

NOTICE OF PUBLIC HEARING

TOWN OF HAMILTON – ZONING BOARD OF APPEALS

The Town of Hamilton Zoning Board of Appeals will hold a Public Hearing on Wednesday, April 5, 2023, at 7:00 pm, at Town Hall, 577 Bay Road, Memorial Room, and via Zoom, for the property located at 505 Bay Road, Assessor's Map 57, Lot 111, owner Harrigan's Hamilton Prop LLC. Applicant is appealing the Town of Hamilton Building Inspector's Decision regarding permitted signs. Copies of the applications are available for review by contacting the building department. Zoom details will be available when agenda is posted.

William Bowler, Chair



Date Stamp of Town Clerk:

RECEIVED
TOWN CLERK
HAMILTON, MA
2023 MAR -8 PH 4: 15

TOWN OF HAMILTON ZONING BOARD OF APPEALS

577 Bay Road, Hamilton MA 01982

Phone Number: 978-626-5250 – Email Address: permitting@hamiltonma.gov

APPEAL A DECISION OF THE BUILDING INSPECTOR

To the Board of Appeals of the Town of Hamilton,

The undersigned herewith submits an application and requests a Public Hearing before the Zoning Board of Appeals for an Application to Appeal a Decision of the Building Inspector under MGL Chapter 40A, Section 8.

SUBJECT PROPERTY ADDRESS: 505 Bay Road

PROPERTY OWNER: Harrigans Hamilton Prop LLC

OWNER'S PERMANENT ADDRESS: 143 Kimball Rd

DAYTIME PHONE #: (978) 468-1066 EMAIL ADDRESS: Harriganswine@gmail.com

SIGNATURE OF PROPERTY OWNER: [Signature]

If different than Property Owner:

APPLICANT: Lawrence Judy

APPLICANT'S ADDRESS: 23 G Desmond Ave Manchester, MA 01944

DAYTIME PHONE #: (617) 680-5983 EMAIL ADDRESS: HARRIGANSWINE@GMAIL.COM

SIGNATURE OF APPLICANT: [Signature]

Harrigan's Liquors is requesting an appeal of the Zoning Board's decision to remove the neon signs from the inside of the windows. The ownership would like to work with the town to resolve the issue. There have been neon signs in the windows for at least 15 years that I can attest to. The newest neon has been in the window since September 2013

Left to right facing the building.

"Craft Beer Emporium" Size: 65"x43" Rectangle

"Fine Wines" Size: 64"x28" Rectangle

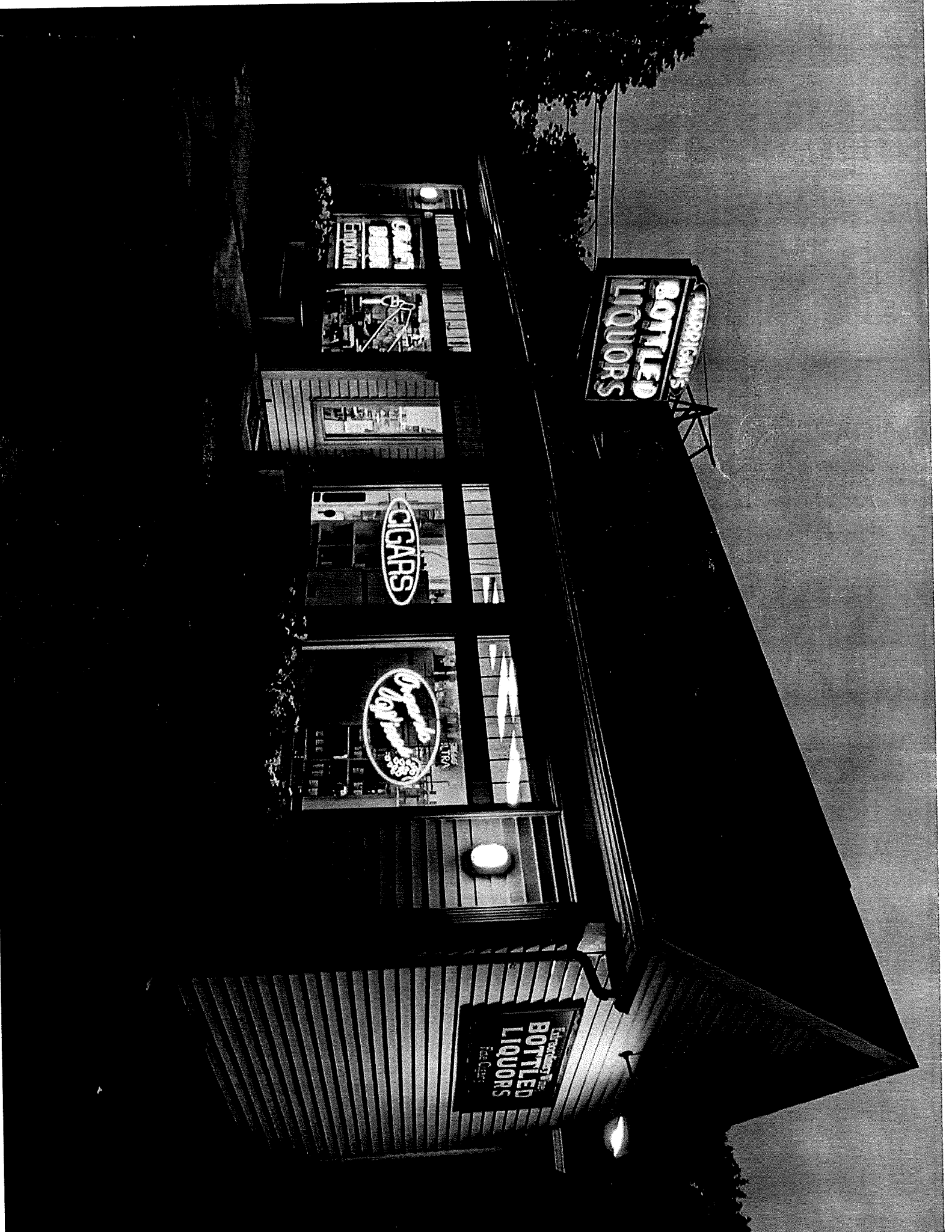
"Cigars" Size: 60"x14" Oval

"Organic Wines" Size: 48"x24" Oval

We request to be allowed to run these neon signs exclusively during operating hours.

A handwritten signature in cursive script, appearing to read "Lawrence Judy", is written over a horizontal line.

Lawrence Judy
Manager Harrigan's Liquor



BOTTLED LIQUORS
HARDY'S

BOTTLED LIQUORS
Hardy's
FINE CIGARS

CIGARS

Wine & Spirits

CIGARS
WINE & SPIRITS



Town of Hamilton Building Department
577 Bay Road, Hamilton, MA 01936
Telephone Number: 978-626-5250
Email Address: permitting@hamiltonma.gov

Judy Lawrence
505 Bay Road
Hamilton, MA 01936

January 31, 2023

RE: 505 BAY ROAD – ILLEGAL SIGNAGE

Dear Ms. Lawrence:

It has come to the attention of this office that signage has been added on your property that is not approved or permitted (window signs). The property is a pre-existing non-conforming retail use in a residential district. The business and building were reconstructed in 1999 under a Zoning Board of Appeals (ZBA) decision, #99-8. In that decision the signage was limited to 3 signs (see attached decision). Also in 2021 the ZBA granted a Finding for a “sandwich board” sign:

Your options to remedy this issue within 30 days of receipt of this letter are:


1. Remove the signs.
2. Seek additional relief from the ZBA for the additional signage.

If you are aggrieved by this action you have the right to appeal this enforcement action to the Town of Hamilton Zoning Board of Appeals in accordance with M.G.L. 40A, sections 8 & 15, within the same 30 day time period.

Please contact this office so we may assist you in resolving this matter.

Sincerely,

Richard P. Maloney
Inspector of Buildings

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> <i>CIA RRI</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>																	
<p>1. Article Addressed to:</p> <p><i>Harrison's Ham Prop LLC 143 Kimball Rd Amesbury MA 01913-5313</i></p>  <p>9590 9402 2794 7069 3617 49</p>	<p>B. Received by (Printed Name)</p>	<p>C. Date of Delivery <i>2-6-23</i></p>																
<p>2. Article Number (Transfer from service label)</p> <p><i>701 20 0003 2085 3666</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type</p> <table border="0"> <tr> <td><input checked="" type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input checked="" type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery</td> <td></td> </tr> </table>		<input checked="" type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input checked="" type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery	
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<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>		<p>Domestic Return Receipt</p>																



TOWN OF HAMILTON
TOWN HALL
HAMILTON, MASSACHUSETTS 01936

508-468-5570

ZONING BOARD OF APPEALS

Notice of Decision
No. 99-8

Petitioner: Lawrence R. Chase Realty Trust

Property Address: 505 Bay Road (Harrigan's Package Store)

Relief Sought: Abbreviated Site Plan Review

Pursuant to: Hamilton ZBL Section VI.H.3.b

Petition Filed: May 18, 1999

Public Hearing Held: June 1, 1999

Decision Rendered: Site Plan Approved

Findings of Fact: 1. Petitioner operates a package store which is a grandfathered non-conforming use on the site.

2. The building in which petitioner operates the business was destroyed by fire in April 1999. Petitioner has the right to rebuild pursuant to Hamilton ZBL Section III.A.6.

3. Petitioner submitted a plan entitled "Lawrence Chase, Inc., Hamilton, MA dated 5/12/99" and a plan entitled "Plan of Land in Hamilton, MA Prepared for Lawrence R. Realty Trust, 505 Bay Road, dated May 23, 1999". These are the final plans on which this decision is based.

4. Petitioner proposes to erect a new building on the footprint of the old building using the style of the old building. Petitioner will replicate the signage that was on the old building in size and shape and there will be no additional signage.

5. By memorandum dated May 26, 1999 the Planning Board gave its approval to the Site Plan.

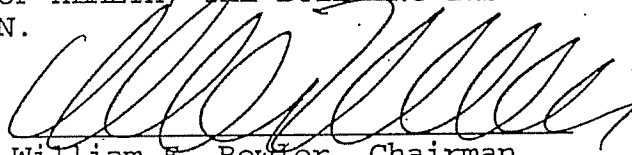
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TOWN CLERK'S OFFICE
THERESA M. FANNING
HAMILTON, MASS.
JUN 10 10 44 AM '99

Vote of Board: William F. Bowler In Favor
Winifred Whitman In Favor
Beth Ganister In Favor

Appeals: Appeals, if any, shall be made pursuant to Massachusetts General Laws, Chapter 40A, Section 17, and shall be filed within twenty (20) days after the filing of this Notice of Decision in the office of the Town Clerk of the Town of Hamilton.

Recording: Under Massachusetts General Laws, Chapter 40A, Section 11, no variance or grant of a special permit shall be valid until the same has been recorded with the Registry of Deeds. It is the responsibility of the petitioner to record a certified copy of any decision of the Zoning Board of Appeals granting a variance or special permit stating that the appeal period has lapsed and that there have been no appeals or that if any appeal has been filed that it has been dismissed or denied.

THE ACTION OF THE ZONING BOARD OF APPEALS DOES NOT WAIVE OR ALTER ANY OTHER PERMIT OR APPROVAL REQUIREMENTS, INCLUDING, BUT NOT LIMITED TO THOSE OF THE BOARD OF HEALTH, THE BUILDING INSPECTOR AND THE CONSERVATION COMMISSION.


William F. Bowler, Chairman

Date: 6/8/99

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THERESA M. FANNING
HAMILTON MASS.
JUN 10 10 44 AM '99

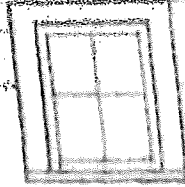
FROM 2BA DECISION

99-8

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HARRIGAN'S
BOTTLED
LIQUORS

1



Hand Crafted Beverages
BOTTLED
LIQUORS
FINE CIGARS

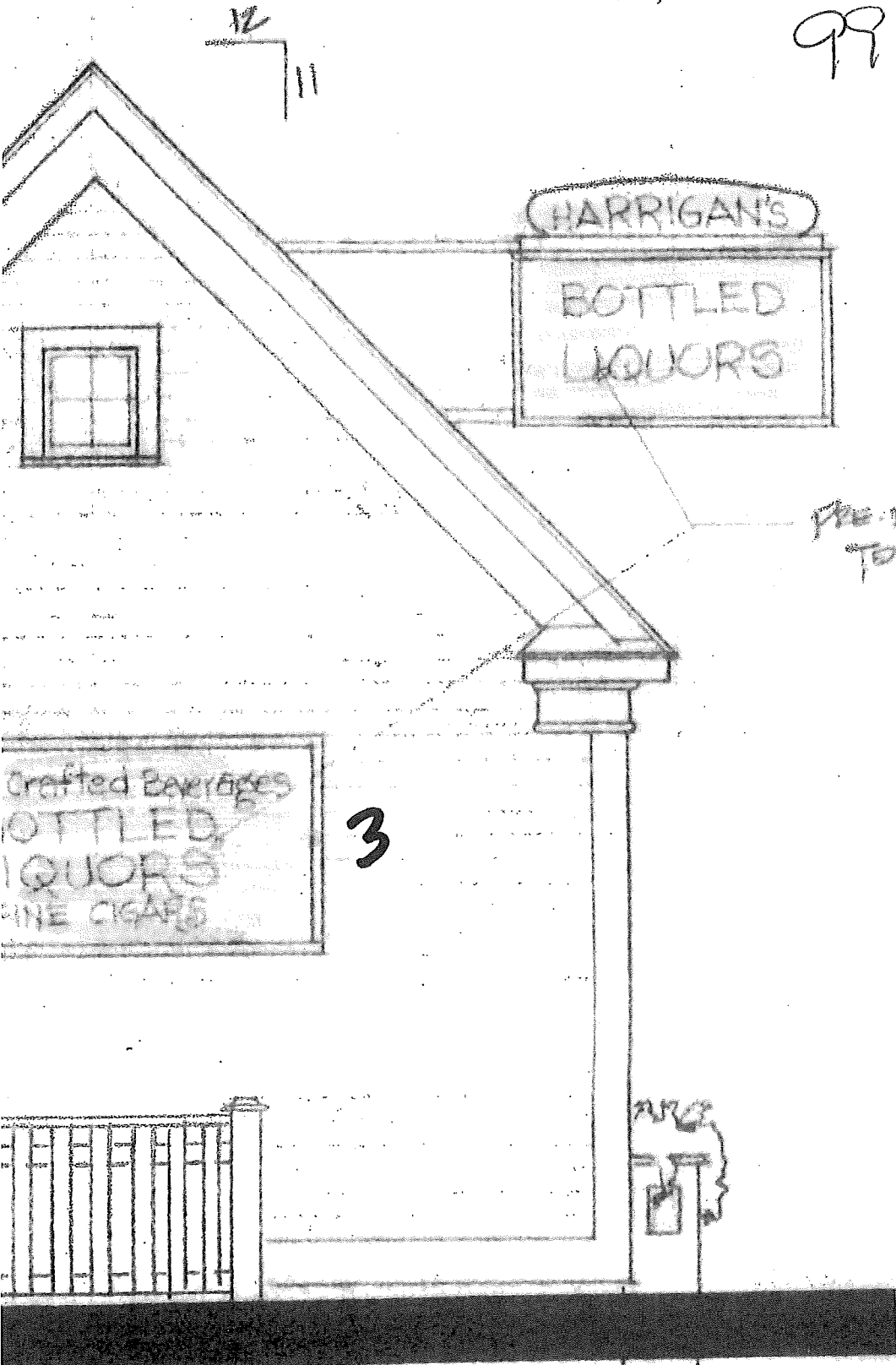
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WESTERLY ELEVATION

FROM ZBA
Decision
99-8

COPY



PRE-EXISTING SIGNAGE
TO BE RE-USED.

3

ING FENCE TO BE REPAIR/ED
& REPLACED AS REQUIRED.

54
3

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TOWN CLERK
HAMILTON, MA

2021 DEC 10 AM 11:30



SO. ESSEX #616 Bk:40834 Pg:5
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Town of Hamilton Zoning Board of Appeals

577 Bay Road, Hamilton, Massachusetts 01982

Notice of Decision 13 of 2021

Petitioner: Lawrence Judy

Property Address: 505 Bay Road

Relief Sought: Extension or Alteration of Non-Conforming Use/Structure

Pursuant to: Hamilton ZBL section 5.2

Petition Filed: November 1, 2021

Public Hearing Held: December 1, 2021

Decision Rendered: Petition Granted

Findings of Fact: 1. Petitioner operates a grandfathered package goods store d/b/a Harrigans.

2. Petitioner seeks permission for a sandwich board sign to be placed in front of the store during operating hours.

3. The sign will be 2 feet X 3 feet and will be placed 15 feet from the street line and 8 feet from the storefront, no closer to the street than the end of the walkway. The sign will not be illuminated.

1
HAMILTON MASSACHUSETTS
REFERENCE REQUESTED

1
HAMILTON MASSACHUSETTS
REFERENCE REQUESTED
39494 PAGE 389

I, the Town Clerk of Hamilton, Massachusetts, hereby certify that the Decision of the Hamilton Zoning Board of Appeals has been received and recorded at this office and no Appeals were received during the twenty days after the receipt and recording of said Decision.

Date: Jan 3, 2022

Attest: Carin A. Kale
Town Clerk, Town of Hamilton

March 8, 2023

MAP 57 LOT 111

**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:

505 Bay Road

So. Hamilton

Dated March 8, 2023

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

Jane Dooley
Assistant Assessor



300 feet Abutters List Report

Hamilton, MA
March 08, 2023

Subject Property:

Parcel Number: 57-0111
CAMA Number: 57-000-0111
Property Address: 505 BAY RD

Mailing Address: HARRIGAN'S HAMILTON PROP. LLC
143 KIMBALL RD
AMESBURY, MA 01913-5313

Abutters:

Parcel Number: 49-0001
CAMA Number: 49-000-0001
Property Address: 528 BAY RD

Mailing Address: LINKAS FAMILY REALTY TRUST LINKAS
THOMAS & CYNTHIA TRUSTE
528 BAY RD
SOUTH HAMILTON, MA 01982

Parcel Number: 49-0057
CAMA Number: 49-000-0057
Property Address: 522 BAY RD

Mailing Address: DOOLEY JAMES A CYNTHIA A TE
PO BOX 435
HAMILTON, MA 01936

Parcel Number: 57-0050
CAMA Number: 57-000-0050
Property Address: 37 CRESCENT RD

Mailing Address: SUTCLIFFE ELLEN C
37 CRESCENT RD
SOUTH HAMILTON, MA 01982

Parcel Number: 57-0102
CAMA Number: 57-000-0102
Property Address: 25 MARGARET RD

Mailing Address: HARTLEY BECKY J & MICHAEL R
45 SCHOOL ST
SOUTH HAMILTON, MA 01982

Parcel Number: 57-0103
CAMA Number: 57-000-0103
Property Address: 21 MARGARET RD

Mailing Address: HUGHEN GEORGE S-ANNE R
21 MARGARET RD
SOUTH HAMILTON, MA 01982

Parcel Number: 57-0104
CAMA Number: 57-000-0104
Property Address: 17 MARGARET RD

Mailing Address: LEEKLEY MARY ANN TRUSTEE
17 MARGARET ROAD
S. HAMILTON, MA 01982

Parcel Number: 57-0105
CAMA Number: 57-000-0105
Property Address: 7 MARGARET RD

Mailing Address: CONNOLLY CHRISTOPHER WHISKEY
ACRES
7 MARGARET RD
SOUTH HAMILTON, MA 01982

Parcel Number: 57-0106
CAMA Number: 57-000-0106
Property Address: 495 BAY RD

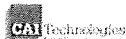
Mailing Address: DEAL MATTHEW S BANACOS BARBARA
495 BAY RD
SOUTH HAMILTON, MA 01982

Parcel Number: 57-0107
CAMA Number: 57-000-0107
Property Address: 489 BAY RD

Mailing Address: MALOUF DAVID PEEK HOLLY
489 BAY RD
HAMILTON, MA 01982

Parcel Number: 57-0108
CAMA Number: 57-000-0108
Property Address: 483 BAY RD

Mailing Address: DUNBAR MATTHEW & KERRY E.
483 BAY RD
SOUTH HAMILTON, MA 01982



www.cai-tech.com

3/8/2023

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Page 1 of 3



300 feet Abutters List Report

Hamilton, MA
March 08, 2023

Parcel Number: 57-0122
CAMA Number: 57-000-0122
Property Address: 523 BAY RD

Mailing Address: BURNSIDE CHARLES
523 BAY ROAD
HAMILTON, MA 01982

Parcel Number: 57-0123
CAMA Number: 57-000-0123
Property Address: 517 BAY RD

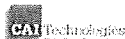
Mailing Address: ORO RONALD W JUDITH L TRUSTEES
517 BAY RD
SOUTH HAMILTON, MA 01982

Parcel Number: 57-0124
CAMA Number: 57-000-0124
Property Address: 509 BAY RD

Mailing Address: ECONOMO CHRISTOPHER J
509 BAY RD
SOUTH HAMILTON, MA 01982

Parcel Number: 57-0131
CAMA Number: 57-000-0131
Property Address: 484 BAY RD

Mailing Address: LAUZE GREGORY S. LAUZE KRISTEN M.
4 PATTON DRIVE
HAMILTON, MA 01982



www.cai-tech.com

3/8/2023

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Page 3 of 3

Abutters List Report - Hamilton, MA

BOTTOMLEY ROSEMARIE K
PO BOX 369
HAMILTON, MA 01936

HUGHEN GEORGE S-ANNE R
21 MARGARET RD
SOUTH HAMILTON, MA 01982

SHEPARD ERNEST R JR
ELAINE B
10 CRESCENT RD
SOUTH HAMILTON, MA 01982

BURNSIDE CHARLES
523 BAY ROAD
HAMILTON, MA 01982

HUGHES FRANCIS J
10 TREMONT ST
BOSTON, MA 02108

SOLEIMANI MACK
SHELBY
8 MARGARET RD
SOUTH HAMILTON, MA 01982

CONNOLLY CHRISTOPHER
WHISKEY ACRES
7 MARGARET RD
SOUTH HAMILTON, MA 01982

LAUZE GREGORY S.
LAUZE KRISTEN M.
4 PATTON DRIVE
HAMILTON, MA 01982

SULAJ ERALDO
SULAJ FATMA
34 CRESCENT RD
SOUTH HAMILTON, MA 01982

COONS TAYLOR M.
BRALEY CHRISTOPHER L.
30 CRESCENT RD
SOUTH HAMILTON, MA 01982

LEEKLEY MARY ANN
TRUSTEE
17 MARGARET ROAD
S. HAMILTON, MA 01982

SUTCLIFFE ELLEN C
37 CRESCENT RD
SOUTH HAMILTON, MA 01982

COYLE JAMES
MCTERNAN-COYLE TARA
12 MARGARET RD
SOUTH HAMILTON, MA 01982

LINKAS FAMILY REALTY TRUS
LINKAS THOMAS & CYNTHIA T
528 BAY RD
SOUTH HAMILTON, MA 01982

WETTERNECK MATTHEW K-HEAT
22 MARGARET RD
SOUTH HAMILTON, MA 01982

DEAL MATTHEW S
BANACOS BARBARA
495 BAY RD
SOUTH HAMILTON, MA 01982

MALOUF DAVID
PEEK HOLLY
489 BAY RD
HAMILTON, MA 01982

XU MING-QUN
ZHANG NING
40 CRESCENT RD
SOUTH HAMILTON, MA 01982

DOOLEY JAMES A
CYNTHIA A TE
PO BOX 435
HAMILTON, MA 01936

ORO RONALD W
JUDITH L TRUSTEES
517 BAY RD
SOUTH HAMILTON, MA 01982

DUNBAR MATTHEW & KERRY E.
483 BAY RD
SOUTH HAMILTON, MA 01982

PARKER SARAH
SARGENT ERIC
4 CRESCENT RD
SOUTH HAMILTON, MA 01982

ECONOMO CHRISTOPHER J
509 BAY RD
SOUTH HAMILTON, MA 01982

ROY CHRISTOPHER
ROY GABRIELLE
16 CRESCENT RD
SOUTH HAMILTON, MA 01982

HARTLEY BECKY J & MICHAEL
45 SCHOOL ST
SOUTH HAMILTON, MA 01982

SHAMSHAK THOMAS P JR
18 CRESCENT RD
S HAMILTON, MA 01982