



Town of Hamilton Zoning Board LEGAL NOTICE

Notice of Zoning Board Public Hearing

The Hamilton Zoning Board of Appeals will review a variance application for 186 Echo Cove Road (Assessor's Map 60, Lot 21), owned by Mary Monahan, on May 7, 2025 at 7:00 pm at the Hamilton-Wenham Library, 14 Union Street in Hamilton and also streamed over Zoom. The applicant, Dan Kowalski, is seeking a Dimensional Variance under Section 4.0 Dimensional and Density Regulations of the Hamilton Zoning Bylaw in order to construct a new single-family residence that partially encroaches into the side setback (Minimum Side Yard) area. A copy of the complete application is available for review by contacting the Building Department or visiting in-person during regular hours of operation at 299 R Bay Road. The Zoom meeting log-in information will be included on the posted May 7, 2025 Zoning Board Meeting Agenda.

Bruce Gingrich, Chair

**Mark Connors
Director of Planning**

**TOWN OF HAMILTON
ZONING BOARD OF APPEALS**

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

Date Submitted:

Applicant Name: DANIEL
KOWALSKI

Phone:

781 706 0837

Applicant Address: 24 GIFFORD DR ANDOVER MA 01810

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)

☐ Appeal of Decision of the Building Inspector

☐ Conversion for Temporary Living Area

☐ Comprehensive Permit

☐ Other:

Address of Property if different from Applicant Address above: 186 ECHO CREEK ROAD

Owner of property if different from Applicant noted above: MARY MONAHAN

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:

R1A

Existing Lot Size:

10,966 +/-

State Briefly what structures are on the property:

SEE ATTACHED

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

SEE ATTACHED

State whether any petition as to the said premises has been submitted to this Board within the last five years. If so, give details:

NONE

State if any Building Permit has been granted to said premises within the past two years. If yes, give details:

NONE

Signed:

Mary M. Monahan
[Signature]

Address:

24 GIFFORD DR
ANDOVER MA 01810

Phone:

781 706 0837



TOWN OF HAMILTON
ZONING BOARD OF APPEALS

REQUEST FOR FINDINGS OF FACT
VARIANCE

Date Submitted:

Applicant Name:

Property Located at:

DANIEL KOWALSKI
136 ECHO COVE RD

That literal enforcement of the Zoning By-Law would impose a substantial hardship on the petitioner due to circumstances relating to the soil conditions, shape or topography of the land or structures especially affecting the subject property but not affecting generally the area in which it is located, for the following reasons:

SEE ATTACHED

That no substantial detriment to the public good would exist were the variance granted, for the following reasons:

SEE ATTACHED

That no nullification or substantial derogation from the intent or purpose of the Zoning By-Law would exist were the variance granted, for the following reasons:

SEE ATTACHED

Mary M. Mahany
Signed: [Signature]
Address: 24 GUNFIELD DR
ANDOVER MA 01810
Phone: 781 706 0831

<https://www.hamiltonma.gov/wp-content/uploads/2017/02/page1ofallpetitionfilings.pdf>

Applicant Name: Daniel (Dan) Kowalski
Applicant Phone: 781-706-0837
Applicant Address: 24 Enfield Dr, Andover, MA 01810

Applicant respectfully petitions the Board of Appeal for the following:

That he/she is seeking: Variance: (Side Setback)

Address of Property if different from Applicant Address above: 186 Echo Cove Rd

Owner of property if different from Applicant noted above:
Mary Monahan
24 Enfield Dr, Andover, MA 01810

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.

Letter provided

Zoning District: R-1a
Existing Lot Size: 10,966 +/-

State Briefly what structures are on the property:

The property currently contains 1) a single story 20x32 house 2) a 8x12 shed 3) a 4x16 kayak storage structure and 4) a plastic shell storage shed.

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

Demolish the existing house, build a new single family house (further away from the lake and closer to the street), turn the 8x12 shed 90 degrees, relocate the 4x16 kayak storage structure closer to the street, remove the plastic storage shed.

A variance is requested to construct the new house 5.5' from the northern side lot line.

State whether any petition as to the said premises has been submitted to this Board within the last five years. If so, give details:

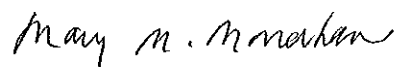
No petition has been submitted to the board in the last 5 years.

April 15, 2025

To Whom it May Concern,

Please note that my son-in-law, Daniel Kowalski and daughter, Kristin Kowalski, residing at 24 Enfield Dr, Andover, MA 01810 have complete authority to act on my behalf relative to any matter related to 186 Echo Cove Road, Hamilton, MA.

Sincerely,

A handwritten signature in cursive script that reads "Mary M. Monahan".

Mary Monahan
24 Enfield Drive
Andover, MA 01810

<https://www.hamiltonma.gov/wp-content/uploads/2017/02/page1ofallpetitionfilings.pdf>

Applicant Name: Daniel (Dan) Kowalski
Applicant Phone: 781-706-0837
Applicant Address: 24 Enfield Dr, Andover, MA 01810

Applicant respectfully petitions the Board of Appeal for the following:

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Owner of property if different from Applicant noted above:

Mary Monahan
24 Enfield Dr, Andover, MA 01810

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.

Letter provided

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A variance is requested to construct the new house 5.5' from the northern side lot line.

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 petition has been submitted to the board in the last 5 years.

State if any Building Permit has been granted to said premises within the past two years.

If yes, give details:

No building permits were issued in the last 2 years.

REQUEST FOR FINDINGS OF FACT VARIANCE

Date Submitted: 04/16/2025
Applicant Name: Daniel Kowalski
Property Located at: 186 Echo Cove Rd

That literal enforcement of the Zoning By-Law would impose a substantial hardship on the petitioner due to circumstances relating to the soil conditions, shape or topography of the land or structures especially affecting the subject property but not affecting generally the area in which it is located, for the following reasons:

A variance is requested primarily due to the unique pie shape of the lot, topography of the lot, the existence of a sensitive ecosystem (Chebacco Lake) and existing structures affecting the property.

The lot (#186) is very unique due to its 'pie' shape; it is the only lot with this shape in the vicinity as all surrounding lots on Echo Cove Road have more traditional square or rectangle shapes. The lot's shape, and its direct frontage on Chebacco Lake, significantly burden the reasonable development of the lot.

An additional attribute of this lot which makes it unique in comparison to most lots in the Town of Hamilton is that there is a 20' undeveloped private way/paper street between the northern side lot line of 186 and the southern side lot line of 174 Echo Cove Road. The side setback encroachment directly borders the paper street. Per MGL 183 Ch 58, the Derelict Fee Statue, the abutters (#174 & #186) to a private way own the land half-way into the private way - this is also known as centerline presumption. The proposed house will be not less than five-feet from the existing property line, when accounting for the additional 10' to the centerline of the paper street, the house will be greater than 25-feet from the closest property line (with 174 Echo Cove Road) and therefore this request fully meets the spirit of the regulation of the Hamilton Zoning Bylaw.

The 20' private way/paper street has been historically used by neighbors to access the lake, and I have no intention to make any changes to that. No structures will be constructed in/on the 20' way.

An additional consideration is that the owners of 198 Echo Cove Rd have a single car garage that currently 5.33' from the southern side property line of 186 Echo Cove Rd. This request for a variance is for 5.5' setback from the side lot for 186 is in alignment with the neighborhood; especially coupled with the existing 10' of the 20' way (that is owned by #186 as per MGL 183 Ch58) represents a 15.5' setback in actuality.

The existing structure is an old house that pre-dates the Wetlands Protection Act. The house's close proximity to the lake makes it 'less than ideal' from an ecological perspective. It is my

desire to improve the ecological state by moving the house further away from Chebacco Lake improving the topography of the lot.

The topography of the lot presents a unique condition as there is a ~11' elevation difference between the front and back lot lines (West to East) and a 8.5' elevation difference between the northern and southern bounds of property owned by Mary Monahan.

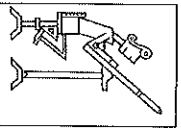
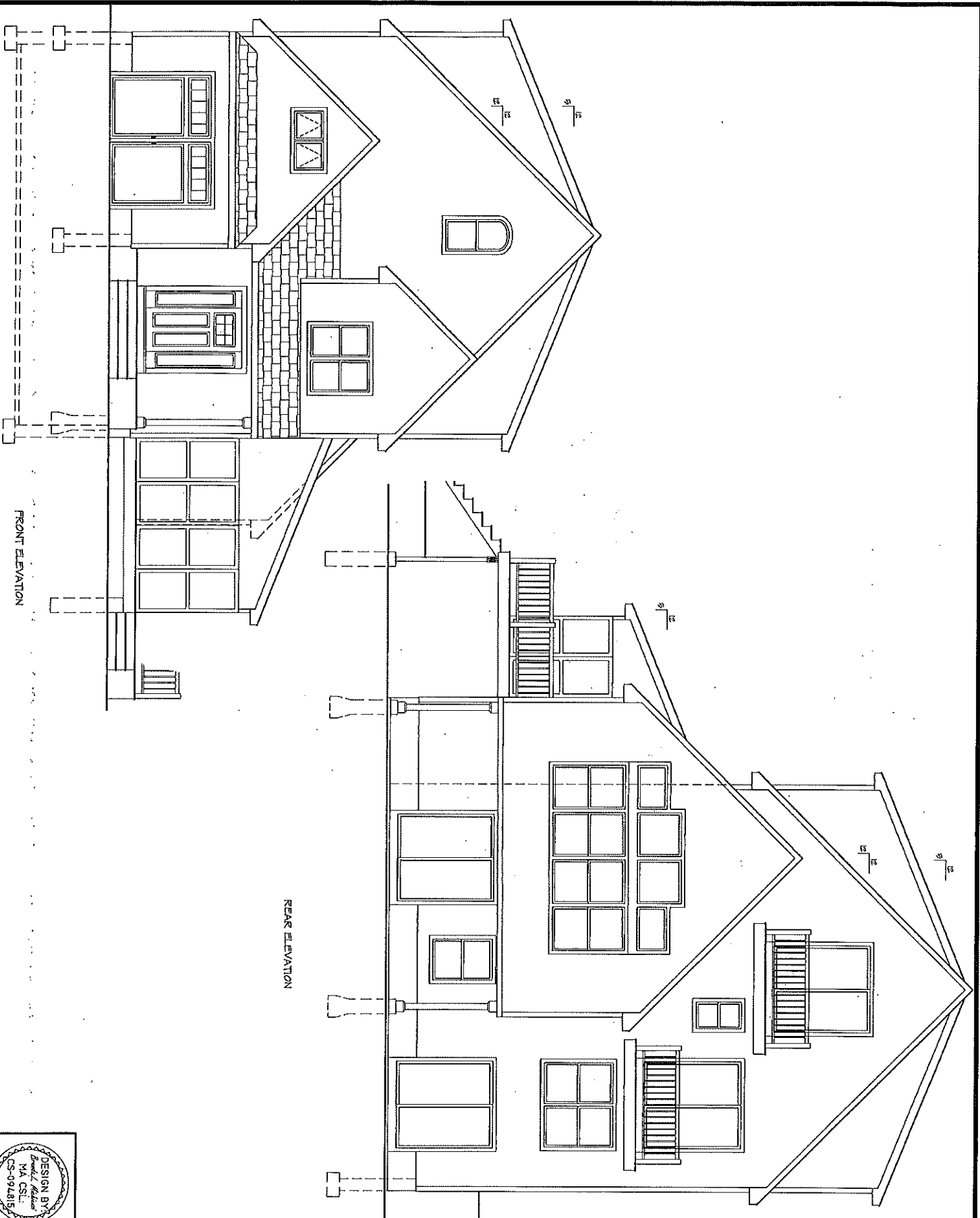
The lot has a 3br septic system which consumes a large area of the irregularly shaped lot - leaving limited land to build a new single family residence.

That no substantial detriment to the public good would exist were the variance granted, for the following reasons:

Granting this variance would not have a substantial detriment to public good because the new house setbacks will be consistent with many of the homes in the neighborhood. The existing house is a single family home and the new house will be a single family home. For example there are 3 garages within a 1 minute walk from 186 Echo Cove Road that are within a few feet from the street and other people's property.

That no nullification or substantial derogation from the intent or purpose of the Zoning By-Law would exist were the variance granted, for the following reasons:

Granting this variance would not nullify or degrade zoning bylaw setbacks; especially considering the existence of the 20' way - 10' of which is owned by 186 Echo Cove Rd. The 20' way helps to preserve the intent of the zoning bylaw as no structures can be built in the 20' way. Even with granting a 5.5' setback variance from the side lot line of 186, there is still a 15'+ setback from the centerline of the 20' way; the property owned by the Applicant/Owner.



**MICHIEZZI
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DREAM IT,
I CAN DRAW IT!*

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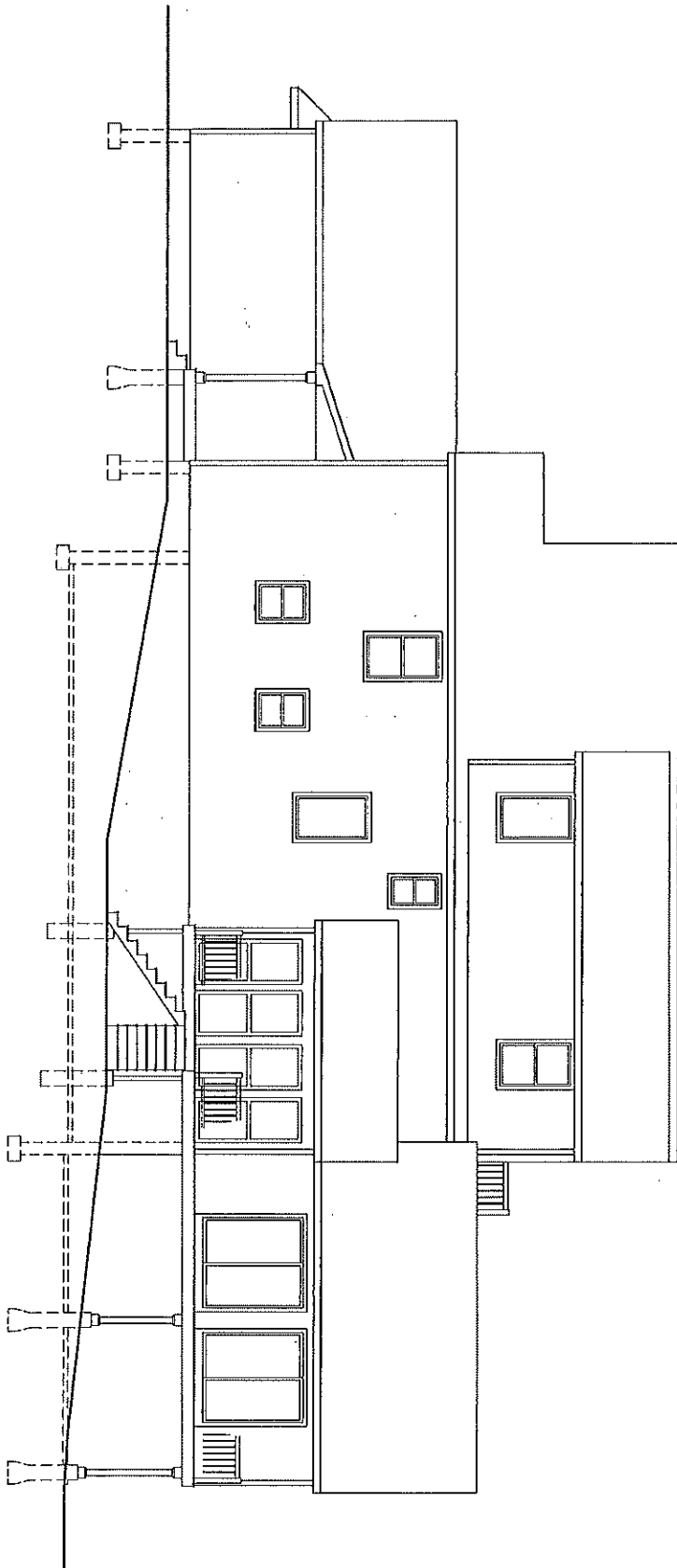
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TITLE:
KOWALSKI
LANE HOUSE
SKETCH 089A

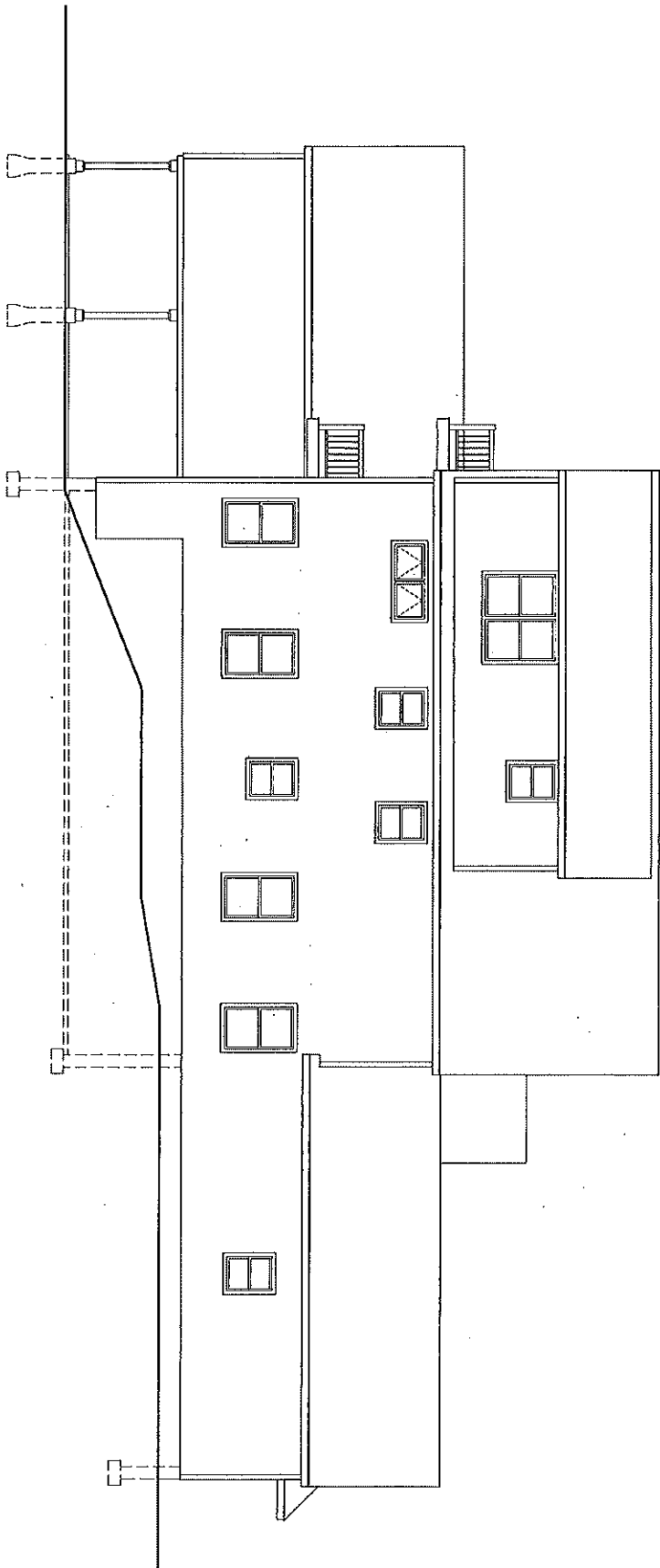
DATE: _____
SCALE: _____
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SHEET: 1 OF 1



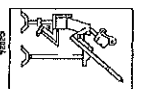


RIGHT SIDE ELEVATION

				<p>MICHIEZI DRAFTING & DESIGN If you can't draw it, I can draw it!</p> <p>BRENDA L. MICHIEZI DRAFTING@MICHIENZI.COM BRENDA@MICHIENZI.COM</p>		<p>TITLE KOWALSKI LAKE HOUSE SKETCH 05A</p>		<p>DATE SCALE</p>	
<p>PROJECT NO. 7200-001</p>		<p>PROJECT NO. 7200-001</p>		<p>PROJECT NO. 7200-001</p>		<p>PROJECT NO. 7200-001</p>		<p>PROJECT NO. 7200-001</p>	
<p>SHEET 2 OF 2</p>		<p>SHEET 2 OF 2</p>		<p>SHEET 2 OF 2</p>		<p>SHEET 2 OF 2</p>		<p>SHEET 2 OF 2</p>	



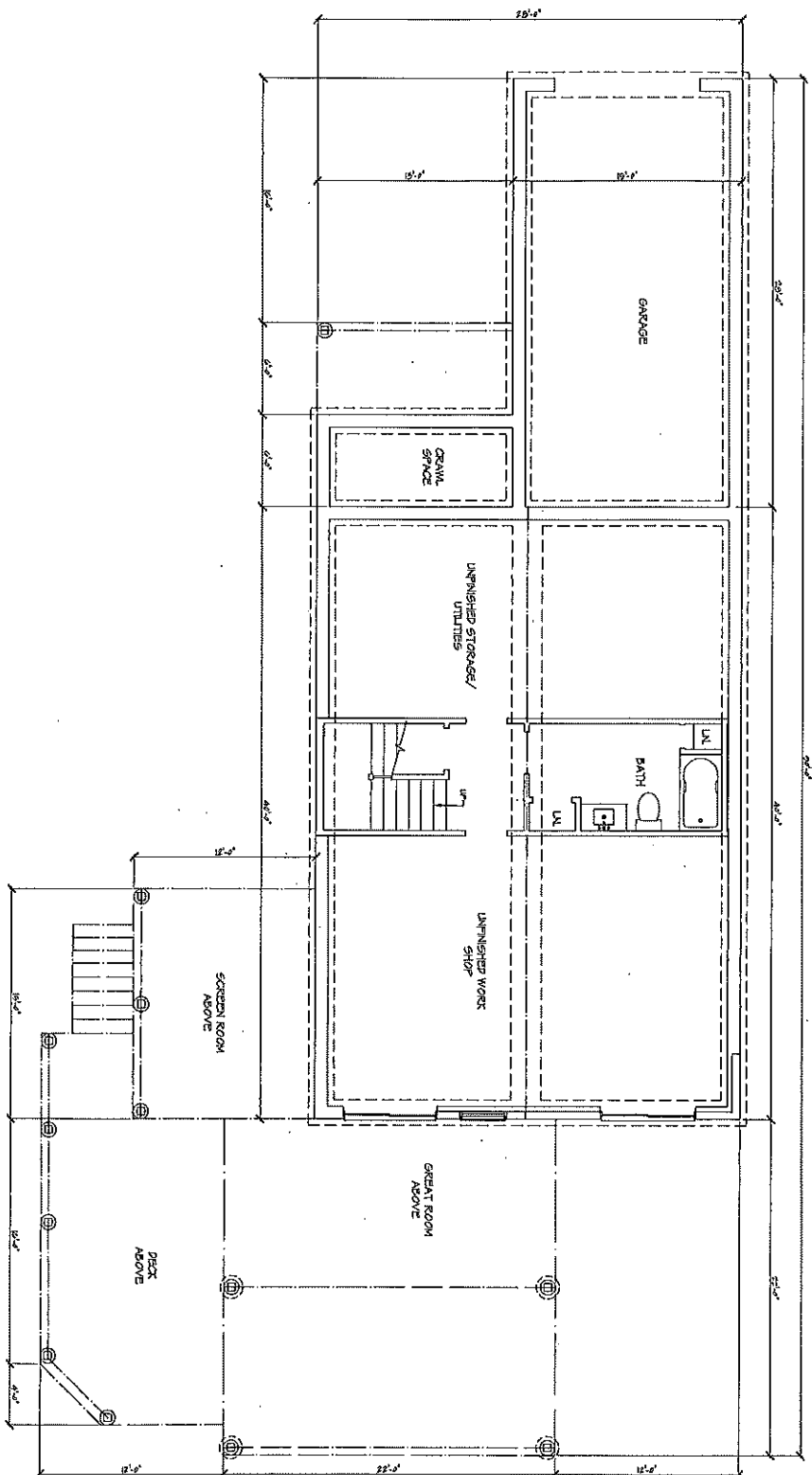
LEFT SIDE ELEVATION



KICHEZENI
DRAFTING &
DESIGN
"IF YOU CAN DREAM IT,
I CAN DRAW IT!"
BRENDA L. KICHEZENI
DRAFTING@BKL.COM
BKL094815
DRAFTINGONLINE.COM

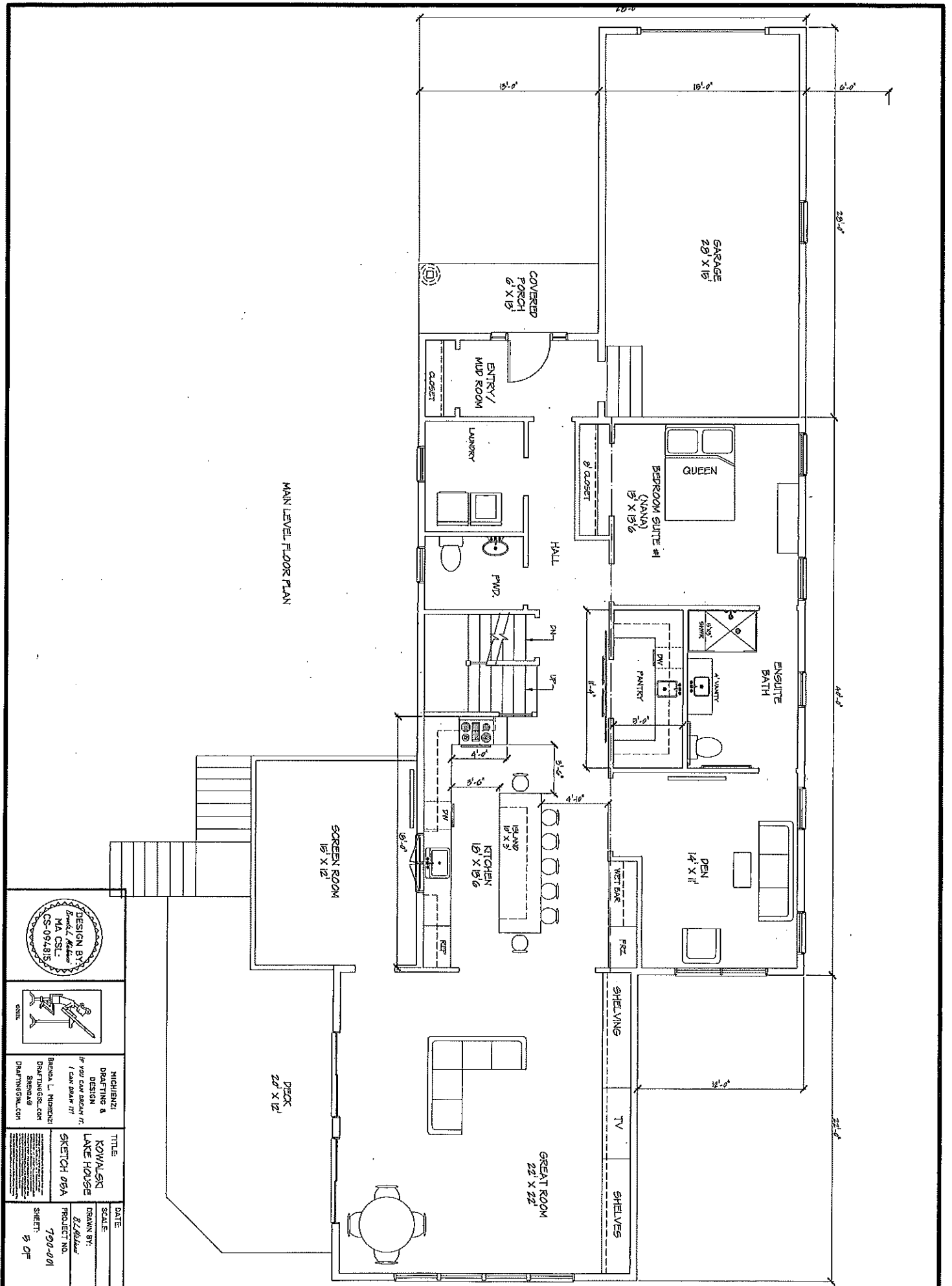
TITLE
KOWALSKI
LAKE HOUSE
SKETCH ORA

DATE
SCALE
DRAWN BY:
B. Kichenzi
PROJECT NO.
700-001
SHEET:
3 OF 4



FOUNDATION PLAN

		MICHERZI DRAFTING & DESIGN 1000 Oak Street Suite 100 Danbury, CT 06810 (203) 755-1111 DRAFTING@MICHERZI.COM	TITLE KOWALSKI LAKE HOUSE SKETCH 08A	DATE 7/20/01
			PROJECT NO. 790-001	SHEET 4 OF 4



DESIGN BY:
Brenda L. Michonzi
MA, CSI
CS-092815

CONSULTANT:
DRAFTING & DESIGN
1 CAN DRAW IT!
BRENDA L. MICHONZI
DRAFTING@CSL.COM
BRENDA09
DRAFTING@CSL.COM

TITLE:
KONLAQ
LAKE HOUSE
SKETCH 05A

DATE:
SCALE
DRAWN BY:
B.L. Michonzi

PROJECT NO.:
700-001

SHEET:
5 OF 5

March 24, 2025

Map 60 Lot 21

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:

186 Echo Cove Road

So. Hamilton

Dated March 24, 2025

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

Jane Dooley
Director of Assessing



300 feet Abutters List Report

Hamilton, MA
March 24, 2025

Subject Property:

Parcel Number: 60-0021
CAMA Number: 60-000-0021
Property Address: 186 ECHO COVE RD

Mailing Address: MONAHAN MARY M
24 ENFIELD DR
ANDOVER, MA 01810

Abutters:

Parcel Number: 52-0023
CAMA Number: 52-000-0023
Property Address: 142 ECHO COVE RD

Mailing Address: CHEVOOR AMY B CHEVOOR STEVEN C
2 TARA ROAD
PEABODY, MA 01960

Parcel Number: 52-0024
CAMA Number: 52-000-0024
Property Address: 150 ECHO COVE RD

Mailing Address: WUCHERPFENNIG KAI & ANNE
67 HIGHLAND RD
BROOKLINE, MA 02445

Parcel Number: 52-0030
CAMA Number: 52-000-0030
Property Address: 127 ECHO COVE RD

Mailing Address: CHADDERDON J NELSON INDIV
127 ECHO COVE RD
SOUTH HAMILTON, MA 01982

Parcel Number: 52-0046
CAMA Number: 52-000-0046
Property Address: 55 BERRY CIR

Mailing Address: LARA JOHN A LARA PAMELA C
55 BERRY CIR
SOUTH HAMILTON, MA 01982

Parcel Number: 60-0015
CAMA Number: 60-000-0015
Property Address: 231 ECHO COVE RD

Mailing Address: JAMESON EMILY & CHARLES
231 ECHO COVE RD
SOUTH HAMILTON, MA 01982

Parcel Number: 60-0017
CAMA Number: 60-000-0017
Property Address: 209 ECHO COVE RD

Mailing Address: NINA LYNN FARAGHER TRUST NINA
LYNN FARAGHER TRUSTEE
209 ECHO COVE RD
SOUTH HAMILTON, MA 01982

Parcel Number: 60-0018
CAMA Number: 60-000-0018
Property Address: 187 ECHO COVE RD

Mailing Address: MICHALSKI LEONARD W ZULLO
GERALD
187 ECHO COVE RD
SOUTH HAMILTON, MA 01982

Parcel Number: 60-0019
CAMA Number: 60-000-0019
Property Address: 164 ECHO COVE RD

Mailing Address: CHISHOLM ROBERT E HEIDI J R
164 ECHO COVE RD
SOUTH HAMILTON, MA 01982

Parcel Number: 60-0020
CAMA Number: 60-000-0020
Property Address: 174 ECHO COVE RD

Mailing Address: HUTCHINSON HELENE INDIV
174 ECHO COVE RD
SOUTH HAMILTON, MA 01982

Parcel Number: 60-0022
CAMA Number: 60-000-0022
Property Address: 198 ECHO COVE RD

Mailing Address: THERIAULT VICTOR J-ANN M
198 ECHO COVE RD
SOUTH HAMILTON, MA 01982



www.cai-tech.com

3/24/2025

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Page 1 of 2



300 feet Abutters List Report

Hamilton, MA
March 24, 2025

Parcel Number: 60-0023
CAMA Number: 60-000-0023
Property Address: 210 ECHO COVE RD

Mailing Address: LAUBER MICHAEL
210 ECHO COVE RD
SOUTH HAMILTON, MA 01982

Parcel Number: 60-0024
CAMA Number: 60-000-0024
Property Address: 214 ECHO COVE RD

Mailing Address: WATSON WILLIAM S TRUSTEE WILLIAM
S WATSON LVNG TRST
214 ECHO COVE ROAD
S. HAMILTON, MA 01982

Parcel Number: 60-0025
CAMA Number: 60-000-0025
Property Address: 224 ECHO COVE RD

Mailing Address: SPEAR JUNE N TRUSTEE LVNG TRST
224 ECHO COVE ROAD
S. HAMILTON, MA 01982

Parcel Number: 60-0077
CAMA Number: 60-000-0077
Property Address: 175 ECHO COVE RD

Mailing Address: MICHEL MELISSA FAULKNER KELLY
175 ECHO COVE ROAD
HAMILTON, MA 01982

Parcel Number: 60-0078
CAMA Number: 60-000-0078
Property Address: 167 ECHO COVE RD

Mailing Address: MACDONALD WILLIAM A HEATHER
167 ECHO COVE RD
SOUTH HAMILTON, MA 01982

Parcel Number: 60-0083
CAMA Number: 60-000-0083
Property Address: 47 BERRY CIR

Mailing Address: GREGG MATTHEW W KELLY A
47 BERRY CIR
SOUTH HAMILTON, MA 01982

Parcel Number: 60-0084
CAMA Number: 60-000-0084
Property Address: 8 BERRYWOOD LN

Mailing Address: CHIQUOINE ANDREW BLOOM ABBIE
8 BERRYWOOD LN
SOUTH HAMILTON, MA 01982

Parcel Number: 60-0090
CAMA Number: 60-000-0090
Property Address: 18 BERRYWOOD LN

Mailing Address: MARIANNE SKELLET REALTY TRUST
MARIANNE SKELLET TRUSTEE
18 BERRYWOOD LN
SOUTH HAMILTON, MA 01982

Parcel Number: 60-0091
CAMA Number: 60-000-0091
Property Address: 24 BERRYWOOD LN

Mailing Address: FURNARI TATUM GROSS WILLIAM
24 BERRYWOOD LN
SOUTH HAMILTON, MA 01982



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3/24/2025

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Abutters List Report - Hamilton, MA

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SOUTH HAMILTON, MA 01982

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HEATHER
167 ECHO COVE RD
SOUTH HAMILTON, MA 01982

CHEVOOR AMY B
CHEVOOR STEVEN C
2 TARA ROAD
PEABODY, MA 01960

MARIANNE SKELLET REALTY T
MARIANNE SKELLET TRUSTEE
18 BERRYWOOD LN
SOUTH HAMILTON, MA 01982

CHIQUEINE ANDREW
BLOOM ABBIE
8 BERRYWOOD LN
SOUTH HAMILTON, MA 01982

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SOUTH HAMILTON, MA 01982

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