

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: ALAN + PHYLLIS TETTREAU

Address: 28 ASYLUM ST

Telephone #: Days: 508-326-5041 Evenings: 508-473-8931

Petitioner is Owner ☒ Tenant ☐ Agent/Attorney ☐

☐ Purchaser on a purchase and sales agreement.

2. OWNER: if other than petitioner:

Name: _____

Address: _____

Telephone #: Days: _____ Evenings: _____

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

Alan D. Tetreau

Must be signed by Owner or Equitable Owner

3. SUBJECT PROPERTY:Street Address 28 Asylum StAssessor's Map: 20 Lot # 28 Zoning District residential

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

WorcesterDeed Recording: Book 15888 Page 00320This parcel was originally laid out and recorded on 1-15-1992

4. NATURE OF RELIEF REQUESTED:Variance from article/section 2.01 14 of the Mendon Zoning By-Laws,Which requires 300' frontage for 2 family dwelling.

The specific relief I/we request is described as follows: use existing
driveway with 50' Frontage.

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. This Property has 24.1 acres of Land and Two 50' Rite of ways for access. I could subdivide and get 2 more lots. I want to make my current home a 2 Family for my Son and my self.

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 existing lot has only 2
50' rite of ways but has 24.1 acres of
Land

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 judgments resulting from any misinformation given herein.

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

Alan D. Stearns

Signature of Applicant

1-20-2021

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 \$ 250 received this date.

Ellen S. Aguiar

Town Clerk

1/20/21

Date



TOWN OF MENDON
BOARD OF ASSESSORS

20 MAIN STREET
MENDON, MA 01756
508-473-2738
508-478-8241 (Fax)
e-mail: assessor@mendonma.gov

January 19, 2021

PROPERTY LOCATION(S): 28 Asylum Street
Mendon, Massachusetts
Assessor's Map #20-100-28

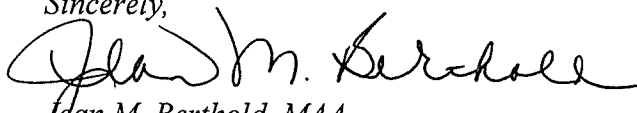
PROPERTY OWNER(S): Alan D. & Phyllis M. Tetreault

OWNER(S) ADDRESS: 28 Asylum Street
Mendon, MA 01756

RECORDED: Worcester Registry of Deeds
December 20, 1993
Book #15888
Page #320

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

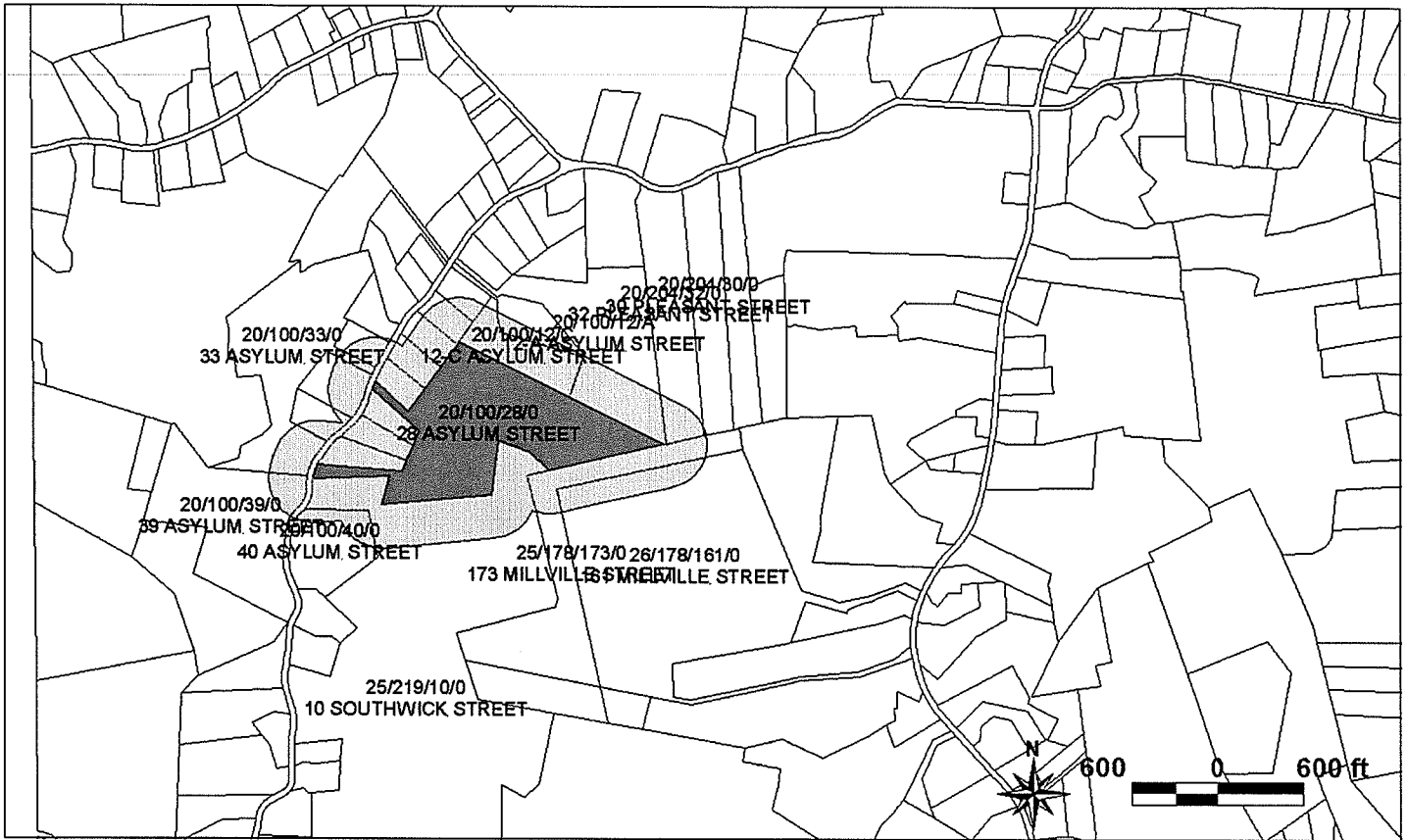
Sincerely,


Jean M. Berthold, MAA
Principal Assessor

Attachment

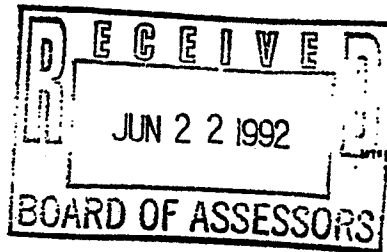
TOWN OF MENDON, MA
BOARD OF ASSESSORS
20 Main Street, Mendon, MA 01756

Abutters List Within 300 feet of Parcel 20/100/28/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
1842	20-100-10-0-R	GRACE EDWARD P JR PAULETTE M	10 ASYLUM STREET	10 ASYLUM STREET	MENDON	MA	01756
3463	20-100-12-A-R	HORN ERNEST H	12-A ASYLUM STREET	12-A ASYLUM STREET	MENDON	MA	01756
1843	20-100-12-B-R	MATTAIR DANA D & DAWN M	12-B ASYLUM STREET	12-B ASYLUM STREET	MENDON	MA	01756
3465	20-100-12-C-R	BEYER CURTIS R & SAMANTHA Z	12-C ASYLUM STREET	12-C ASYLUM STREET	MENDON	MA	01756
1845	20-100-14-0-R	BATES JOHN W & ALEJNA M BRUGOS	14 ASYLUM STREET	12 OAK HILL ROAD	MENDON	MA	01756
1847	20-100-16-0-R	MENEZES DEMETRIUS & KATHLEEN L	16 ASYLUM STREET	16 ASYLUM STREET	MENDON	MA	01756
1849	20-100-18-0-R	BUCHNER STEPHEN L & BARBARA D & MATTHEW & DEANNA BUCHNER	18 ASYLUM STREET	18 ASYLUM STREET	MENDON	MA	01756
1851	20-100-20-0-R	SCOTT JEAN E	20 ASYLUM STREET	20 ASYLUM STREET	MENDON	MA	01756
1852	20-100-21-0-R	LOVOY JULIE C & ANTONIO D	21 ASYLUM STREET	21 ASYLUM STREET	MENDON	MA	01756
1853	20-100-22-0-R	GENNA ANTHONY B & JESSICA L	22 ASYLUM STREET	22 ASYLUM STREET	MENDON	MA	01756
1854	20-100-23-0-R	BRENNAN JOHN J JR & ELIZABETH RYAN BRENNAN	23 ASYLUM STREET	23 ASYLUM STREET	MENDON	MA	01756
1855	20-100-24-0-R	DICKS GERALD R (LIFE ESTATE) & EMILY E DICKS	24 ASYLUM STREET	24 ASYLUM STREET	MENDON	MA	01756
1856	20-100-26-0-R	POMEROY DAVID E LINDA J	26 ASYLUM STREET	26 ASYLUM STREET	MENDON	MA	01756
1857	20-100-28-0-R	TETREAULT ALAN D & PHYLLIS M	28 ASYLUM STREET	28 ASYLUM STREET	MENDON	MA	01756
1858	20-100-29-0-R	WHITING DAVID G & LEANDRA T	29 ASYLUM STREET	29 ASYLUM STREET	MENDON	MA	01756

Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
1859	20-100-31-0-R	TOSCHES JAMES G	31 ASYLUM STREET	31 ASYLUM STREET	MENDON	MA	01756
1860	20-100-33-0-R	33 ASYLUM STREET LLC	33 ASYLUM STREET	38 NEWBURY STREET THIRD FLOOR	BOSTON	MA	02116
1862	20-100-39-0-E	TOWN OF MENDON	39 ASYLUM STREET	20 MAIN STREET	MENDON	MA	01756
2742	20-100-40-0-R	BREWER PETER J & JEAN	40 ASYLUM STREET	40 ASYLUM STREET	MENDON	MA	01756
1894	20-204-30-0-R	GATTONI TODD A TRUSTEE 30 PLEASANT ST NOMINEE TRUST	30 PLEASANT STREET	C/O JOHN S GRENGA II 58 PLEASANT STREET	MENDON	MA	01756
1895	20-204-32-0-R	TAFT SILAS ETAL	32 PLEASANT STREET	C/O GEORGE E. MERRICK 245 N MAIN STREET	UXBRIDGE	MA	01569
2700	25-178-173-0-E	TOWN OF MENDON CONSERVATION COMMISSION	173 MILLVILLE STREET	20 MAIN STREET	MENDON	MA	01756
2219	25-219-10-0-R	BREWER FAMILY REALTY LLC	10 SOUTHWICK STREET	2 SOUTHWICK STREET	MENDON	MA	01756
2701	26-178-161-0-R	SALVADOR MICHAEL J	161 MILLVILLE STREET	P O BOX 4	MENDON	MA	01756-0004



BOARD OF APPEALS

P.O. BOX 2

MENDON, MASSACHUSETTS 01756

TOWN CLERK
MENDON, MASS

DECISION

JUNE 9, 1992

RE: Rantoul Development Corp. petition for a variance to divide approximately 48 acre lot at 12 Asylum St. into two approximately 24 acre lots to be developed as one single family lot each.

HEARING: A public hearing was held May 12, 1992 after advertsing in the Milford Daily News, posting and mailing notices to abutters. All ZBA members were present.

Mr. Andrews of J. R. Andrews Survey & Engineering, Inc. presented the petition. He explained that Rantoul is the holding company for 1st National Bank of Boston. Ledge, rock and water conditions limit the potential for a subdivision. There was a proposed subdivision in recent years but it was not approved. There is a potential residential buyer for the north lot. A successful perc test was made. The petitioner desires only 2 residential lots on the 48 acres.

Paulette and Edward Grace, abutters to the access for the north lot explained that water runs across the access onto their lot causing much erosion and potential damage to their well and septic drain field. Mr. Andrews agreed.

The Mendon Planning Board recommended granting this petition.

FINDINGS OF FACT: The board visited the site May 21, 1992 and found evidence of run-off damage to the Grace property. The topography and soil conditions are not conducive to a subdivision development. This is a rural residential neighborhood of mostly large lots.

DECISION: Finding that this is a unique lot because of its topography and soil conditions and development into 2 house lots would enhance the neighborhood, this variance is granted by unanimous vote subject to the following terms and conditions:

1. Development is restricted to two approximately 24 acre lots each, as shown on plan by Andrews Survey & Engineering, Inc., 92-041, dated February 26, 1992. Only one single family dwelling is allowed on each lot. No further subdivision is allowed. No structure is to be built closer than 440' from Asylum st.

June 9, 1992

Rantoul Development Corp.

DECISION:
(cont'd.)

2. Before either lot can be developed and prior to granting of a building permit, an engineer's plans for the lot being developed, showing drainage control for any topographical change and including plans to control run-off from the access roadways, will be submitted for approval by this board. Consultation with abutters, the Mendon Highway Dept. and the Mendon Conservation Committee is suggested as this board will request their concurrence in our evaluation. The Building Dept. will not grant a building permit until this board approves these plans. An occupancy permit will not be issued until the work has been accomplished.

If the rights authorized herein are not exercised within one year, they will lapse as provided in Massachusetts General Laws, Chapter 40 A, Section 10.

Appeals, if any, from this decision shall be made pursuant to Massachusetts General Laws, Ch. 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 with relevant plans are filed with the planning Board and Town Clerk as specified in Massachusetts General Laws, Chapter 40A, Section 11.

CERTIFIED BY:

TOWN OF MENDON, MA

ZONING BOARD OF APPEALS

Donald H. Keller

Robert J. Viner

Albert J. Shaheen

BEING ALL MEMBERS THEREOF.

MASSACHUSETTS QUITCLAIM DEED BY CORPORATION

RANTOUL DEVELOPMENT CORP., a Massachusetts corporation, having a principal address at 100 Federal Street, Boston, MA 02110,

for consideration paid, and in full consideration of THIRTY THOUSAND and NO/100 (\$30,000.00) DOLLARS

grants to ALAN D. TETREULT and PHYLLIS TETREULT, husband and wife, as tenants by the entirety, having an address at 57 Asylum Street, Mendon Massachusetts WITH QUITCLAIM COVENANTS

(Description and recumbences, if any)

28 Asylum Street, Lot 2, Mendon, MA

93 DEC 20 PM 2:48

A portion of a certain tract of land situated on the southeasterly side of Asylum Street in Mendon, County of Worcester, Commonwealth of Massachusetts, consisting of 24 acres, more or less, shown as Lot 2 on a plan entitled "Plan of Land in Mendon, Mass. Prepared For Rantoul Development Corporation 100 Federal St. Boston, Mass. 02110 By Andrews Survey & Engineering, Inc. 104 Mendon St. Uxbridge, Mass., Scale: 1" = 100' September 18, 1992", which plan is recorded with the Worcester County (Worcester District) Registry of Deeds in Plan Book 666, Page 66.

Being a portion of the same premises conveyed to Rantoul Development Corp., sometimes known as Rantoul Development Corporation, by The First National Bank of Boston by foreclosure deed dated November 6, 1991 and recorded with the Worcester County (Worcester District) Registry of Deeds in Book 13761, Page 292.

Subject to and together with all easements, rights, covenants, restrictions and takings of record, if any, in so far as they may be in force and applicable.

The within conveyed property does not constitute all or substantially all of the grantor's real estate in Massachusetts.

IN WITNESS WHEREOF, the said RANTOUL DEVELOPMENT CORP. has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by Alice M. Guiney, its Vice President hereto duly authorized, this 15th day of December, 1993.

RANTOUL DEVELOPMENT CORP.

By Alice M. Guiney
Alice M. Guiney,
Vice President

Jepsky & Sack

1000 Franklin Village Dr. Suite 302
Franklin, Massachusetts 02048

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

December 16, 1993

Then personally appeared the above-named Alice M. Guiney,
Vice President, and acknowledged the foregoing instrument to be
the free act and deed of Rantoul Development Corp.,

Before me,

Margaret J. Azimber
Notary Public

My commission expires: 4-29-99

50210213

DEEDS REG 20
WORCESTER
12/20/93
TAX 136.80
CASH 136.80
6191A140 14:36
EXCISE TAX

- 2 -

ATTEST: WORC. Anthony J. Vigliotti, Register

