AV
SOUTH HAMILTON, MA 01982

RAMSEY ERIC
ANDREA
250 ASBURY ST
SOUTH HAMILTON, MA 01982

CHAGNON JILL J
260 ASBURY ST
SOUTH HAMILTON, MA 01982

KONOS TIMOTHY
LINDSAY M
17 WESTERN AV
SOUTH HAMILTON, MA 01982

SEIDMAN CATHERINE C
266 ASBURY ST
SOUTH HAMILTON, MA 01982

CRONIN BRIAN
278 ASBURY ST
S. HAMILTON, MA 01982

LATTANZI MARK L
LORI A TE
18 LINCOLN AV
SOUTH HAMILTON, MA 01982

SPONG JOHN Y
LINDA A
24 BAKER AV
SOUTH HAMILTON, MA 01982

DRAGONETTI ANTHONY JOSEPH
23 LINCOLN AV
SOUTH HAMILTON, MA 01982

LEBLANC JAMIE E
KIRKMAN SHANE
26 LINCOLN AV
SOUTH HAMILTON, MA 01982

TESHKO ANDREW
TESHKO CHARLOTTE
29 LINCOLN AV
SOUTH HAMILTON, MA 01982

FIRICANO PAUL
MARY A
12 WESTERN AV
SOUTH HAMILTON, MA 01982

LOUGEE AMANDA
15 LINCOLN AV
SOUTH HAMILTON, MA 01982

THOMPSON ROGER B
NANCY M
25 WESTERN AV
SOUTH HAMILTON, MA 01982



300 feet Abutters List Report

Hamilton, MA
February 20, 2024

Subject Property:

Parcel Number: 47-0046
CAMA Number: 47-000-0046
Property Address: 22 LINCOLN AV

Mailing Address: SYER MICHAEL LINDSAY
22 LINCOLN AV
SOUTH HAMILTON, MA 01982

Abutters:

Parcel Number: 47-0024
CAMA Number: 47-000-0024
Property Address: 42 LINCOLN AV

Mailing Address: HAMILTON TOWN OF
577 BAY RD
HAMILTON, MA 01936

Parcel Number: 47-0038
CAMA Number: 47-000-0038
Property Address: 250 ASBURY ST

Mailing Address: RAMSEY ERIC ANDREA
250 ASBURY ST
SOUTH HAMILTON, MA 01982

Parcel Number: 47-0039
CAMA Number: 47-000-0039
Property Address: 260 ASBURY ST

Mailing Address: CHAGNON JILL J
260 ASBURY ST
SOUTH HAMILTON, MA 01982

Parcel Number: 47-0040
CAMA Number: 47-000-0040
Property Address: 264 ASBURY ST

Mailing Address: PAINCHAUD RENE A PAINCHAUD
SANDRA
264 ASBURY ST
SOUTH HAMILTON, MA 01982

Parcel Number: 47-0041
CAMA Number: 47-000-0041
Property Address: 266 ASBURY ST

Mailing Address: SEIDMAN CATHERINE C
266 ASBURY ST
SOUTH HAMILTON, MA 01982

Parcel Number: 47-0042
CAMA Number: 47-000-0042
Property Address: 270 ASBURY ST

Mailing Address: UNKNOWN

Parcel Number: 47-0043
CAMA Number: 47-000-0043
Property Address: 2 LINCOLN AV

Mailing Address: ARGETES CYNTHIA A
2 LINCOLN AV
SOUTH HAMILTON, MA 01982

Parcel Number: 47-0044
CAMA Number: 47-000-0044
Property Address: 14 LINCOLN AV

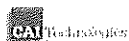
Mailing Address: BUCKLEY ELIZABETH BUCKLEY
WESLEY
14 LINCOLN AV
SOUTH HAMILTON, MA 01982

Parcel Number: 47-0045
CAMA Number: 47-000-0045
Property Address: 18 LINCOLN AV

Mailing Address: LATTANZI MARK L LORI A TE
18 LINCOLN AV
SOUTH HAMILTON, MA 01982

Parcel Number: 47-0047
CAMA Number: 47-000-0047
Property Address: 26 LINCOLN AV

Mailing Address: LEBLANC JAMIE E KIRKMAN SHANE
26 LINCOLN AV
SOUTH HAMILTON, MA 01982



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2/20/2024

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300 feet Abutters List Report

Hamilton, MA
February 20, 2024

Parcel Number: 47-0060 CAMA Number: 47-000-0060 Property Address: 17 WESTERN AV	Mailing Address: KONOS TIMOTHY LINDSAY M 17 WESTERN AV SOUTH HAMILTON, MA 01982
Parcel Number: 47-0061 CAMA Number: 47-000-0061 Property Address: 11 WESTERN AV	Mailing Address: GOODRIDGE ANYA 11 WESTERN AV SOUTH HAMILTON, MA 01982
Parcel Number: 47-0065 CAMA Number: 47-000-0065 Property Address: 14 BAKER AV	Mailing Address: TJORNEHOJ ALBERT TJORNEHOJ RACHEL 14 BAKER AV SOUTH HAMILTON, MA 01982
Parcel Number: 47-0066 CAMA Number: 47-000-0066 Property Address: 18 BAKER AV	Mailing Address: PETRI PITT III 18 BAKER AV S HAMILTON, MA 01982
Parcel Number: 47-0067 CAMA Number: 47-000-0067 Property Address: 20 BAKER AV	Mailing Address: MACGREGOR WALLACE & SUSAN E 20 BAKER AV SOUTH HAMILTON, MA 01982
Parcel Number: 47-0068 CAMA Number: 47-000-0068 Property Address: 24 BAKER AV	Mailing Address: SPONG JOHN Y LINDA A 24 BAKER AV SOUTH HAMILTON, MA 01982
Parcel Number: 47-0216 CAMA Number: 47-000-0216 Property Address: 29 LINCOLN AV	Mailing Address: TESHKO ANDREW TESHKO CHARLOTTE 29 LINCOLN AV SOUTH HAMILTON, MA 01982
Parcel Number: 47-0217 CAMA Number: 47-000-0217 Property Address: 25 WESTERN AV	Mailing Address: THOMPSON ROGER B NANCY M 25 WESTERN AV SOUTH HAMILTON, MA 01982
Parcel Number: 47-0042 CAMA Number: 47-001-0042 Property Address: 270 ASBURY ST	Mailing Address: HERR, ELIZABETH L. 270 ASBURY ST 1 SOUTH HAMILTON, MA 01982
Parcel Number: 47-0042 CAMA Number: 47-002-0042 Property Address: 270 ASBURY ST	Mailing Address: BENSON, CHRISTOPHER P. PENIL- COBO, MARIA 270 ASBURY ST 2 SOUTH HAMILTON, MA 01982
Parcel Number: 47-041A CAMA Number: 47-41A-000A Property Address: 2 SPRING AV	Mailing Address: BAKER CHRISTOPHER K BAKER JENELLE L 2 SPRING AV SOUTH HAMILTON, MA 01982



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2/20/2024

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Fri 2/16/2024 9:33 AM

To: Mary Ellen Feener <permitting@hamiltonma.gov>

📎 1 attachments (17 KB)

W01187640.pdf;

THANK YOU for your notice submission!

This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.

Job Details	Schedule for notice number W01187640
Order Number: W0118764	Wed Feb 21, 2024
Business Type: All Other Public Notices	The Salem News Public All Zones
Notice Size: Public Notices	Notices
Notice Estimate: \$369.90	Wed Feb 28, 2024
Referral Code: SYERPUBLICHEARING	The Salem News Public All Zones
Payment Type: Visa	Notices
Account Details	Notice of Public Hearing - Town of Hamilton Zoning Board of Appeals
Derek Walczak	A Public Hearing will be held on Wednesday, March 6, 2024, at 577 Bay Road, Hamilton, MA, Town Hall Memorial Room, & via Zoom, to commence at 7:00 PM. The application is for the property owned by Michael & Lindsay Syer, for the property located at 22 Lincoln Avenue, Assessor's Map 47, Lot 46. Applicants are seeking a Finding under Zoning Bylaw Section 5.3.4.5 for dimensional relief from front setback requirements. A copy of the complete application is available for review in the Building Department during the regular hours of operation of the Town Hall at 299 R Bay Road.
3 Circle Drive	Bruce Gingrich, Chair
Ipswich, MA 01938	SN - Publication Dates
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derek@walczakdesignbuild.com	
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