



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: Rte. 85 Realty Corp.

Address: P.O.Box 444, Mendon, MA 01756

Phone: 508-422-1050 Alt phone: 508-277-7558

Email: johnn@imperialcars.com

Petitioner is: (Check one) Tenant Agent Purchaser

2. OWNER: (If other than petitioner)

Name: _____

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: John Nenart

Address: P.O. Box 444, Mendon, MA

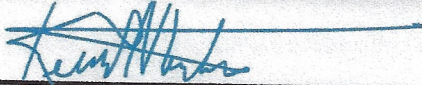
Phone: 508-422-1050 Alt phone: 508-277-7558

Email: johnn@imperialcars.com

Relationship of representative to owner or equitable owner:

Company Engineering Manager

I/we hereby authorize John Nenart, 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: 29A Harford Avenue West

Assessor's Map 10 Lot # 29A

Zoning District (Check one) RR GR GB HB

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

Worcester District Registry of Deeds

Book 61644 pl. bk. 955 Page 89 pl. 69

This parcel was originally laid out and recorded on 3-18-2021

5. NATURE OF RELIEF REQUESTED

Article/Section II/2.01 III/3.04(b)(i) of Mendon Zoning By-Laws

Which allows/requires :

1. 300 feet of frontage for a duplex lot in the rural residential zone.
2. 300 feet of lot width for a duplex lot at the front yard setback line.
3. Common driveway: a private way that provides access to two single family dwellings.

The specific relief we/I request is as follows:

1. Reduction of the minimum lot frontage required for a duplex lot from 300 feet to 105.03 feet for Lot 1, to 105.02 feet for Lot 2 and to 105.02 feet for Lot 3.
2. Reduction of the minimum required lot width from 300 feet to 90.9 feet for Lot 1, to 109.36 feet for Lot 2 and to 111.38 feet for Lot 3.
3. Allow a common drive to provide access to 3 duplex lots.

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.

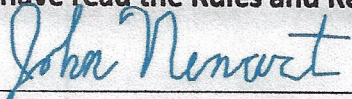
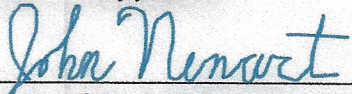
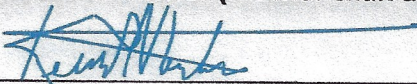
1. The soil conditions on this lot are quite unique from most properties in the Town of Mendon varying greatly within its own boundaries. The soils range from ledge, wetland soils and well drained pockets of glacial till and gravel. Having such varied conditions on one Lot make it extremely difficult to get to the areas that contain the soils suitable for septic system design and construction.
2. The shape of the Lot is also unique in Town, most easily described as the shape of a P, with a skinny entrance area to the south and large mass of acreage at the northerly section of the parcel. The shape being unique to this parcel.
3. The Topography on this Lot is also unique being extremely varied, with almost the entire front of the parcel being a low lying wetland area that collects the drainage from Hartford Avenue, except for one high area on which the driveway crosses the wetlands, to gain access to the site. This crossing is approximately 200' long and 5 feet above the wetlands. Once across the wetland the driveway land then climb in elevation 28 feet in 200 feet up a solid ledge Hill with a shear drop on the easterly side. The land then drops 20 feet in the next 100 feet back down to an area with wetlands to the south. The land is specked with large Ledge outcrops with shear cliffs on one side opening to fairly flat suitable areas in between surrounding all of these areas is a large low lying wetland system. There are few lots in town with such a varied topography.

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.

1. The extremely varied soil condition throughout the site require that the homes be placed where there are soil that will support a septic system. Because of those locations the homes start approximately 500' off of Hartford Avenue West.
 2. Due to the shape of the lot the bulk of the acreage for placement of homes is in the rear of the site once again more that 500' from Hartford Avenue West. The shape also limits the access to the main portion of the site to one access point.
 3. The Topography of the Lot creates the largest hardship on site. The only access is through a 200' long wetland crossing that contains an existing 16' wide driveway. If a roadway is built two walls totaling 400 lineal feet need to be built along with an extensive wetland replication area. beyond the crossing there is an immediate change in elevation of 28' up a hill composed entirely of ledge that would need to be blasted for the slope to meet town specifications. Continuing along the driveway you would then need a area of about 20' of fill to bring the road down to grade. There are also various large ledge outcrops and wetland fingers that limit where any houses can be placed. but all would need to be between 500' to 1300' feet from Hartford Avenue.
- Rte. 85 Realty currently has an approved 7 Lot Duplex open space subdivision approved for Lot 29A. If the roadway needs to be built to town specifications the project is not economically feasible creating a financial hardship to develop the property as approved. We are asking the Board for a variance to reduce the project from 7 approved duplex lots to 3 duplex lots changing the proposed roadway to common drive and thus reducing the development costs, impact on the wetlands, impact on the natural topography and impact on Town services.

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

	8-01-2023
Signature of Applicant	Date
	8-01-2023
Signature of Co-Applicant	Date
Signature of Owner (if other than applicant)	Date
	8-01-2023
Signature of Equitable Owner	Date

Documents submitted

<input checked="" type="checkbox"/>	Completed variance application
<input checked="" type="checkbox"/>	Owner authorizations complete
<input checked="" type="checkbox"/>	Electronic copy of entire submission (via email or thumb drive)
<input checked="" 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