

Subject Property:

TOWN CLERK'S STAMP

TOWN OF MENDON  
BOARD OF APPEALS

P.O. Box 2  
Mendon, MA 01756

Petition for Zoning Variance

under M.G.L. Ch. 40A, § 10 and Mendon Zoning By-Laws Section IX, item 2

*This application form must be completed, signed and submitted with the filing fee by the petitioner or his/her representative in accordance with the Board's rules and regulations as supplied with this application by the Town Clerk.*

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

Name: MARCO LOUBACK

Address: 17 Haven St, Milford, MA 01757

Telephone #: Days: 508-328-9630 Evenings: 508-328-9630

Petitioner is Owner  Tenant  Agent/Attorney

Purchaser on a purchase and sales agreement.

2. OWNER: if other than petitioner:

Name: Eileen Desmarais + Richard Baldisa

Address: 1056 So. Main Street Bellingham, MA 02019

Telephone #: Days: 508-930-1818 Evenings: 508-930-1818

3. REPRESENTATIVE AUTHORIZATION:

If someone other than owner or equitable owner (purchaser on a purchase and sales agreement) is the petitioner, the owner or equitable owner must designate such representative below:

Name of Representative: Eileen Desmarais

Address of Representative: 1056 So. Main Street, Bellingham, MA 02019

Telephone #: Days: 508-930-1818 Evenings: 508-930-1818

Relationship of representative to owner or equitable owner owner

I/we hereby authorize MARCO LOUBACK to represent my /our interests before the Board of Appeals with regards to this Petition

Eileen Desmarais

Must be signed by Owner or Equitable Owner

**3. SUBJECT PROPERTY:**

Street Address Lot #1 Quibsett Rd. Mendon.

Assessor's Map: 22 Lot # 21a-1 Zoning District E

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

Worcester County Registry of Deeds

Deed Recording: Book 26359 Page 390

This parcel was originally laid out and recorded on Nov. 4, 1985

**4. NATURE OF RELIEF REQUESTED:**

Variance from article/section II 2.01 of the Mendon Zoning By-Laws,

Which requires 200 feet of frontage.

The specific relief I/we request is described as follows: The by-laws require 200' of frontage and the lot has 143.48' frontage. This is a 1.726 Acre lot & meets all other requirements.

**5. EVIDENCE TO SUPPORT GRANT OF VARIANCE**

(ref: M.G.L. Chap. 40A, § 10):

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

Refer back to plan of land which shows dimensions of property.

Previous approved variance has expired and we are looking for extension on variance

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.

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

<sup>DocuSigned by:</sup>  
I/we have received a copy of the Rules and Regulations of Mendon Zoning Board of Appeals.

*Marco Tulio Louback*

7/11/2020

794919F48CA3441...  
Signature of Applicant

Date

*Eileen Desmarais*

dotloop verified  
06/29/20 2:03 PM EDT  
NXXI-QRNB-LBVK-QHLR

Signature of Co-Applicant

Date

*Richard Baldwin*

dotloop verified  
06/30/20 3:27 PM CDT  
KKU9-RC9J-LWCN-UR80

Signature of Owner if other than Applicant

Date

Signature of Equitable Owner

Date

\*\*\*\*\*

OFFICE OF TOWN CLERK

MENDON, MASSACHUSETTS

Exhibits submitted:

- Variance Application completed
- Owner authorizations completed.
- 11 Copies of Site Plan (per Board Rules & Regulations)
- Certified Abutters List from Assessors' Office(s)
- Copy of Deed for subject Property
- Copy of Building Permit Application and/or any correspondence from Building Dept.
- Copy of any previous decisions on Special Permits or Variances for the subject property
- Soil / geological studies, topographical maps, other documentation to support petition

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

Town Clerk

Date

James P. Carty, Jr. - Chairman  
Patrick Guertin - Member  
John Vandersluis - Member  
Sherry Grant - Alternate  
Lawney Tinio - Alternate

**TOWN OF MENDON**  
**ZONING BOARD OF APPEALS**

2018 OCT 18 AM 8:18

**Mendon Town Hall**

**20 Main Street**

**Mendon, Massachusetts 01756**

**TOWN CLERK**  
**MENDON, MA**

**Notice of Decision**

**1 Quissett Road**

**Claude Isabelle – Applicant**

**PETITION:**

Claude Isabelle, 61 Milk St, Blackstone, MA 01504 requests a Variance - relief from Article II, Sec. 2.01 (a) Table 1 of the Zoning Bylaws. The bylaw requires 200 ft of frontage and the lot has 143.48 of frontage. The lot is a 17.26-acre lot and meets all other requirements. The lot is located at 1 Quissett Rd., Mendon, MA, owned by Eileen Desmarais and Richard Baldiga. Assessor's Map # 22-212-1

**HEARING:**

A public hearing was held October 4, 2018 after advertising, posting and mailing notices to parties of interest. Board members James Carty, John Vandersluis & Patrick Guertin were present at the hearing.

Claude and Kathleen Isabelle explain to the Board that they would like to build a 2000-3000 square foot home and donate some acreage to the Town. Otherwise, the plan meets all requirements for setbacks & sidelines but not frontage.

**DECISION:**

After thorough discussion, a motion was made by J. Vandersluis to grant the Variance as written. P. Guertin seconded the motion – motion passed unanimously.

Appeals, if any, from this decision shall be made pursuant to Massachusetts General Laws, Chapter 40A, Section 17 and shall be filed within twenty (20) days after the date of filing this decision in the Office of the Town Clerk.

This decision shall not take effect until a copy bearing the certificate of the Town Clerk that twenty (20) days have elapsed after the decision has been filed in the Office of the Town Clerk and no appeal has been filed, (or that if such appeal has been filed that it has been dismissed or denied), and is recorded in the Worcester County Registry of Deeds, in accordance with the provisions of Massachusetts General Laws, Chapter 40A, Sections 11 and 15.

Copies of this decision will be filed with the Planning Board and Town Clerk as specified in Massachusetts General Laws, Chapter 40A, Section 11.

Certified by:

Town of Mendon, Massachusetts  
Zoning Board of Appeals



James P. Carty, Jr.  
Chairman

\$17



**TOWN OF MENDON**  
**BOARD OF ASSESSORS**  
20 Main Street  
MENDON, MA 01756  
508-473-2738  
508-478-8241 (Fax)  
e-mail: jberthold@mendonma.gov

**REQUEST FOR ABUTTERS**

Date: 7/16/2020

Name: Ro Caddick Kilduff

Company: Costello Realty

Address: 195 Main St. Suite #4 Franklin MA 02038  
508

Phone Number: 561-4992 Email address: ro@rocaddick.com

Owner of Subject Property: Richard Baldiga + Eileen Desmarais

Address of subject property: Lot #1 Quissett Rd. Mendon

Map: 22 Street Code: 212 Parcel: -1

Number of feet from subject required: 300'  
(if left blank, 300' will be utilized)

Check here for mailing labels Number of sets: 4

Board for which abutters are requested: ZBA

**Fees: \$1.00 per name on the abutters list - \$1.00 per sheet of labels**

**\*The Board of Assessors reserves 10 working days to provide all certified lists of abutters. This list is valid for 30 days from the date of certification.**

EILEEN DESMARAIS + RICHARD  
BALDIGA  
11110 WHISPER SPRING  
SAN ANTONIO, TX 78230  
w.l.



**TOWN OF MENDON**

*BOARD OF ASSESSORS*

20 MAIN STREET

MENDON, MA 01756

508-473-2738

508-478-8241 (Fax)

e-mail: [iberthold@mendonma.gov](mailto:iberthold@mendonma.gov)

*July 20, 2020*

*PROPERTY LOCATION(S): 1 Quissett Road  
Mendon, Massachusetts  
Assessor's Map #22-212-1*

*PROPERTY OWNER(S): Eileen Desmarais & Richard Baldiga*

*OWNER(S) ADDRESS: 11110 Whisper Spring  
San Antonio, TX 78230*

*RECORDED: Worcester Registry of Deeds  
April 11, 2002  
Book #26359  
Page #390*

*The attached 300' abutter's list is true and accurate to the best of our knowledge.*

*Sincerely,*

*Jean M. Berthold, MAA*

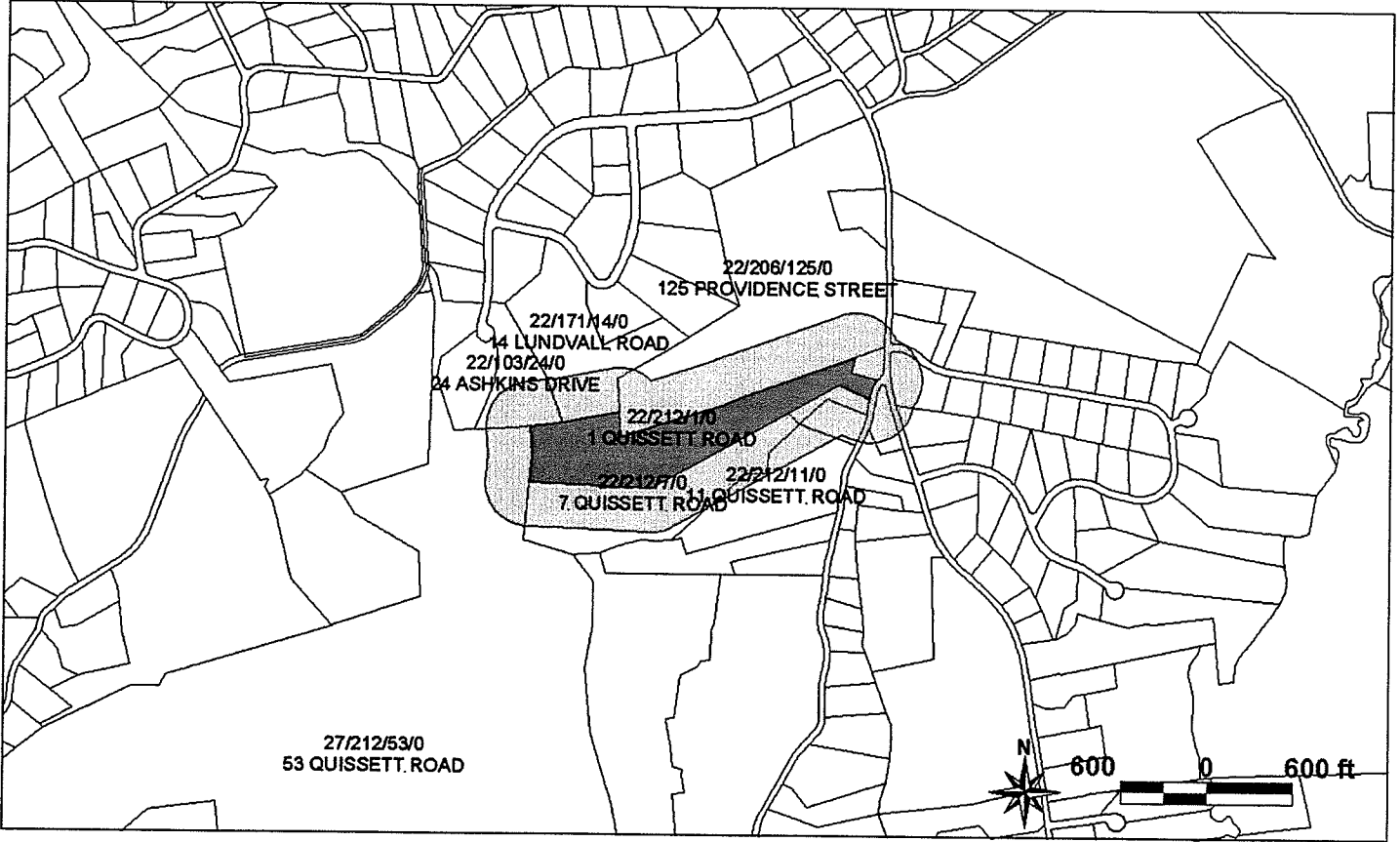
*Principal Assessor*

*Attachment*



TOWN OF MENDON, MA  
 BOARD OF ASSESSORS  
 20 Main Street, Mendon, MA 01756

Abutters List Within 300 feet of Parcel 22/212/1/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
3516	22-103-24-0-R	RODRIGUES JOSE & LEONOR	24 ASHKINS DRIVE	35 ROWLAND WAY	MILFORD	MA	01757
2070	22-171-14-0-R	BALL RANDY EDWARD & KIM	14 LUNDVALL ROAD	14 LUNDVALL ROAD	MENDON	MA	01756
2079	22-206-125-0-R	VARNEY BROS SAND & GRAVEL	125 PROVIDENCE STREET	P O BOX 94	BELLINGHAM	MA	02019-0094
2080	22-206-145-0-R	ANTOUN CHARBEL & ANTOINETTE KHOURY	145 PROVIDENCE STREET	145 PROVIDENCE STREET	MENDON	MA	01756
2081	22-212-1-0-R	DESMARAIS EILEEN & R BALDIGA C/O RICHARD BALDIGA	1 QUISSETT ROAD	11110 WHISPER SPRING	SAN ANTONIO	TX	78230
2082	22-212-3-0-R	BALDIGA JOSEPH H TRUSTEE BALDIGA FAMILY IRR TRUST	3 QUISSETT ROAD	65 OAKHURST ROAD	HOPKINTON	MA	01748
2083	22-212-5-0-R	HEUMANN ROBERT G & KRISTIE S TRSTEES KS HEUMANN LIV TRUST	5 QUISSETT ROAD	5 QUISSETT ROAD	MENDON	MA	01756
2675	22-212-7-0-R	BALDIGA JOSEPH H TRUSTEE BALDIGA FAMILY IRR TRUST	7 QUISSETT ROAD	65 OAKHURST ROAD	HOPKINTON	MA	01748
2084	22-212-11-0-R	BALDIGA LOIS E TRUSTEE LOIS E BALDIGA RLTY TRUST	11 QUISSETT ROAD	11 QUISSETT ROAD	MENDON	MA	01756
2085	22-212-12-0-R	RUBIN MICHAEL D & MICHELLE E	12 QUISSETT ROAD	12 QUISSETT ROAD	MENDON	MA	01756
2098	23-160-3-0-R	KOMON CHANANON (ESTATE) N/O U S BANK NATIONAL ASSOC TR	3 KING PHILIP PATH	1661 WORTHINGTON RD SUITE 100	WEST PALM BEACH	FL	33409
2140	23-206-154-0-R	MELLEN RONALD F & MARYELLEN	154 PROVIDENCE STREET	154 PROVIDENCE STREET	MENDON	MA	01756
2141	23-206-158-0-R	BEDER TIMOTHY J & CHRISTINA M	158 PROVIDENCE STREET	158 PROVIDENCE STREET	MENDON	MA	01756
2139	23-212-2-0-R	PEROBA RODRIGO G & RAPHAELA S MORAIS PEROBA	2 QUISSETT ROAD	2 QUISSETT ROAD	MENDON	MA	01756
2319	27-212-53-0-E	TOWN OF MENDON	53 QUISSETT ROAD	20 MAIN STREET	MENDON	MA	01756-0002

BK26359PG390

70719

45/8

Return to: Francis X. Small  
24 Asylum Street  
Milford, MA 01757

**QUITCLAIM DEED**

I, Margaret E. Baldiga, of 145 Providence Road, Mendon, Worcester County, Massachusetts

For consideration paid and in full consideration of less than ONE HUNDRED DOLLARS (\$100.00)

Grant a life estate interest to Margaret E. Baldiga, of 145 Providence Road, Mendon, Massachusetts, with a remainder interest to Eileen Desmarais of 1056 South Main Street, Bellingham, Massachusetts and Richard B. Baldiga of 6211 Rain Cloud Street, San Antonio, Texas as joint tenants with the right of survivorship

**WITH QUITCLAIM COVENANTS**

A certain parcel of land situated on the westerly side of Quisset Road, in Mendon, Massachusetts, and being shown as Parcel A on a plan entitled "Plan of Land in Mendon, Mass. Surveyed for Keystone Builders, Inc. Scale 1"=100' November 4, 1985 By Andrews Survey & Engineering Inc., Uxbridge, Mass." and recorded in Worcester District Registry of Deeds, Plan Book 551 Plan 93 and bounded and described on said plan as follows:

On the Easterly side by the westerly line of Quisset Road, 143.48 feet;

On the Northerly side 171.28 feet;

On the Easterly side 111.31 feet, the last two courses being bounded by land of Benjamin & Margaret Baldiga;

On the Northerly side by nine courses of 65.57 feet; 234.73 feet; 116.50 feet; 99.68 feet; 206.63 feet; 244.94 feet; 174.76 feet; 313.04 feet and 228.24 feet;

On the Easterly side 173.40 feet, the last ten courses being bounded by land now or formerly of Varnsey;

On the Northerly side by six courses of 101.10 feet; 93.41 feet; 91.70 feet; 90.37 feet; 79.71 feet; 142.47 feet, all six courses being bounded by land now or formerly of one Ashkins;

PROPERTY ADDRESS 1 Quisset Road, Mendon

02 APR 11 AM 9:09

BK26359PG391

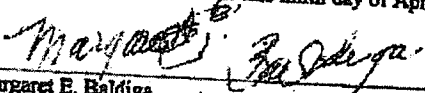
On the Westerly side by two courses of 159.64 feet and 236.09 feet by land now or formerly of one Hummel;

On the Southerly side by three courses of 844.27 feet; 1430.68 feet, 262.92 feet, said three courses being bounded by Parcel B as shown on said plan.

Said granted premises containing 17.26 acres, more or less.

For my title see deed of Keystone Builders, Inc. dated April 1, 1986 and recorded in the Worcester District Registry of Deeds in Book 9348 Page 18.

WITNESS my hand and seal this ninth day of April 2002.

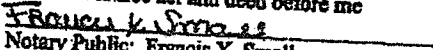
  
Margaret E. Baldiga

THE COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

April 9, 2002

Then personally appeared the above named Margaret E. Baldiga and acknowledged the foregoing instrument to be her free act and deed before me

  
Notary Public: Francis X. Small  
My Commission Expires July 8, 2005

Seal

ATTEST: WORC. Anthony J. Viglotti, Register

9348 18

Keystone Builders, Inc. a corporation duly established under the laws of Massachusetts and having its usual place of business

of Mendon , Worcester County, Massachusetts,

, for the full consideration of Seven Thousand Five Hundred (\$7,500.00) Dollars paid

grant to Benjamin A. Baldiga and Margaret E. Baldiga, husband and wife as tenants by the entirety and not as tenants in common,

of Providence Street, Mendon, Massachusetts 01756

with quitclaim return to the grantor

GRANTEE(S) ADDRESS: Providence Street, Mendon, MA

A certain parcel of land situated on the westerly side of Quisset Road, in Mendon, Massachusetts, and being shown as Parcel A on a plan entitled "Plan of Land in Mendon, Mass. Surveyed for Keystone Builders Inc. Scale 1"=100' November 4, 1985 By Andrews Survey & Engineering Inc. Uxbridge, Mass." and recorded in Worcester District Registry of Deeds, Plan Book 55/ Plan 93 and bounded and described on said plan as follows:

On the Easterly side by the westerly line of Quisset Road, 143.48 feet;

On the Northerly side 171.28 feet;

On the Easterly side 111.31 feet, the last two courses being bounded by land of Benjamin & Margaret Baldiga;

On the Northerly side by nine courses of 65.57 feet; 234.73 feet; 116.50 feet; 99.68 feet; 206.63 feet; 244.94 feet; 174.76 feet; 313.04 feet and 228.24 feet;

On the Easterly side 173.40 feet, the last ten courses being bounded by land now or formerly of Varney;

On the Northerly side by six courses of 101.10 feet; 93.41 feet; 91.70 feet; 90.37 feet; 79.71 feet; 142.47 feet, all six courses being bounded by land now or formerly of one Ashkins;

On the Westerly side by two courses of 159.64 feet and 236.09 feet by land now or formerly of Hummel;

On the Southerly side by three courses of 844.27 feet; 1430.68 feet, 262.92 feet, said three courses being bounded by Parcel B as shown on said plan.

Said granted premises containing 17.26 acres, more or less.

Said granted premises being part of the premises conveyed by James M. Hodder to Keystone Builders, Inc. by deed dated October 8, 1968, and recorded with Worcester District Registry of Deeds, Book 4893, Page 459.

Said granted premises are conveyed subject to the current municipal taxes which the grantees hereby assume and agree to pay as part consideration for this deed.

Keystone Builders, Inc.

a corporation duly established under the laws of Massachusetts  
and having its usual place of business at  
Bellingham, Norfolk County, Massachusetts, for consideration paid

grants to Benjamin A. Baldiga and Margaret E. Baldiga, husband and wife,  
as TENANTS BY THE ENTIRETY, both of Providence St., Mendon, Worcester  
County, Massachusetts for the sum of \$1.00 paid

with warranting covenants  
the land in Mendon, Worcester County, Massachusetts, as follows: -

A certain parcel of land shown as Lot 1 on a plan hereinafter  
referred to and situated in the Southeasterly part of the Town of  
Mendon, Worcester County, Massachusetts, bounded and described as follows:

BEGINNING at the Southeasterly corner of the granted premises at  
a drill hole in a stone wall on the Westarly side of Quissett Road in  
said Mendon at land of the Keystone Builders, Inc; THENCE N-77°54'08"W  
a distance of 171.29 feet to a drill hole in a stone wall; THENCE N-  
05°46'33"E a distance of 111.34 feet to a drill hole; THENCE in the  
same course, a distance of 1.65 feet to a point; the aforementioned  
three (3) courses bound on land of said Keystone Builders, Inc; THENCE  
N-67°45'07"-E a distance of 194.48 feet along a stone wall and by land  
of Varney Bros. Sand & Gravel Inc. (Land Court Case No. 35923A) to a  
drill hole in said wall; THENCE In the same course, a distance of 3.81  
feet again by said Varney Bros. Sand & Gravel Inc., to a point at  
Providence Road; THENCE Southerly and curving to the right by the arc  
of a curve having a radius of 4392.30 feet, a distance of 13.84 feet  
by the 1940 Worcester County Commissioners Layout of Providence Road,  
to a point of reverse curvature in said Layout at Baseline Station  
100+07.53; THENCE Southeasterly and curving to the left by the arc of  
a curve having a radius of 1150.00 feet, a distance of 97.11 feet by  
said Providence Road to a point; THENCE S-15°48'22"-W a distance of  
116.99 feet by Quissett Road to the point of beginning.

Lot 1 contains an area of 31,011 square feet, more or less, and  
is more particularly shown on a plan to be recorded herewith entitled:  
"Plan of Land in Mendon, Mass. Property of Keystone Builders, Inc.,  
Scale: 1" = 40' March 23, 1970 Schofield Brothers, Inc. Registered  
Land Surveyors, 121 East Main Street, Milford, Mass."

Being a part of the premises conveyed to this grantor by deed of  
James M. Hodder recorded with Worcester Deeds in Book 4893 Page 459.

Consideration being less than \$100.00 documentary stamps are not  
needed.

In witness whereof the said Keystone Builders, Inc.

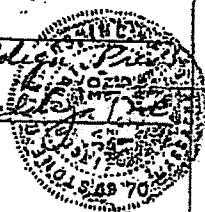
has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and  
delivered in its name and behalf by Robert S. Baldiga its President and Benjamin  
Mr. A. Baldiga its Treasurer this seventh day of May,  
in the year one thousand nine hundred and seventy

Signed and sealed in presence of

Keystone Builders, Inc.

*Oscar J. Ryan*  
(witness to both)

by *Robert S. Baldiga*  
*Benjamin A. Baldiga*  
The Commonwealth of Massachusetts  
Worcester ss. May 7, 1970



Then personally appeared the above named Robert S. Baldiga, President and  
Benjamin A. Baldiga, Treasurer  
and acknowledged the foregoing instrument to be the free act and deed of the Keystone Builders, Inc.

before me

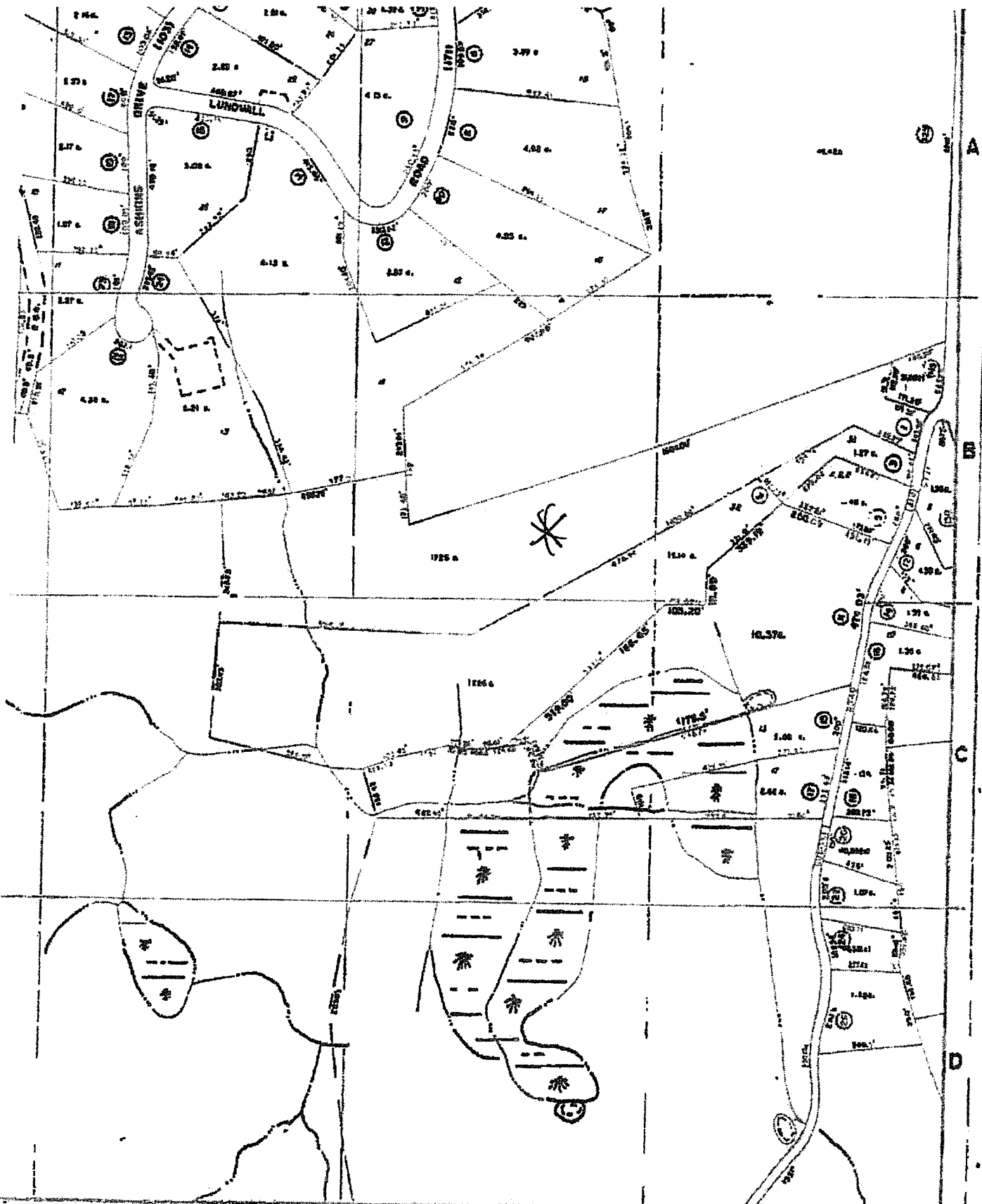
*Oscar J. Ryan*  
Oscar J. Ryan  
Notary Public  
My commission expires April 12, 1974

Recorded May 13, 1970 at 12h. 43m. P. M.

5029

337

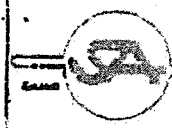
*See Plan*  
*Book 335*  
*Page 96*



**NOTE**

ALL AND DIMENSIONS SHOWN ON THIS MAP FROM AERIAL PHOTOGRAPHS, SKETCHED FROM PLANS, MAPS, DEEDS AND FIELD NOTES FOR THE PURPOSES OF CONVEYANCE.

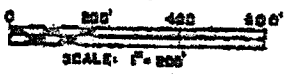
MAPS PREPARED BY:



JALBERT ENGINEERING  
 STURBRIDGE ABSTRACT CO.

STURBRIDGE, MASSACHUSETTS

**ASSESSORS TAX MAP  
 TOWN OF MENDON  
 WORCESTER COUNTY, MASSACHUSETTS**



	17	
	MAP NUMBER	
21	<b>22</b>	23
	27	