

TOWN OF MENDON
ZONING BOARD OF APPEALS
20 MAIN ST.
MENDON, MA 01756



2024 MAR 28 PM 12:08:26
RECEIVED TOWN CLERK

APPLICATION FOR (check one)

In accordance with Mendon Zoning By-Laws

SPECIAL PERMIT (M.G.L. Ch. 40, § 9)

VARIANCE (M.G.L. CH. 40, § 10)

This application must be completed, signed, and submitted with the filing fee by the petitioner or their representative in accordance with the Board's rules and regulations which can be found at www.mendonma.gov or in the Town Clerk's office.

1. PETITIONER: Includes Equitable Owner (purchaser on a purchase and sales agreement)

Name: Thomas S. Clark, Jr.

Address: 102 North Avenue, Mendon

Phone: 508-889-5289 Alt phone: _____

Email: tclark@gssgi.com

Petitioner is: (Check one) Tenant Agent Purchaser

2. OWNER: (If other than petitioner)

Name: Same

Address: _____

Phone: _____ Alt phone: _____

Email: _____

3. REPRESENTATIVE AUTHORIZATION:

If someone other than the owner or equitable owner is the petitioner, the owner or equitable owner must designate such representative below.

Name: Ernst Horn

Address: 12 Asylum St. Mendon

Phone: 508 326 5060 Alt phone: _____

Email: ernsthorn & horn law, oha

Relationship of representative to owner or equitable owner:

Attorney

I/we hereby authorize _____, to represent my/our interests before the Board of Appeals with regards to this petition.

Signature of Owner or Equitable Owner

4. SUBJECT PROPERTY

Street Address: 102 North Avenue

Assessor's Map 5 Lot # 102

Zoning District (Check one) RR GR GB HB

Registry of Deeds where deed, plan, or both are recorded:

Worcester District Registry of Deeds

Book 65525 Page 235

This parcel was originally laid out and recorded on _____

5. NATURE OF RELIEF REQUESTED

Article/Section Frontage of Mendon Zoning By-Laws

Which allows/requires :

Petitioner respectfully request relief to subdivide the property and into four lots meeting the minimum of 60,000 ft.² of up plan for single-family buildable lot requirements.

The specific relief we/I request is as follows:

Petitioner respectfully request relief from the minimum required frontage to allow for division of the property into four single-family building lots as defined in the Mendon zoning bylaws. □

6. EVIDENCE TO SUPPORT GRANT OF VARIANCE

(ref. M.G.L. Ch. 40, § 10)

A. Describe/demonstrate unique/peculiar soil conditions, shape, or topography of subject property. Describe how these conditions especially affect only the land or structures in question, how they are unique to the subject property, and do not affect generally the zoning district in which it is located.

The parcel consists of 41 acres and is located west of North Avenue and east of Forest Park Drive. An existing 1,200-foot driveway and two-story house is currently situated on the parcel. The specific topography that limits the petitioners use of the property is the lack of appropriate frontage on North Avenue, significantly diminishing the petitioners use of the property.

Notwithstanding the foregoing, the petitioner could seek other entry points west of the property potentially opening this large parcel of property to a subdivision. Such subdivision would have a significant impact on the rural Attributes of the area, significantly increasing vehicular traffic as well as having a greater impact on the regional school district based on reasonable calculations of potential for families with school-age children and the potential subdivision.

B. Describe how you believe a hardship is caused by the unique/peculiar attributes of the soil conditions, shape, or topography of this subject property under a literal enforcement of the Zoning By-Laws? The hardship you describe must be related to the unique or peculiar attributes you have described above.

The topography of the lot does not allow the petitioner to fully appreciate the property and significantly reduces the value of the property causing a potential financial hardship.

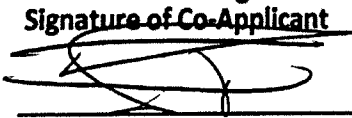
I/we hereby certify under the pains and penalty of perjury that the information contained in this application is true and complete and the Town of Mendon will be held harmless by the undersigned from any claims or judgements resulting from any misinformation given herein.

I/we have read the Rules and Regulations of the Mendon Zoning Board of Appeals


Signature of Applicant

Date

3/20/02


Signature of Co-Applicant

Date

NA

Signature of Owner (if other than applicant)

Date

Signature of Equitable Owner

Date

Documents submitted

<input checked="" type="checkbox"/>	Completed variance application
<input checked="" type="checkbox"/>	Owner authorizations complete
<input type="checkbox"/>	Electronic copy of entire submission (via email or thumb drive)
<input type="checkbox"/>	6 collated copies of the entire submission and site plan(Including uplands and abutters)
<input checked="" type="checkbox"/>	Certified abutters list from the Assessor's Office
<input checked="" type="checkbox"/>	4 sets of mailing labels
<input checked="" type="checkbox"/>	Copy of the Deed for the subject property
<input type="checkbox"/>	Copy of building permit application and/or any correspondence from the building department
<input type="checkbox"/>	Copy of any previous decisions on Special Permits or Variances for the subject property
<input checked="" type="checkbox"/>	Soil/geological studies, topographical maps, other support documentation

Petition, application, or appeal herein, including documents required listed under Rules and Regulations of the Mendon Zoning Board of Appeals, and filing fee of \$ _____ received this date.

Town Clerk

Date

Worcester South District Registry of Deeds Electronically Recorded Document

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Recording Information

Document Number : 92059
Document Type : DEED
Recorded Date : June 30, 2021
Recorded Time : 03:30:37 PM

Recorded Book and Page : 65525 / 235
Number of Pages(including cover sheet) : 3
Receipt Number : 1355863
Recording Fee (including excise) : \$5,171.00

MASSACHUSETTS EXCISE TAX
Worcester District ROD #20 001
Date: 06/30/2021 03:30 PM
Ctrl# 225286 19154 Doc# 00092059
Fee: \$5,016.00 Cons: \$1,100,000.00

Worcester South District Registry of Deeds
Kathryn A. Toomey, Register
90 Front St
Worcester, MA 01608
(508) 798-7717

QUITCLAIM DEED

We, Calvin R. Wieggers and Claudia S. Wieggers, married to each other, of Whitinsville, Massachusetts

For consideration paid of ONE MILLION ONE HUNDRED THOUSAND AND 00/100 Dollars (\$1,100,000.00)

grant to

Thomas S. Clark, Jr. and Rebecca Clark, husband and wife as tenants by the entirety, of 102 North Avenue, Mendon, Massachusetts 01756

with quitclaim covenants

LOCUS: 102 North Avenue, Mendon, Massachusetts

A certain parcel of land situated in Mendon, Worcester County, Commonwealth of Massachusetts, on the westerly side of the road leading from said Mendon to Worcester known and numbered 102 North Avenue, Mendon, MA being bounded and described as follows:

Beginning at a point on the westerly side of said road at land now or formerly of Betsey Wood;

Thence northerly and with said road to land now or formerly of Liberty Goss;

Thence westerly as the wall now stands to a corner at land now or formerly of Joseph Albee, bounded northerly by said Goss land;

Thence southerly as the ditch, wall and fence now stand to a corner;

Thence easterly as the wall stands to a corner at the Locust Hill Cemetery, the last two lines bounded on land now or formerly of said Albee; westerly and southerly;

Thence northerly as the wall now stands to corner, the last two lines bounded easterly and southerly by said cemetery;

Thence N. 8° degrees W. 31 rods and 9 links, to a stake in the wall, bounded easterly by land formerly of Joseph Cummings;

Thence easterly as the wall stands to a corner at land of Betsey Wood the last line bounded on said Cummings land;

Thence northerly as the fence now stands to a corner;

Thence easterly as the wall now stands to the place of beginning, the last two lines bounded onland now or formerly of said Betsey Wood.


Containing forty (40) acres, more or less.

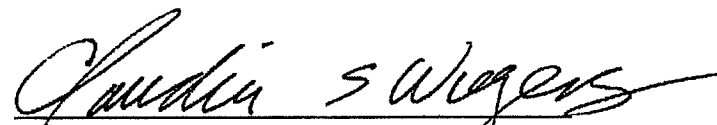
Excepting the premises conveyed to Grace A. Hodges by deed dated October 24, 1961 recorded in Worcester Registry of Deeds in Book 4241, Page 597 and shown as Lot A on a plan recorded in Plan Book 260, Plan 9.

By signing below, Grantors affirm under the pains and penalties of perjury that no other person is entitled to claim the benefit of an estate of homestead in the property described herein.

Meaning and intending to convey and hereby conveying the same premises conveyed to the Grantors by deed dated August 23, 2007 and recorded in Worcester Registry of Deeds, Book 41698, Page 267.

WITNESS our hands and seals this 29th day of June, 2021


Calvin R. Wieggers


Claudia S. Wieggers

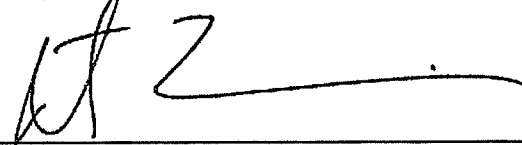
THE COMMONWEALTH OF MASSACHUSETTS

Worcester, SS

On this 29th day of June, 2021, before me, the undersigned notary public, personally appeared the above-named Calvin R. Wieggers and Claudia S. Wieggers, known to me, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that each signed it freely and voluntarily for its stated purpose.



ROBERT FINNEGAN
NOTARY PUBLIC
Commonwealth of Massachusetts
My Commission Expires
February 27, 2026


Robert Finnegan - Notary Public
My commission expires: February 27, 2026

ATTEST: WORC Kathryn A. Toomey, Register