

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: THOMAS REMMES

Address: 42 MOWRY STREET MENDON, MA 01756

Telephone #: Days: 603-716-5888 Evenings: 603-716-5888

Petitioner is Owner Tenant Agent/Attorney

Purchaser on a purchase and sales agreement.

2. OWNER: if other than petitioner:

Name: THOMAS REMMES

Address: 42 MOWRY STREET

Telephone #: Days: 603-716-5888 Evenings: 603-716-5888

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: _____

Address of Representative: _____

Telephone #: Days: _____ Evenings: _____

Relationship of representative to owner or equitable owner _____

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

Thomas Remmes Digitally signed by Thomas Remmes
Date: 2020.06.29 07:50:23 -04'00'

Must be signed by Owner or Equitable Owner

3. SUBJECT PROPERTY:

Street Address 42 MOWRY STREET MENDON, MA 01756

Assessor's Map: 15 Lot # 42 Zoning District RR

Registry of Deeds where deed, plan, or both are recorded:
WORCESTER DISTRICT REGISTRY OF DEEDS

Deed Recording: Book 55414 Page 253

This parcel was originally laid out and recorded on UNKNOWN

4. NATURE OF RELIEF REQUESTED:

Variance from article/section 2.01 Dim. Req. of the Mendon Zoning By-Laws,

Which requires _____

MINIMUM LOT SIZE & MIN. SET BACK (FRONT TO CORNER LOT)

The specific relief I/we request is described as follows: _____

I AM RERREQUESTING RELIEF FOR THE MINIMUM SIZE OF THE LOT, EXISTING PROPOERTY IS 40,464 SF AND IS AN EXISTING NON-CONFORMING CONDITION. ALSO LOOKING FO RELIEF FOR THE SIDE SET BACK REQUIRED OF 50' FOR TEH CORNER LOT, THE EXISTING CONDITIONS ARE EXISTING NON-CONFORMING AT 41' TO THE FOUNDATION AND 37' TO THE DECK. I AM LOOKING FOR THE ADDITION TO BE LOCATED AT 36' FROM THE PROPERTY LINE, THE SET BACK FOR A CORNER LOT IS 50'.

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.*

DUE TO THE LOCATION OF THE EXISTING HOUSE AND SEPTIC ON THE PROPOERTY I AM NOT ABLE TO BUILD OFF THE BACK OF THE HOUSE. THE GARAGE IS DETECHED AND LOOKING TO CONNECT WITH LEAST IMPACT TO THE SITE AND EXISTING HOUSE.

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.

DUE TO THE HOUSE BEING BUILT ORIGINALLY IN A NON-CONFORMING NATURE WITH 9' OF THE HOUSE WITHIN THE SET BACK ALREADY THE ZONING-BY LAWS LIMIT ANY ADDITIONAL WORK THAT CAN BE DONE. ANY IMPROVEMNT TO THE HOUSE WOULD REQUIRE SAID VARIANCE.

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.

I/we have received a copy of the Rules and Regulations of Mendon Zoning Board of Appeals.

Thomas Remmes

Digitally signed by Thomas Remmes
Date: 2020.06.29 08:21:04 -04'00'

06-29-2020

Signature of Applicant

Date

Signature of Co-Applicant

Date

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



TOWN OF MENDON
BOARD OF ASSESSORS
20 MAIN STREET
MENDON, MA 01756
508-473-2738
508-478-8241 (Fax)
e-mail: iberthold@mendonma.gov

July 7, 2020

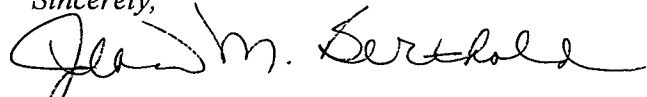
*PROPERTY LOCATION(S): 42 Mowry Street
Mendon, Massachusetts
Assessor's Map #15-180-42*

PROPERTY OWNER(S): Thomas & Caitlyn Remmes

*OWNER(S) ADDRESS: 42 Mowry Street
Mendon, MA 01756*

*RECORDED: Worcester Registry of Deeds
June 1, 2016
Book #55414
Page #253*

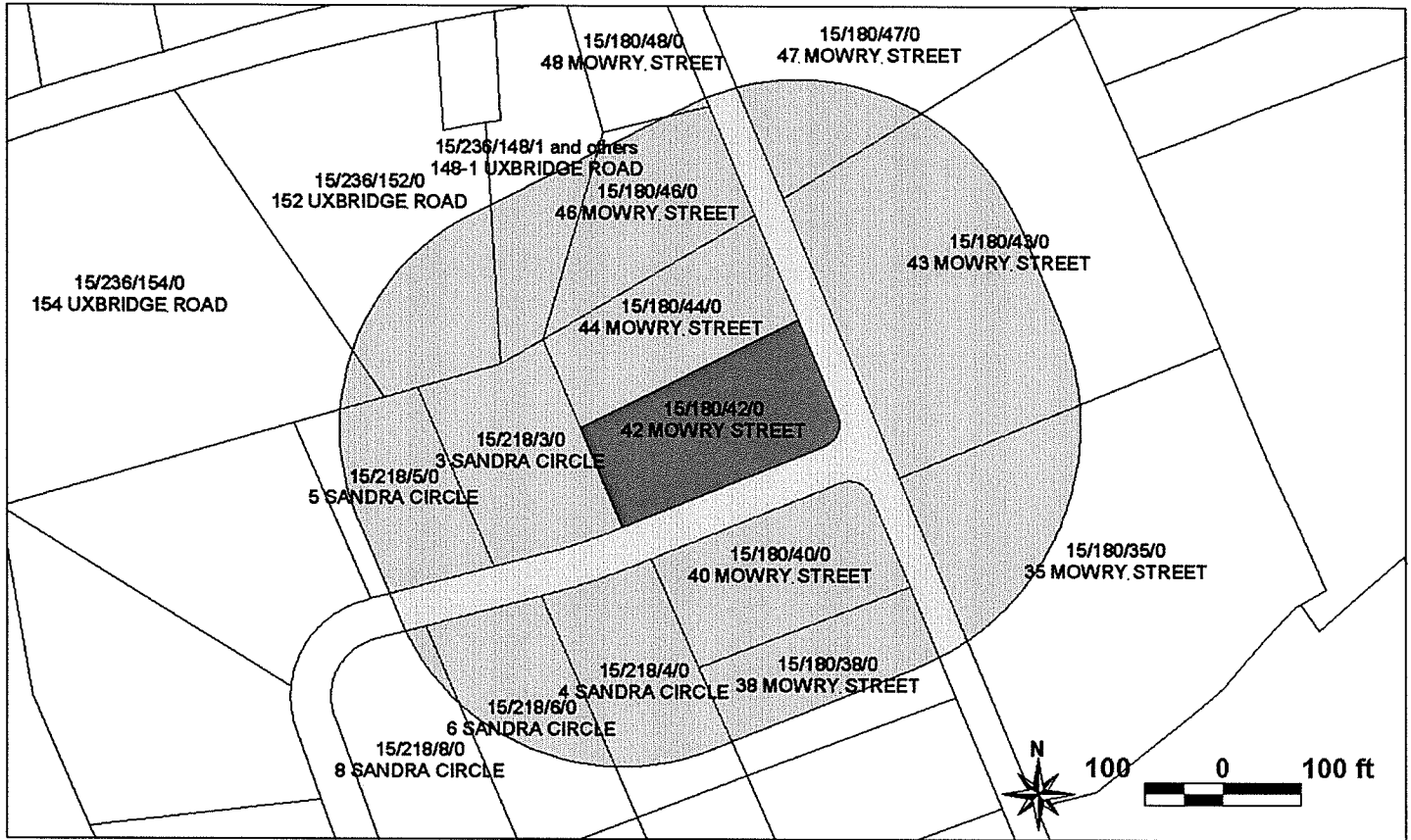
The attached 300' abutter's list is true and accurate to the best of our knowledge.

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 15/180/42/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
1331	15-180-35-0-R	SHANGRAW STEVEN L & BERNISE A TRSTEES SHANGRAW LIVING TRUST	35 MOWRY STREET	35 MOWRY STREET	MENDON	MA	01756
1333	15-180-38-0-R	DENN CAROL A	38 MOWRY STREET	38 MOWRY STREET	MENDON	MA	01756
1334	15-180-40-0-R	DONOVAN KATHLEEN M	40 MOWRY STREET	40 MOWRY STREET	MENDON	MA	01756
1335	15-180-42-0-R	REMMES THOMAS & CAITLYN	42 MOWRY STREET	42 MOWRY STREET	MENDON	MA	01756
1336	15-180-43-0-R	NUTTALL RANDI W SR	43 MOWRY STREET	43 MOWRY STREET	MENDON	MA	01756
1337	15-180-44-0-R	MACHADO AMILCAR J & SHARON M	44 MOWRY STREET	44 MOWRY STREET	MENDON	MA	01756
1338	15-180-46-0-R	JAMESON WENDY A & DEREK M	46 MOWRY STREET	46 MOWRY STREET	MENDON	MA	01756
1339	15-180-47-0-R	LOPEZ ALAN & ABIGAIL	47 MOWRY STREET	47 MOWRY STREET	MENDON	MA	01756
1340	15-180-48-0-R	HACKENSON MARY E	48 MOWRY STREET	21 KINSLEY LANE	MENDON	MA	01756
1377	15-218-3-0-R	GARUFI MICHAEL F & KELLEY A.	3 SANDRA CIRCLE	3 SANDRA CIRCLE	MENDON	MA	01756
1378	15-218-4-0-R	JACARUSO NATALIE R	4 SANDRA CIRCLE	4 SANDRA CIRCLE	MENDON	MA	01756
1379	15-218-5-0-R	NICHOLS RICHARD W & JANET L	5 SANDRA CIRCLE	5 SANDRA CIRCLE	MENDON	MA	01756
1380	15-218-6-0-R	BAXTER JUDITH A	6 SANDRA CIRCLE	6 SANDRA CIRCLE	MENDON	MA	01756
1382	15-218-8-0-R	CHRISTENSON GENEVIEVE	8 SANDRA CIRCLE	8 SANDRA CIRCLE	MENDON	MA	01756
1410	15-236-148-0-R	TAFT WARREN D & MOZART DEBRA A	148 UXBRIDGE ROAD	148 UXBRIDGE ROAD	MENDON	MA	01756

Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
1426	15-236-148-1-R	HACKENSON THOMAS	148-1 UXBRIDGE ROAD	21 KINSLEY LANE	MENDON	MA	01756
1413	15-236-152-0-R	ARTHUR CHAMPNEY ENTERPRISES LLC	152 UXBRIDGE ROAD	P O BOX 401	MENDON	MA	01756-0401
1415	15-236-154-0-R	CHAMPNEY ENTERPRISES LLC	154 UXBRIDGE ROAD	P O BOX 401	MENDON	MA	01756-0401



QUITCLAIM DEED

We, Robert J. Duplin, unmarried and Teresa E. Duplin, unmarried, of Mendon, Massachusetts

for consideration paid and in full consideration of Three Hundred Thirty Thousand and 00/100 (\$330,000.00) Dollars

grant to Thomas Remmes and Caitlyn Remmes, husband and wife as tenants by the entirety, of Grafton, Massachusetts

with *quitclaim covenants*:

A certain tract or parcel of land situated on the westerly side of Mowry Road in Mendon, Worcester County, Massachusetts and being shown as Lot #2 on a plan entitled "Plan of Land in Mendon, Mass. Prepared for Kendall C. Cass. Scale 1"=100' July 24, 1972, Guerriere & Halnon, Inc. Engineering and Land Surveying, 707 Main Street, Millis, Mass." said plan filed with Worcester District Registry of Deeds, Plan Book 370, Plan 28, said Lot #2 being bounded as shown on said plan as follows:

- EASTERLY: by Mowry Road, 123.54 feet, as shown on said plan;
- SOUTHEASTERLY: by a proposed way and Mowry Road, 39.26 feet, as shown on said plan;
- SOUTHERLY: by a proposed way, 267.55 feet, as shown on said plan;
- WESTERLY: by land of Kendall O. Cass, 127.59 feet, as shown on said plan;
- NORTHERLY: by Lot #1, 293.40 feet, as shown on said plan.

Containing, 40,464 square feet, according to said plan.


Said premises are hereby conveyed subject to the restriction imposed for the benefit of all other lots shown on said plan that only one single family dwelling may be constructed on each lot.

The Grantors hereby certify under the pains and penalties of perjury that they are the only persons entitled to homestead rights in the premises and that those rights are hereby released.


Being the same premises conveyed in Deed from David G. Murray and Alice M. Murray dated December 29, 1995, recorded with the Worcester District Registry of Deeds at Book 17585, Page 342.

Property Address: 42 Mowry Street, Mendon, Massachusetts

WITNESS MY HAND AND SEAL THIS 24th DAY OF MAY, 2016.


Robert J. Duplin

WITNESS MY HAND AND SEAL THIS 25 DAY OF May, 2016


Teresa E. Duplin


COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

MAY 24, 2016

On this 24 day of MAY, 2016, before me, the undersigned notary public, personally appeared Robert J. Duplin, proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.




SUSAN M. MAXWELL, Notary Public
My Commission Expires: 5/13/22

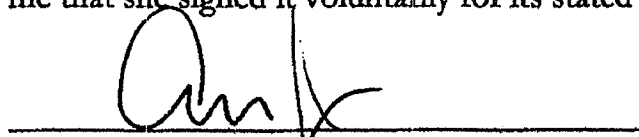
COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

May 25 2016

On this 25th day of May, 2016, before me, the undersigned notary public, personally appeared Teresa E. Duplin, proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.




ANDREW S. JEPSKY, Notary Public
My Commission Expires: 3/9/18

ATTEST: WORC. Anthony J. Viglotti, Register



Town of Mendon
Massachusetts State Building Code, 780 CMR

**Building Permit Application To Construct, Repair, Renovate Or Demolish a
One- or Two-Family Dwelling**

FOR
MUNICIPALITY
USE
Revised April 2012

This Section For Official Use Only

Building Permit Number: _____ Date Applied: _____

Building Official (Print Name) _____ Signature _____ Date _____

SECTION 1: SITE INFORMATION

1.1 Property Address: 42 MOWRY STREET MENDON, MA 01756		1.2 Assessors Map & Parcel Numbers 15 _____ 42 _____ Map Number Parcel Number	
1.1a Is this an accepted street? yes <input checked="" type="checkbox"/> no _____		1.4 Property Dimensions: 40,464 _____ 123.54 & 267.55 _____ Lot Area (sq ft) Frontage (ft)	
1.3 Zoning Information: RR _____ RESIDENTIAL _____ Zoning District Proposed Use			

1.5 Building Setbacks (ft) CORNER LOT (MOWRY STREET & SANDRA CIRCLE)

Front Yard		Side Yards		Rear Yard	
Required	Provided	Required	Provided	Required	Provided
50	85.5 & 37	20	63.8	20	139.8

1.6 Water Supply: (M.G.L c. 40, §54) Public <input type="checkbox"/> Private <input checked="" type="checkbox"/>	1.7 Flood Zone Information: Zone: _____ Outside Flood Zone? Check if yes <input checked="" type="checkbox"/>	1.8 Sewage Disposal System: Municipal <input type="checkbox"/> On site disposal system <input checked="" type="checkbox"/>
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SECTION 2: PROPERTY OWNERSHIP¹

2.1 Owner¹ of Record: THOMAS & CAITLYN REMMES Name (Print) 42 MOWRY STREET No. and Street	MEDON, MA 01756 City, State, ZIP 603-716-5888 Telephone TREMME@BRADYSULLIVAN.COM Email Address
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SECTION 3: DESCRIPTION OF PROPOSED WORK² (check all that apply)

New Construction <input type="checkbox"/>	Existing Building <input type="checkbox"/>	Owner-Occupied <input type="checkbox"/>	Repairs(s) <input type="checkbox"/>	Alteration(s) <input type="checkbox"/>	Addition <input checked="" type="checkbox"/>
Demolition <input type="checkbox"/>	Accessory Bldg. <input type="checkbox"/>	Number of Units <u>1</u>	Other <input type="checkbox"/> Specify: _____		

Brief Description of Proposed Work²: NEW ADDITION TO CONNECT EXISTING HOUSE TO THE GARRAGE. ADDITION WILL BE OVER EXISTING DECK PLUS 1'. THE ADDITION WILL CONSIST OF A MUDROOM AND SUNROOM ON THE FIRST FLOOR, AND CONVERTING ONE OF THE BEDROOMS INTO A MASTER SUITE.

SECTION 4: ESTIMATED CONSTRUCTION COSTS

Item	Estimated Costs: (Labor and Materials)	Official Use Only
1. Building	\$ 12000	1. Building Permit Fee: \$ _____ Indicate how fee is determined: <input type="checkbox"/> Standard City/Town Application Fee <input type="checkbox"/> Total Project Cost ³ (Item 6) x multiplier _____ x _____ 2. Other Fees: \$ _____ List: _____ Total All Fees: \$ _____ Check No. _____ Check Amount: _____ Cash Amount: _____ <input type="checkbox"/> Paid in Full <input type="checkbox"/> Outstanding Balance Due: _____
2. Electrical	\$ 6000	
3. Plumbing	\$ 5000	
4. Mechanical (HVAC)	\$ 3000	
5. Mechanical (Fire Suppression)	\$ 0	
6. Total Project Cost:	\$ 26000	

SECTION 5: CONSTRUCTION SERVICES

5.1 General Contractor Information

THOMAS REMMES (HOMEOWNER)
 Name of General Contractor (Or homeowner if owner applying)

Name of CSL Holder (if applicable)
 42 MOWRY STREET
 No. and Street

MENDON, MA 01756
 City/Town, State, ZIP

603-716-5888 TREMMES@BRADYSULLIVAN.COM
 Telephone Email address

CS-1048 02-2022
 License Number Expiration Date

List CSL Type (see below) U

Type	Description
U	Unrestricted (Buildings up to 35,000 cu. ft.)
R	Restricted 1&2 Family Dwelling
M	Masonry
RC	Roofing Covering
WS	Window and Siding
SF	Solid Fuel Burning Appliances
I	Insulation
D	Demolition

5.2 Registered Home Improvement Contractor (HIC)

HIC Company Name or HIC Registrant Name
 No. and Street
 City/Town, State, ZIP Telephone

HIC Registration Number Expiration Date

 Email address

SECTION 6: WORKERS' COMPENSATION INSURANCE AFFIDAVIT (M.G.L. c. 152. § 25C(6))

Workers Compensation Insurance affidavit must be completed and submitted with this application. Failure to provide this affidavit will result in the denial of the Issuance of the building permit.

Signed Affidavit Attached? Yes No

SECTION 7a: OWNER AUTHORIZATION TO BE COMPLETED WHEN OWNER'S AGENT OR CONTRACTOR APPLIES FOR BUILDING PERMIT

I, as Owner of the subject property, hereby authorize _____ to act on my behalf, in all matters relative to work authorized by this building permit application.

Print Owner's Name Signature Date

SECTION 7b: OWNER¹ OR AUTHORIZED AGENT DECLARATION

By entering my name below, I hereby attest under the pains and penalties of perjury that all of the information contained in this application is true and accurate to the best of my knowledge and understanding.

THOMAS REMMES Thomas Remmes 06-29-2020
Digitally signed by Thomas Remmes
 Reason: 2020.06.29 07:40:37 -0400

Print Owner's or Authorized Agent's Name & Signature 780 CMR R105.3 (6.) Date

NOTES:

1. An Owner who obtains a building permit to do his/her own work, or an owner who hires an unregistered contractor (not registered in the Home Improvement Contractor (HIC) Program), will *not* have access to the arbitration program or guaranty fund under M.G.L. c. 142A. Other important information on the HIC Program can be found at www.mass.gov/oca Information on the Construction Supervisor License can be found at www.mass.gov/dps

2. When substantial work is planned, provide the information below:

Total floor area (sq. ft.)	<u>3,740</u>	(including garage, finished basement/attics, decks or porch)
Gross living area (sq. ft.)	<u>2,340</u>	
Number of fireplaces	<u>1</u>	Habitable room count
Number of bathrooms	<u>2</u>	<u>8</u>
Type of heating system	<u>OIL</u>	Number of bedrooms
Type of cooling system	<u>NA</u>	<u>4</u>
		Number of half/baths
		<u>1</u>
		Number of decks/ porches
		<u>1</u>
		Enclosed
		<u>0</u>
		Open
		<u>1</u>

3. "Total Project Square Footage" may be substituted for "Total Project Cost" ADDITION SF = 586 SF

TOWN OF MENDON
BUILDING DEPARTMENT

HOMEOWNER LICENSE EXEMPTION

PLEASE PRINT

DATE: 06-29-2020

JOB LOCATION: 42 MOWRY STREET MENDON, MA 01756

HOMEOWNER: THOMAS & CAITLYN REMMES

THE CURRENT EXEMPTION OF "HOMEOWNERS" WAS EXTENDED TO INCLUDE OWNER OCCUPIED DWELLINGS OF SIX UNITS OR LESS AND TO ALLOW SUCH HOMEOWNERS TO ENGAGE AN INDIVIDUAL FOR HIRE WHO DOES NOT POSSESS A LICENSE PROVIDED THAT THE OWNER ACTS AS SUPERVISOR (STATE BUILDING CODE SECTION 109.1.1)

DEFINITION OF HOMEOWNER

PERSONS WHO OWN A PARCEL OF LAND ON WHICH HE/SHE RESIDES OR INTENDS TO RESIDE ON WHICH THERE IS OR IS INTENDED TO BE A ONE TO SIX FAMILY DWELLING. ATTACHED OR DETACHED STRUCTURES ACCESSORY TO SUCH USE AND/OR FARM STRUCTURES. A PERSON WHO CONSTRUCTS MORE THAN ONE HOME IN A TWO YEAR PERIOD SHALL NOT BE CONSIDERED A HOMEOWNER. SUCH "HOMEOWNER" SHALL SUBMIT TO THE BUILDING OFFICIAL ON A FORM ACCEPTABLE TO THE BUILDING OFFICIAL THAT HE/SHE SHALL BE RESPONSIBLE FOR ALL SUCH WORK PERFORMED UNDER THE BUILDING PERMIT (SECTION 109.1.1)

THE UNDERSIGNED "HOMEOWNER" ASSUMES RESPONSIBILITY FOR COMPLIANCE WITH THE STATE BUILDING CODE AND OTHER APPLICABLE CODES, BYLAWS, RULES AND REGULATIONS.

THE UNDERSIGNED "HOMEOWNER" CERTIFIES THAT HE/SHE UNDERSTANDS THE TOWN OF MENDON BUILDING DEPARTMENT MINIMUM INSPECTION PROCEDURES AND REQUIREMENTS AND THAT HE/SHE WILL COMPLY WITH SAID PROCEDURES AND REQUIREMENTS.

HOMEOWNER'S SIGNATURE Thomas Remmes
Digitally signed by Thomas Remmes
Date: 2020.06.29 07:27:35 -04'00'

APPROVAL OF BUILDING OFFICIAL _____

NOTE: THREE FAMILY DWELLINGS 35,000 CUBIC FEET, OR LARGER, WILL RE REQUIRED TO COMPLY WITH STATE BUILDING CODE SECTION 127.0 CONSTRUCTION CONTROL.