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

A Public Hearing will be held on Wednesday, June 1 2022, at 577 Bay Road, Hamilton, MA, Town Hall, Memorial Room, and via Zoom, to commence at 7:00 PM. Application is for the property owned by Silas & Ashley Nary, for the property located at 8 Villa Road, Assessor's Map 71, Lot 14. Applicant is seeking a approval for a Special Permit: Zoning Bylaw 3.0 Use Regulations to construct a garage with more than 4 motor vehicle spaces. A copy of the complete application is available for review in the Building Department during the regular hours of operation of the Town Hall.

William Bowler, Chair

Timeline for Public Hearings – June 1, 2022

- 8 Villa Road
- 139 Cutler Road
- 116 Gregory Island Road

- Public Hearing Notice date stamp and posted by Town Clerk on 5-11-2022
- Public Hearing Notice sent to property owners listed on the certified List of Abutters on 05-16-2022
- Public Hearing Notice sent to the abutting Towns on 05-16-2022
- Public Hearing Notice hand delivered to Board of Health, Conservation Commission, Dept. of Public Works, Police Dept., Fire Dept. 05-16-2022

- Public Hearing Notice in the local newspaper, the Salem News

8 Villa Road: 05-11 & 5-18-2022

139 Cutler Road: 05-11 & 5-18-2022

116 Cutler Road: 5-16 & 5-23-2022

**TOWN OF HAMILTON
ZONING BOARD OF APPEALS**

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

Date Submitted: 5/3/2022

Applicant Name: Silas & Ashley Nary Phone: 603.781.7206

Applicant Address: 8 Villa Road, South Hamilton, MA 01982

Applicant respectfully petitions the Board of Appeal for the following:

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) Relief from Use Regulation A.6 (garage spaces)
- Appeal of Decision of the Building Inspector
- Conversion for Temporary Living Area
- Comprehensive Permit
- Other:

Address of Property if different from Applicant Address above: same

Owner of property if different from Applicant noted above: same

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-1B

Existing Lot Size: 107,872 sq ft (2.4765 acres)

State Briefly what structures are on the property: Single family home

State in detail what the petitioner desires to do at said subject property:

Construct a multi-use barn with a 30x45 footprint and 2 garage doors. Lower level is 2 car bays with workshop space and staircase leading to 2nd floor multi purpose and gym space. No bathrooms/sinks/drains.

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

Signed: _____

Address: 8 Villa Road _____

South Hamilton, MA 01982 _____

Phone: 603.781.7206 _____

silas.nary@gmail.com

APPLICATION CHECK SHEET
HAMILTON ZONING BOARD OF APPEALS

SPECIAL PERMIT

8 copies of all Materials. Refer to Instruction Sheet.

Section of the Zoning By-Law covering desired Board action(s) 3.0 - Table of Use

Special Permit Requested. Check all that apply.

District:	Type Use:
<input checked="" type="checkbox"/> Residential District	<input type="checkbox"/> _____
<input type="checkbox"/> Business District	<input type="checkbox"/> _____
<input type="checkbox"/> Conservancy District	<input type="checkbox"/> _____
<input type="checkbox"/> Elder Housing District	<input type="checkbox"/> _____
<input type="checkbox"/> Groundwater Protection Overlay	<input type="checkbox"/> _____
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> _____
<input type="checkbox"/> Other. Specify. _____	<input type="checkbox"/> _____

Time Period Granted for Permit:

- Temporary Additional Living Area: 4 years
- Adult Entertainment Uses: 1 year
- Special permit will lapse after 1 year if substantial use or construction has not commenced except for good cause.

Visual Materials Required:

- Submit at a minimum materials required for Site Plan Review
- Refer to Specific Sections of the By-Law for additional information regarding each district

Board Reviews Required other than ZBA:

- Elder Housing District: Requires Planning Board approval
- Residential District – Golf, tennis, swimming, riding, polo, skiing, skating, all other athletic and recreational activities/special events – where charges or admission fees are required: Requires Board of Selectmen approval



**TOWN OF HAMILTON
ZONING BOARD OF APPEALS**

**REQUEST FOR FINDINGS OF FACT
PERMIT OR SPECIAL PERMIT**

Date Submitted: 5/3/2022

Applicant Name: Silas & Ashley Nary

Applicant Address: 8 Villa Road

State nature of and location for which Permit or Special Permit is sought:

We plan to construct a 30x45 multi-use barn on our property to be used as a combination two car garage, workshop, storage, gym/exercise and recreation space for our family.

State how or why the proposed use would be in harmony with the general purpose and intent of the Zoning By-Law:

The barn conforms to all by-laws except Section 3.0, Residential Use, A.6 for Garage with more than 4 motor vehicle spaces. Per the building inspector, the 9x18 default parking space formula creates the need for the special permit in relation to the footprint. The barn is designed to have 2 useable vehicle spaces accessed from the bay doors and the back portion will be used for a staircase and workshop space.

State how or why the specific site is an appropriate location for such use:

Existing residential lot with 2.46 acres on a private road in a forest/wetlands setting. The barn is designed, sized and situated to fit in with the existing topography of the lot while disturbing the landscape/trees as little as possible. It is well away from property lines and shielded by trees/plants.

State whether the specific site has adequate public sewerage and water facilities or suitable soil for an on lot sewerage and water systems:

Not Applicable. There are no bathrooms, sinks or drains in the barn. There will be water service brought from the home for hose bibs only.

State how or why the use as developed will not adversely affect the neighborhood:

The lot and how the barn is sited is very private and far from property lines/buffers. All neighbors are supportive (only positive comments and no objections in the conservation commission process)

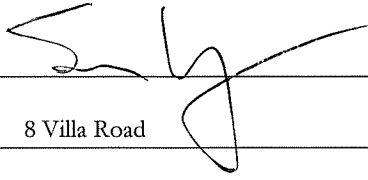
State why there will not be a nuisance or serious hazard to vehicles or pedestrians using the following streets for the purpose of this permit:

Streets: Villa Road

Site is well off the road and accessed by private driveway. Villa Rd is private and very quiet with very little public activity aside from residents. No additional residential traffic will be created due to the barn.

State how and what adequate and appropriate facilities will be provided for the proposed use:

not applicable

Signed:  _____

Address: 8 Villa Road _____

South Hamilton, MA 01982 _____

Phone: 603.781.7206 _____

May 9, 2022

Map 71, Lot 14

**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:

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

8 Villa Road

So. Hamilton

Dated May 9, 2022

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

Jane Dooley

Interim Assistant Assessor



300 foot Abutters List Report

Hamilton, MA

May 05, 2022

Subject Property:

Parcel Number: 71-0014
CAMA Number: 71-000-0014
Property Address: 8 VILLA RD

Mailing Address: NARY SILAS G ASHLEY M
8 VILLA RD
SOUTH HAMILTON, MA 01982

Abutters:

Parcel Number: 71-0005
CAMA Number: 71-000-0005
Property Address: 4 VILLA RD

Mailing Address: ENSWORTH HEATHER M S/O
ENSWORTH HEATHER M & LEA K
4 VILLA RD
SOUTH HAMILTON, MA 01982

Parcel Number: 71-0006
CAMA Number: 71-000-0006
Property Address: 4 VERANDA CIR

Mailing Address: WALTERS NINA L TRS THE GWYNFA
RLTY TR
4 VERANDA CIR
SOUTH HAMILTON, MA 01982

Parcel Number: 71-0008
CAMA Number: 71-000-0008
Property Address: 0 GRAVELY POND

Mailing Address: MANCHESTER TOWN OF
MAIN ST
MANCHESTER, MA 01944

Parcel Number: 71-0010
CAMA Number: 71-000-0010
Property Address: 0 CHEBACCO RD

Mailing Address: FORD THOMAS C/O T FORD COMPANY
124 TENNEY ST
GEORGETOWN, MA 01833

Parcel Number: 71-0012
CAMA Number: 71-000-0012
Property Address: 3 VERANDA CIR

Mailing Address: AMERI DARIUS M & SHARON C
191 CLIFTON ST
BELMONT, MA 02478

Parcel Number: 71-0013
CAMA Number: 71-000-0013
Property Address: 6 VILLA RD

Mailing Address: CHANG CHU-YIN & ANNEKE
6 VILLA RD
SOUTH HAMILTON, MA 01982

Parcel Number: 71-0015
CAMA Number: 71-000-0015
Property Address: 10 VILLA RD

Mailing Address: ROBERTS JEFFREY W c/o GARY HOW
MERRILL LYNCH PIERCE FENNER SM
800 CAPITOL STREET SUITE 2070
HOUSTON, TX 77002

Parcel Number: 71-0016
CAMA Number: 71-000-0016
Property Address: 2 VERANDA CIR

Mailing Address: FORD THOMAS C/O T FORD COMPANY
124 TENNEY ST
GEORGETOWN, MA 01833

Parcel Number: 71-0024
CAMA Number: 71-000-0024
Property Address: 5 VERANDA CIR

Mailing Address: KOLZ ARNO WF TRUSTEE THE ARNO
WF KOLZ TRUST
5 VERANDA CIR
SOUTH HAMILTON, MA 01982

Parcel Number: 71-0025
CAMA Number: 71-000-0025
Property Address: 11 VILLA RD

Mailing Address: ROBERTS JEFFREY W
11 VILLA RD
HAMILTON, MA 01982



www.cai-tech.com

5/5/2022

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BELMONT, MA 02478

CHANG CHU-YIN & ANNEKE ✓
6 VILLA RD
SOUTH HAMILTON, MA 01982

ENSWORTH HEATHER M ✓
S/O ENSWORTH HEATHER M &
4 VILLA RD
SOUTH HAMILTON, MA 01982

FORD THOMAS ✓
C/O T FORD COMPANY
124 TENNEY ST
GEORGETOWN, MA 01833

FORD THOMAS
C/O T FORD COMPANY
124 TENNEY ST
GEORGETOWN, MA 01833

KOLZ ARNO WF TRUSTEE ✓
THE ARNO WF KOLZ TRUST
5 VERANDA CIR
SOUTH HAMILTON, MA 01982

MANCHESTER TOWN OF ✓
MAIN ST
MANCHESTER, MA 01944

ROBERTS JEFFREY W ✓
11 VILLA RD
HAMILTON, MA 01982

ROBERTS JEFFREY W c/o GAR ✓
MERRILL LYNCH PIERCE FENN
800 CAPITOL STREET SUITE 2070
HOUSTON, TX 77002

WALTERS NINA L TRS ✓
THE GWYNFA RLTY TR
4 VERANDA CIR
SOUTH HAMILTON, MA 01982

Salem News, The



Publication Name:

Salem News, The

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Salem, MA

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Wednesday, May 18, 2022

Notice Content

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SN - 5/11,5/18/22

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