



**TOWN OF MENDON**  
**APPEAL OF BUILDING INSPECTOR'S DECISION**  
*In accordance with M.G.L. Ch. 40A, Sec. 7, 13, 14; Mendon Zoning By-Laws Sec. 1.05*

*Appeals shall be filed within thirty days from the date of refusal of a permit from the building official or the date of the administrative order, ruling, decision, or determination being appealed.*

**SECTION 1: PROPERTY INFORMATION**

ADDRESS OF SUBJECT PROPERTY	20 Lovell St. Mendon
ASSESSOR'S MAP/BLOCK/LOT	Parcel ID 21-168-18-0

**SECTION 2: PROPERTY OWNER INFORMATION**

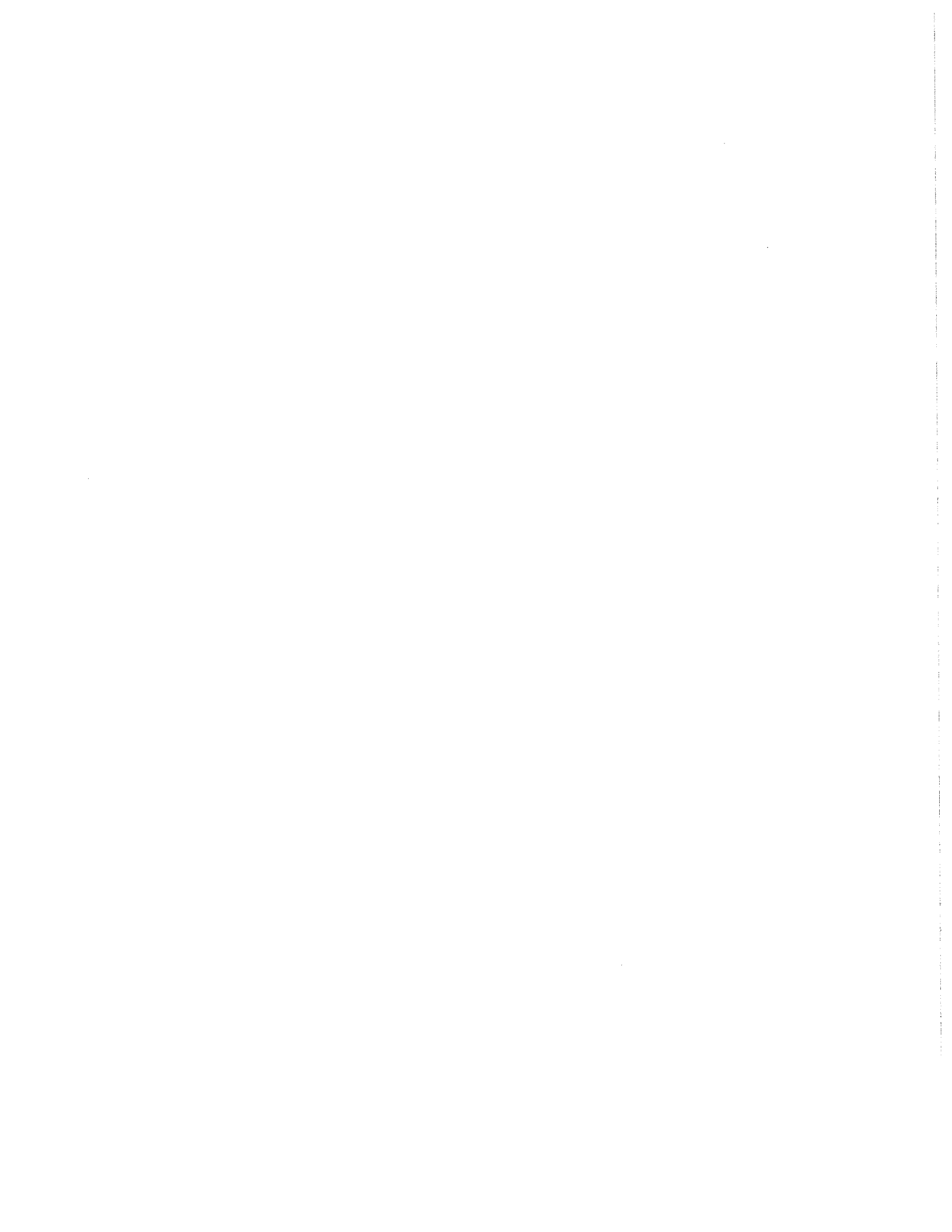
OWNER NAME	Vandervalk, Cornelis & Susan
OWNER MAILING ADDRESS (IF DIFFERENT FROM SECTION 1)	25 Lovell St. Mendon
OWNER PHONE NUMBER	508 478 8733
OWNER EMAIL	vandervalk@comcast.net

**SECTION 3: PETITIONER INFORMATION**

SAME AS SECTION 2 ABOVE (OWNER IS PETITIONER)

PETITIONER NAME(S)	
PETITIONER ADDRESS (IF DIFFERENT FROM SECTION 1)	
PETITIONER PHONE NUMBER	
PETITIONER EMAIL	

OWNER  ABUTTER  OTHER:



**SECTION 4: REPRESENTATIVE INFORMATION**

CHECK HERE IF NOT APPLICABLE

REPRESENTATIVE NAME	
REPRESENTATIVE ADDRESS	
REPRESENTATIVE TELEPHONE	
REPRESENTATIVE EMAIL	

RELATIONSHIP TO PETITIONER:  LEGAL COUNSEL  OTHER:

I/we hereby authorize the above party to represent our interests before the Zoning Board of Appeals with regard to this Petition.

Petitioner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Petitioner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**SECTION 5: NATURE OF RELIEF SOUGHT**

Please write a detailed explanation of the nature of relief sought:

We would like to recover use of the parking lot with removal of the cease and desist order.

Per MGL Title VII, Chapter 40A, Section 3: As a farm and winery conducting commercial agriculture, we believe we were in our right to use our farm land to provide parking to customers.

Please see attached.

Continued on separate page (attached)

I/we hereby certify under the pains and penalties of perjury that the information contained in this Petition is true and complete and that I/we have received a copy of the *Rules, Regulations and Procedures* of the Mendon Zoning Board of Appeals.

Petitioner's Signature: Cornelis Vandervalk Date: 9/18/23

Petitioner's Signature: Susan Vandervalk Date: 9/18/23

*Any communication, purporting to be an application, petition, or appeal shall be treated as mere notice of intention to seek relief, until such time as it is made on the official form.*



**Part I** ADMINISTRATION OF THE GOVERNMENT

**Title VII** CITIES, TOWNS AND DISTRICTS

**Chapter 40A** ZONING

**Section 3** SUBJECTS WHICH ZONING MAY NOT REGULATE;  
EXEMPTIONS; PUBLIC HEARINGS; TEMPORARY  
MANUFACTURED HOME RESIDENCES

Section 3. No zoning ordinance or by-law shall regulate or restrict the use of materials, or methods of construction of structures regulated by the state building code, nor shall any such ordinance or by-law prohibit, unreasonably regulate, or require a special permit for the use of land for the primary purpose of commercial agriculture, aquaculture, silviculture, horticulture, floriculture or viticulture, nor prohibit, unreasonably regulate or require a special permit for the use, expansion, reconstruction or construction of structures thereon for the primary purpose of commercial agriculture, aquaculture, silviculture, horticulture, floriculture or viticulture, including those facilities for the sale of produce, wine and dairy products, provided that either during the months of June, July, August and September of each year or during the harvest season of the primary crop raised on land of the owner or lessee, 25 per cent of such products for sale, based on either gross sales dollars or volume, have been produced by the owner or lessee of the land on which the facility is located, or at least 25 per cent of such products for sale, based on either

gross annual sales or annual volume, have been produced by the owner or lessee of the land on which the facility is located and at least an additional 50 per cent of such products for sale, based upon either gross annual sales or annual volume, have been produced in Massachusetts on land other than that on which the facility is located, used for the primary purpose of commercial agriculture, aquaculture, silviculture, horticulture, floriculture or viticulture, whether by the owner or lessee of the land on which the facility is located or by another, except that all such activities may be limited to parcels of 5 acres or more or to parcels 2 acres or more if the sale of products produced from the agriculture, aquaculture, silviculture, horticulture, floriculture or viticulture use on the parcel annually generates at least \$1,000 per acre based on gross sales dollars in area not zoned for agriculture, aquaculture, silviculture, horticulture, floriculture or viticulture. For such purposes, land divided by a public or private way or a waterway shall be construed as 1 parcel. No zoning ordinance or by-law shall exempt land or structures from flood plain or wetlands regulations established pursuant to the General Laws. For the purposes of this section, the term "agriculture" shall be as defined in section 1A of chapter 128, and the term horticulture shall include the growing and keeping of nursery stock and the sale thereof; provided, however, that the terms agriculture, aquaculture, floriculture and horticulture shall not include the growing, cultivation, distribution or dispensation of marijuana as defined in section 2 of chapter 369 of the acts of 2012, marihuana as defined in section 1 of chapter 94C or marijuana or marihuana as defined in section 1 of chapter 94G; and provided further, that nothing in this section shall preclude a municipality from establishing zoning by-laws or ordinances which allow commercial marijuana growing and cultivation on land used for commercial agriculture, aquaculture, floriculture, or

horticulture. Said nursery stock shall be considered to be produced by the owner or lessee of the land if it is nourished, maintained and managed while on the premises.

No zoning ordinance or by-law shall regulate or restrict the interior area of a single family residential building nor shall any such ordinance or by-law prohibit, regulate or restrict the use of land or structures for religious purposes or for educational purposes on land owned or leased by the commonwealth or any of its agencies, subdivisions or bodies politic or by a religious sect or denomination, or by a nonprofit educational corporation; provided, however, that such land or structures may be subject to reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements. Lands or structures used, or to be used by a public service corporation may be exempted in particular respects from the operation of a zoning ordinance or by-law if, upon petition of the corporation, the department of telecommunications and cable or the department of public utilities shall, after notice given pursuant to section eleven and public hearing in the town or city, determine the exemptions required and find that the present or proposed use of the land or structure is reasonably necessary for the convenience or welfare of the public; provided however, that if lands or structures used or to be used by a public service corporation are located in more than one municipality such lands or structures may be exempted in particular respects from the operation of any zoning ordinance or by-law if, upon petition of the corporation, the department of telecommunications and cable or the department of public utilities shall after notice to all affected communities and public hearing in one of said municipalities, determine the exemptions required and find that the present or proposed use of the

land or structure is reasonably necessary for the convenience or welfare of the public. For the purpose of this section, the petition of a public service corporation relating to siting of a communications or cable television facility shall be filed with the department of telecommunications and cable. All other petitions shall be filed with the department of public utilities.

No zoning ordinance or bylaw in any city or town shall prohibit, or require a special permit for, the use of land or structures, or the expansion of existing structures, for the primary, accessory or incidental purpose of operating a child care facility; provided, however, that such land or structures may be subject to reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements. As used in this paragraph, the term "child care facility" shall mean a child care center or a school-aged child care program, as defined in section 1A of chapter 15D.

Notwithstanding any general or special law to the contrary, local land use and health and safety laws, regulations, practices, ordinances, by-laws and decisions of a city or town shall not discriminate against a disabled person. Imposition of health and safety laws or land-use requirements on congregate living arrangements among non-related persons with disabilities that are not imposed on families and groups of similar size or other unrelated persons shall constitute discrimination. The provisions of this paragraph shall apply to every city or town, including, but not limited to the city of Boston and the city of Cambridge.

Family child care home and large family child care home, as defined in section 1A of chapter 15D, shall be an allowable use unless a city or town prohibits or specifically regulates such use in its zoning ordinances or by-



laws.

No provision of a zoning ordinance or by-law shall be valid which sets apart districts by any boundary line which may be changed without adoption of an amendment to the zoning ordinance or by-law.

No zoning ordinance or by-law shall prohibit the owner and occupier of a residence which has been destroyed by fire or other natural holocaust from placing a manufactured home on the site of such residence and residing in such home for a period not to exceed twelve months while the residence is being rebuilt. Any such manufactured home shall be subject to the provisions of the state sanitary code.

No dimensional lot requirement of a zoning ordinance or by-law, including but not limited to, set back, front yard, side yard, rear yard and open space shall apply to handicapped access ramps on private property used solely for the purpose of facilitating ingress or egress of a physically handicapped person, as defined in section thirteen A of chapter twenty-two.

No zoning ordinance or by-law shall prohibit or unreasonably regulate the installation of solar energy systems or the building of structures that facilitate the collection of solar energy, except where necessary to protect the public health, safety or welfare.

No zoning ordinance or by-law shall prohibit the construction or use of an antenna structure by a federally licensed amateur radio operator. Zoning ordinances and by-laws may reasonably regulate the location and height of such antenna structures for the purposes of health, safety, or aesthetics; provided, however, that such ordinances and by-laws reasonably allow for sufficient height of such antenna structures so as to effectively accommodate amateur radio communications by federally licensed

amateur radio operators and constitute the minimum practicable regulation necessary to accomplish the legitimate purposes of the city or town enacting such ordinance or by-law.



TOWN OF MENDON  
BUILDING DEPARTMENT  
18 Main Street  
Mendon, Massachusetts 01756

**Cease and Desist Order**

08/31/2023

To: Vandervalk, Cornelius S. & Susan H.  
25 Lovell St  
Mendon, MA 01756

Re: Violation(s) existing at: **Parcel ID 21-168-18-0**  
**20 Lovell St.**  
Mendon, MA 01756

**VIOLATION(S)**

It has come to the attention of this office that you have repeatedly violated the Town of Mendon Zoning By-Law at the above referenced property. Specifically, you have cleared a portion of the land and are using the property for parking of vehicles for patrons of your farm/ winery at your nearby property at 25 Lovell St. and/ or abutting properties. The use of this parcel for commercial parking is prohibited in accordance with Article 3.01 Allowable Land Uses and Table A of the Mendon Zoning By-Law. **You are hereby ordered to cease and desist use of this property for parking immediately.**

If you have any questions or if I may be able to assist you in finding a compliant solution for your parking situation, please do not hesitate to contact me.

**PENALTIES**

Failure to comply with this order may result in a fine of up to \$100.00/ day in accordance with section 1.04 of the Mendon Zoning By-Law, and/ or an application for Criminal Complaint and/ or an Injunction at the appropriate Court.

**APPEAL**

Please be aware that you have the right to appeal this decision in accordance with MGL, and the Town of Mendon Zoning By-Law.

Sincerely,

John Erickson, Building Commissioner



# Worcester South District Registry of Deeds Electronically Recorded Document

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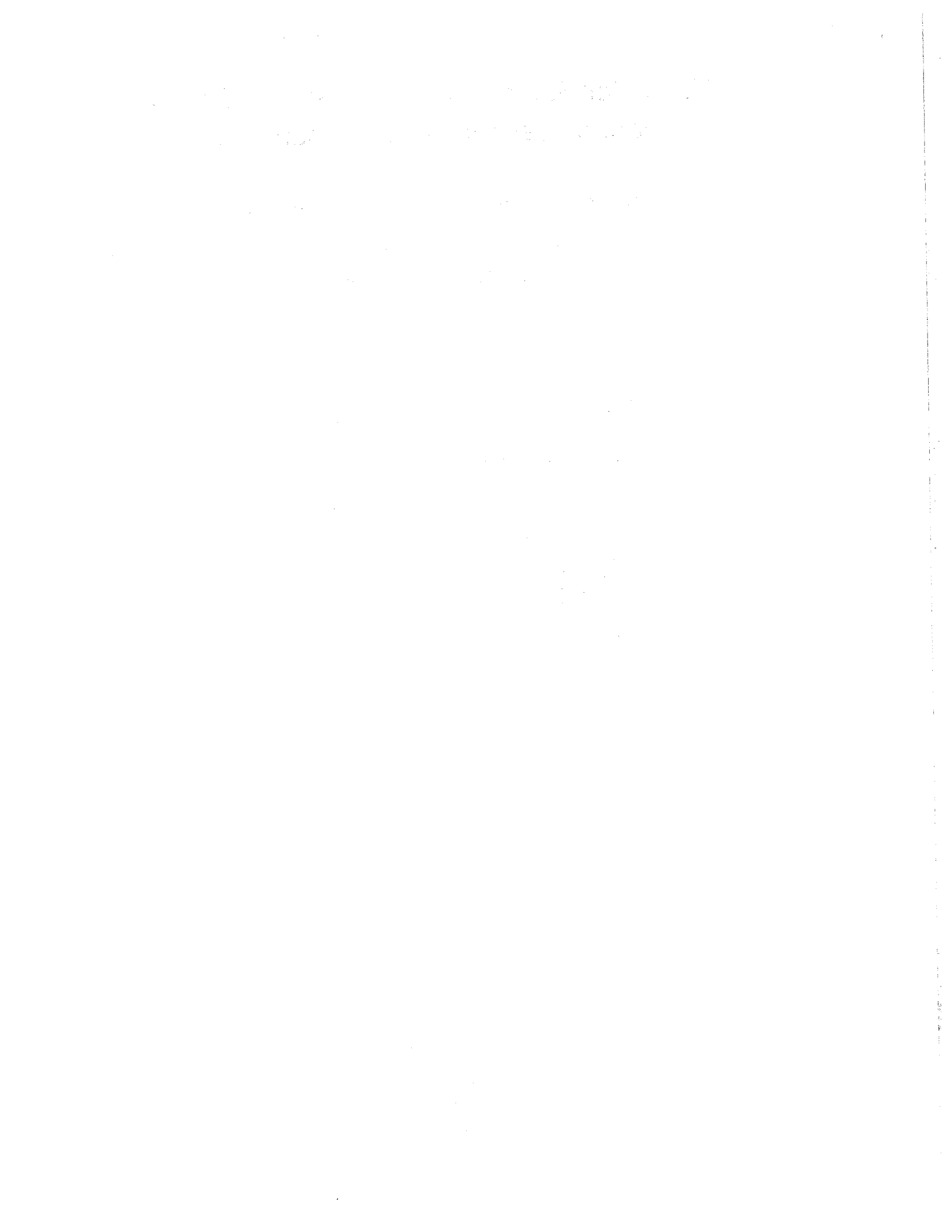
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## Recording Information

Document Number : 22204  
Document Type : DEED  
Recorded Date : March 22, 2023  
Recorded Time : 11:35:57 AM  
  
Recorded Book and Page : 68940 / 88  
Number of Pages(including cover sheet) : 3  
Receipt Number : 1504807  
Recording Fee (including excise) : \$1,067.00

\*\*\*\*\*  
MASSACHUSETTS EXCISE TAX  
Worcester District ROD #20 001  
Date: 03/22/2023 11:35 AM  
Ctr# 247745 31045 Doc# 00022204  
Fee: \$912.00 Cons: \$200,000.00  
\*\*\*\*\*

Worcester South District Registry of Deeds  
Kathryn A. Toomey, Register  
90 Front St  
Worcester, MA 01608  
(508) 368-7000



Property Address: 20 Lovell Street, Mendon, MA 01756

**QUITCLAIM DEED**

**Irene N. Kaplan**, unmarried, of Mendon, Massachusetts

for consideration paid and in full consideration of Two Hundred Thousand and 00/100 (\$200,000.00) Dollars

grants to **Cornelis S. Vandervalk and Susan H. Vandervalk**, husband and wife, as tenants by the entirety, of 25 Lovell Street, Mendon, Massachusetts 01756

with QUITCLAIM COVENANTS

A certain parcel of land in Mendon, Worcester County, Massachusetts, being sprout land situated on the northerly side of the road leading from the Village of Albeeville, so-called, to the road that leads from Mendon to Blackstone, conveyed to Nathan M. Daniels by Smith A. Steere by deed dated September 29, 1913, recorded with Worcester District Registry of Deeds in Book 2038, Page 179, and bounded and described as follows:

Beginning at the southeast corner of said tract on land of Sarah F. Hogarth; thence running N. 21° 15' E. 56.25 rods with a stone wall to land of Alpha Tancrelle; thence with last named land N. 42° W., 7 rods with a wall to a corner of walls at land of Amoret B. Wise; thence with a wall and said last named land N. 78° W. 35 rods to land of Nathan M. Daniels et als; thence by said last named land S. 20° 30' W. 25.3 rods to a stake in the wall at other land formerly of Wendell F. Hayward; thence by last named land S. 61° 31' E. 16 rods to a corner of walls; thence South 35° W. 2.6 rods to an angle in the wall; thence S. 22° 30' W. 21.6 rods to the first mentioned road; thence easterly on said road 25.4 rods to the place of beginning.

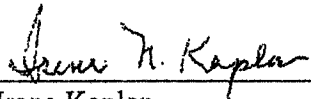
Being the same premises conveyed to the Grantor by deed recorded with the Worcester District Registry of Deeds in Book 10621, Page 109. Walter Kaplan died January 25, 2022. See Death Certificate of Walter Kaplan recorded with said Deeds in Book 67165, Page 379.

The Grantor hereby certifies under the pains and penalties of perjury that she is the only person with homestead rights in the premises and that those rights are hereby released.





WITNESS MY HAND AND SEAL THIS 7<sup>TH</sup> DAY OF FEBRUARY, 2023.

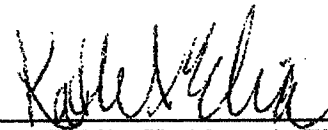
  
\_\_\_\_\_  
Irene Kaplan  
N.

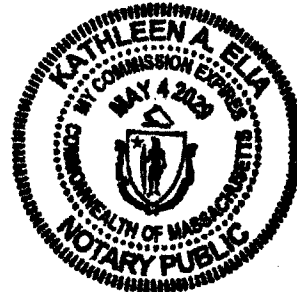
COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

February 7, 2023

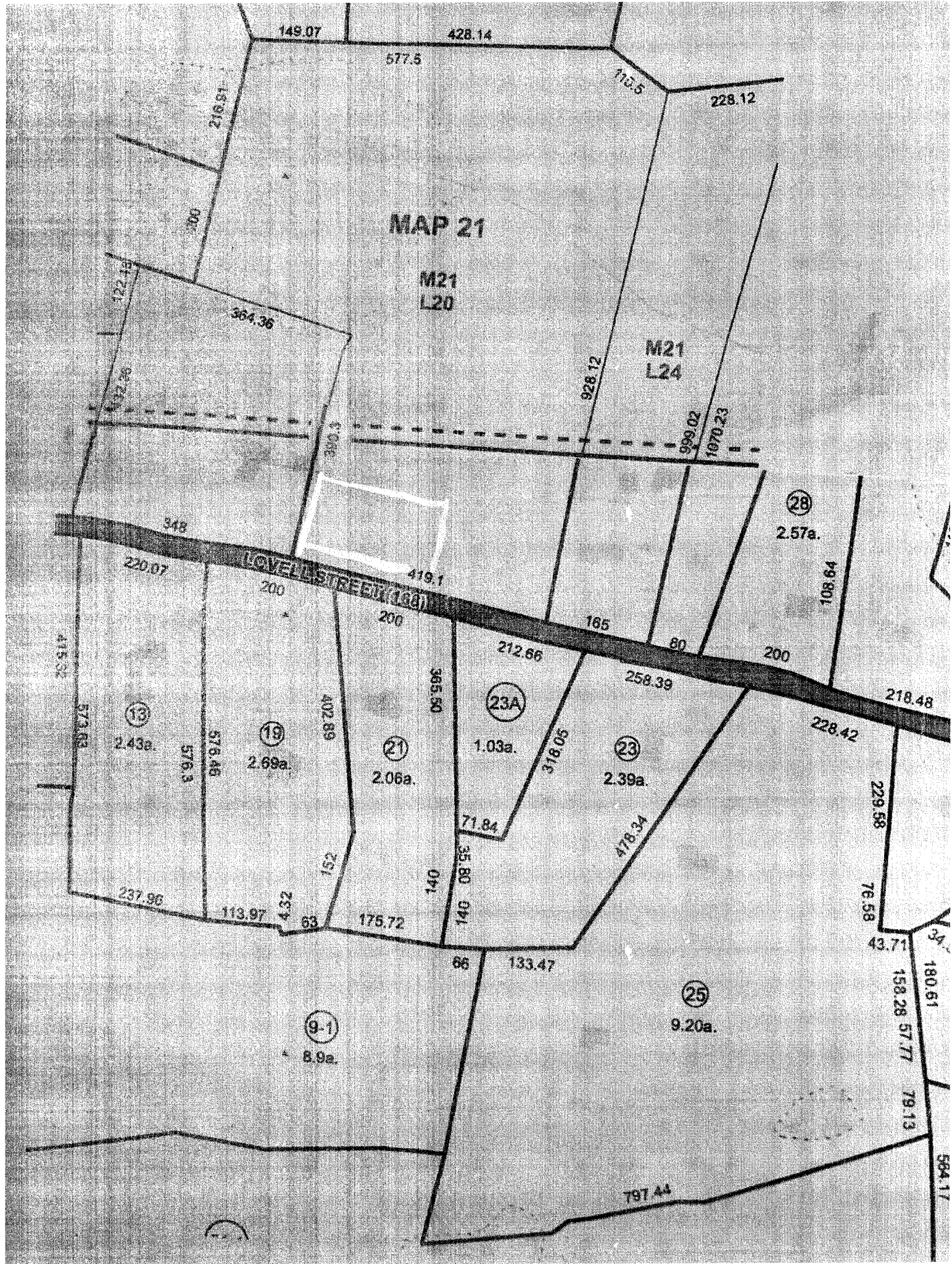
On this 7<sup>th</sup> day of February, 2023, before me, the undersigned notary public, personally appeared Irene Kaplan, proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

  
\_\_\_\_\_  
Notary Public: Kathleen A. Elia  
My Commission Expires: 5/4/2029



ATTEST: WORC Kathryn A. Toomey, Register





MAP 21

M21  
L20

M21  
L24

LOVELL STREET (100)

13

19

21

23A

23

25

28

9-1

2.43a.

2.69a.

2.06a.

1.03a.

2.39a.

9.20a.

2.57a.

8.9a.

149.07

428.14

577.5

115.5

228.12

216.81

300

122.15

364.36

192.36

370.3

928.12

999.02

1070.23

348

220.07

200

419.1

200

165

80

200

108.64

415.32

573.63

576.46

402.89

365.50

212.66

258.39

218.48

228.42

2.43a.

2.69a.

2.06a.

1.03a.

2.39a.

9.20a.

2.57a.

8.9a.

237.96

113.97

4.32

63

175.72

140

140 08.53

86

133.47

71.84

316.05

478.34

229.58

76.58

43.71

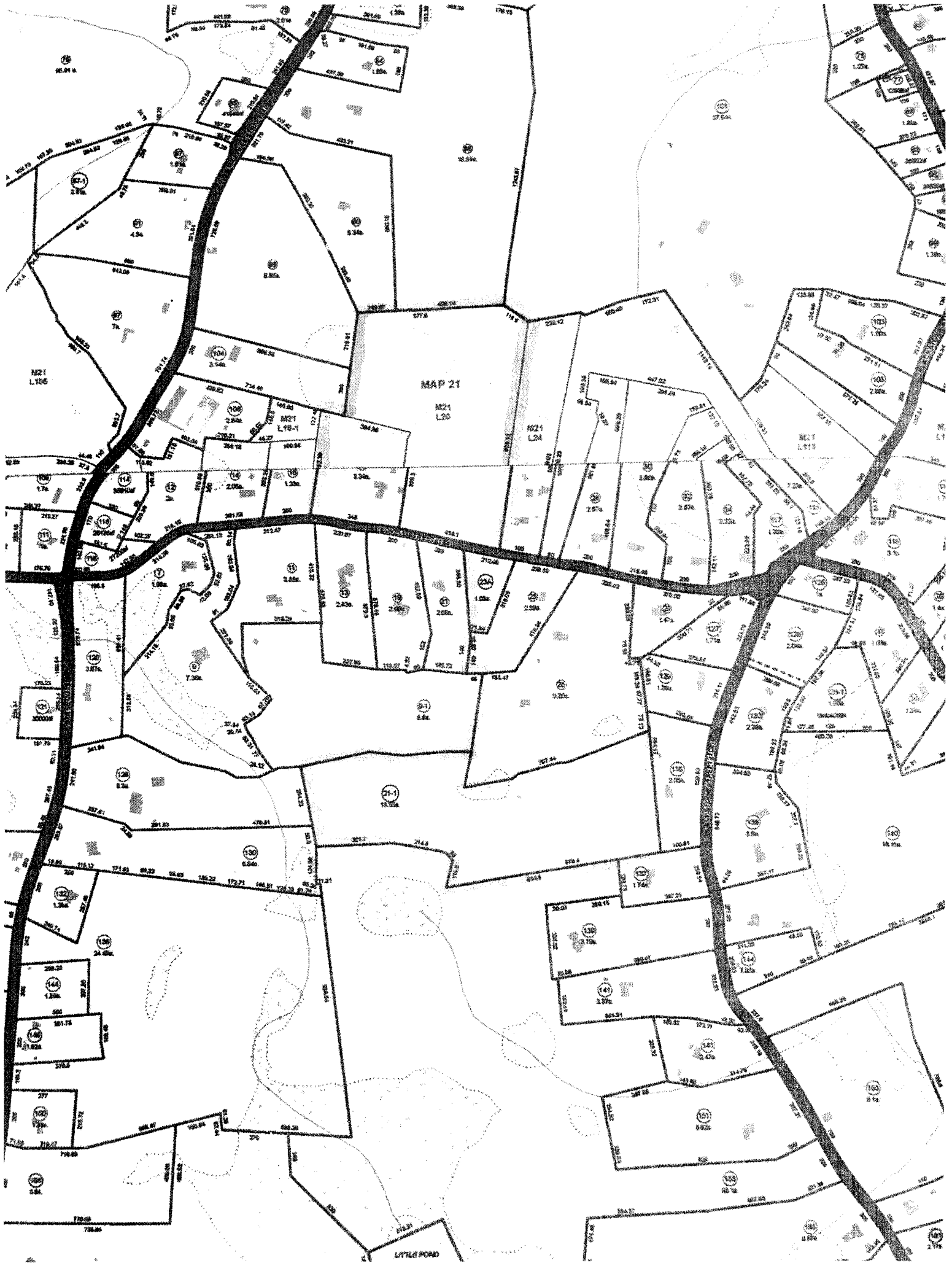
180.61

158.28 57.77 79.13

797.44

564.17





MAP 21

M21  
L.20

21-1

20-2

20-1

20-3

20-4

LITTLE ROAD

M21  
L.100

M21  
L.210

M21  
L.10-1

M21  
L.200

M21  
L.205

M21  
L.215

M21  
L.220

M21  
L.225

M21  
L.230

M21  
L.235

M21  
L.240

M21  
L.245

M21  
L.250

M21  
L.255

M21  
L.260

M21  
L.265

M21  
L.270

M21  
L.275

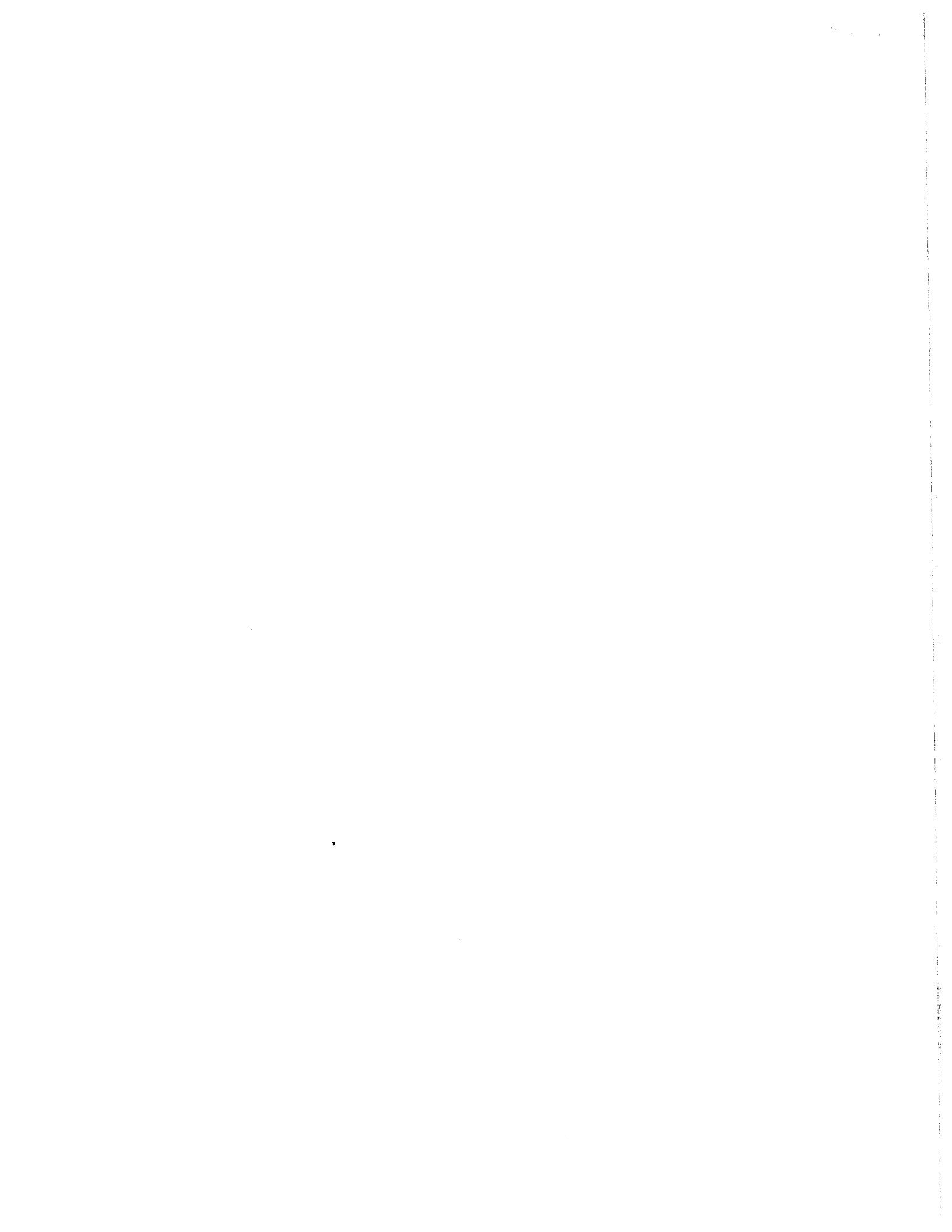
M21  
L.280

M21  
L.285

M21  
L.290

M21  
L.295

M21  
L.300





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

*September 14, 2023*

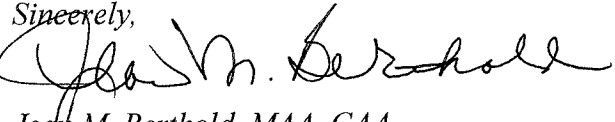
*PROPERTY LOCATION(S): 20 Lovell Street  
Mendon, Massachusetts  
Assessor's Map #21-168-20*

*PROPERTY OWNER(S): Cornelis S. & Susan H. Vandervalk*

*OWNER(S) ADDRESS: 25 Lovell Street  
Mendon, MA 01756*

*RECORDED: Worcester Registry of Deeds  
March 22, 2023  
Book #68940  
Page #88*

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

*Sincerely,*  
  
Jean M. Berthold, MAA, CAA  
Principal Assessor

*Attachment*

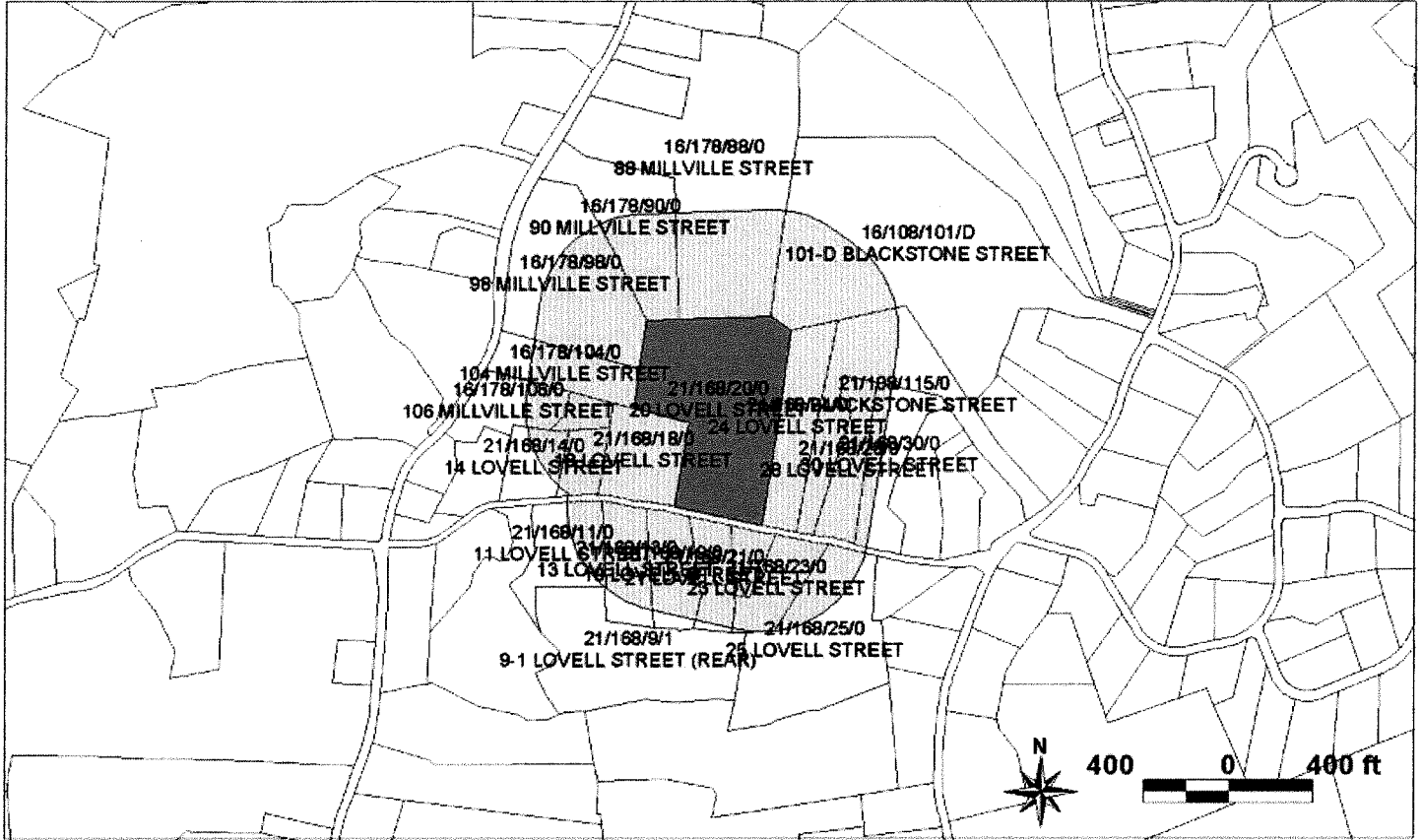
*\*This list is valid for 30 days from the date of certification.*





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

Abutters List Within 500 feet of Parcel 21/168/20/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
1452	16-108-101-D-R	FISKE ANDREW J	101-D BLACKSTONE STREET	101-D BLACKSTONE STREET	MENDON	MA	01756
1531	16-178-88-0-R	BOUCHER ROLAND F TRUSTEE THE BOUCHER FAMILY RT	88 MILLVILLE STREET	88 MILLVILLE STREET	MENDON	MA	01756
1532	16-178-90-0-R	BOUCHER DANIEL L	90 MILLVILLE STREET	90 MILLVILLE STREET	MENDON	MA	01756
1535	16-178-98-0-R	TURNER MICHAEL S & TRUDY A BUTLER	98 MILLVILLE STREET	4 WASHINGTON STREET	MENDON	MA	01756
1536	16-178-104-0-R	GONCALVES JOHN S & LUCINDA TRUSTEES GONCALVES RT	104 MILLVILLE STREET	69 MILLVILLE STREET	MENDON	MA	01756
1537	16-178-106-0-R	NETO JOAO	106 MILLVILLE STREET	635 MAIN STREET	WATERTOWN	MA	02472
2881	21-108-115-0-R	ELLIOTT BRADLEY R & SHANNON E TRUSTEES ELLIOTT REALTY TRUST	115 BLACKSTONE STREET	115 BLACKSTONE STREET	MENDON	MA	01756
1976	21-168-9-1-R	TETREAUPT DENNIS E & DIANE E TRUSTEES SECOND LOVELL ST NT	9-1 LOVELL STREET (REAR)	11 LOVELL STREET	MENDON	MA	01756
1963	21-168-11-0-R	TETREAUPT DIANE E TRUSTEE 11 LOVELL ST NOM TRUST	11 LOVELL STREET	11 LOVELL STREET	MENDON	MA	01756
1964	21-168-13-0-R	RUGGIERO ROBERT L & MARIA E TRUSTEES (2) REVOCABLE TRUSTS	13 LOVELL STREET	13 LOVELL STREET	MENDON	MA	01756
1965	21-168-14-0-R	ALEXANDER MARK A & KATHLEEN FARRELL-ALEXANDER	14 LOVELL STREET	14 LOVELL STREET	MENDON	MA	01756
1966	21-168-16-0-R	CROSIER EDWARD & EMILY & JUDITH & ROGER WARNER	16 LOVELL STREET	16 LOVELL STREET	MENDON	MA	01756
1977	21-168-16-1-R	CROSIER EDWARD & EMILY & JUDITH & ROGER WARNER	16-1 LOVELL STREET (REAR)	16 LOVELL STREET	MENDON	MA	01756
1967	21-168-18-0-R	KAPLAN IRENE N N/O VANDERVALK CORNELIS S &	18 LOVELL STREET	25 LOVELL STREET	MENDON	MA	01756
1968	21-168-19-0-R	FERRUCCI JOHANNA M TRUSTEE CORANT RLTY TRUST	19 LOVELL STREET	19 LOVELL STREET	MENDON	MA	01756



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
1969	21-168-20-0-R	KAPLAN IRENE N N/O VANDERVALK CORNELIS S &	20 LOVELL STREET	25 LOVELL STREET	MENDON	MA	01756
1970	21-168-21-0-R	VANDERVALK CORNELIS S	21 LOVELL STREET	25 LOVELL STREET	MENDON	MA	01756
1971	21-168-23-0-R	VANDERVALK CORNELIS S & SUSAN H	23 LOVELL STREET	25 LOVELL STREET	MENDON	MA	01756
1979	21-168-23-A-R	VANDERVALK CORNELIS S & SUSAN H	23-A LOVELL STREET	25 LOVELL STREET	MENDON	MA	01756
1972	21-168-24-0-R	CORA SHARON & WILLIAM	24 LOVELL STREET	24 LOVELL STREET	MENDON	MA	01756
1973	21-168-25-0-R	VANDERVALK CORNELIS S & SUSAN H	25 LOVELL STREET	25 LOVELL STREET	MENDON	MA	01756
1975	21-168-28-0-R	GABRIEL LUKE ROBERT & LISA VANDERVALK	28 LOVELL STREET	28 LOVELL STREET	MENDON	MA	01756
2878	21-168-30-0-R	NAKAMURA TY T & STEPHANIE P	30 LOVELL STREET	30 LOVELL STREET	MENDON	MA	01756



16-108-101-D

FISKE ANDREW J  
101-D BLACKSTONE STREET  
MENDON, MA 01756

16-178-98-0

TURNER MICHAEL S &  
TRUDY A BUTLER  
4 WASHINGTON STREET  
MENDON, MA 01756

21-108-115-0

ELLIOTT BRADLEY R & SHANNON E  
TRUSTEES ELLIOTT REALTY TRUST  
115 BLACKSTONE STREET  
MENDON, MA 01756

21-168-14-0

ALEXANDER MARK A &  
KATHLEEN FARRELL-ALEXANDER  
14 LOVELL STREET  
MENDON, MA 01756

21-168-21-0

VANDERVALK CORNELIS S  
25 LOVELL STREET  
MENDON, MA 01756

21-168-30-0

NAKAMURA TY T & STEPHANIE P  
30 LOVELL STREET  
MENDON, MA 01756

16-178-88-0

BOUCHER ROLAND F TRUSTEE  
THE BOUCHER FAMILY RT  
88 MILLVILLE STREET  
MENDON, MA 01756

16-178-104-0

GONCALVES JOHN S & LUCINDA  
TRUSTEES GONCALVES RT  
69 MILLVILLE STREET  
MENDON, MA 01756

21-168-9-1

TETREULT DIANE E TRUSTEE  
SECOND LOVELL ST NT  
11 LOVELL STREET  
MENDON, MA 01756

21-168-16-0

CROSIER EDWARD & EMILY &  
JUDITH & ROGER WARNER  
16 LOVELL STREET  
MENDON, MA 01756

21-168-24-0

CORA SHARON & WILLIAM  
24 LOVELL STREET  
MENDON, MA 01756

16-178-90-0

BOUCHER DANIEL L  
90 MILLVILLE STREET  
MENDON, MA 01756

16-178-106-0

NETO JOAO  
635 MAIN STREET  
WATERTOWN, MA 02472

21-168-13-0

RUGGIERO ROBERT L & MARIA E  
TRUSTEES (2) REVOCABLE TRUSTS  
13 LOVELL STREET  
MENDON, MA 01756

21-168-19-0

FERRUCCI JOHANNA M  
TRUSTEE CORANT RLTY TRUST  
19 LOVELL STREET  
MENDON, MA 01756

21-168-28-0

GABRIEL LUKE ROBERT &  
LISA VANDERVALK  
28 LOVELL STREET  
MENDON, MA 01756

