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Case No.: \_\_\_\_\_

**Town of Ashland  
Planning Department**  
101 Main St.  
Ashland, MA 01721  
508.881.0101

ashlandmass.com/316/Zoning-Board-of-Appeals

## Application to Zoning Board of Appeals

Note: Application must be complete, with a certified plot plan and all application fees to be accepted.

### **1. Property Information:**

Street Address: 23 Washington Avenue

Zoning District: Residence B (RB) Overlay District: \_\_\_\_\_

Assessor's Map: 16 Lot: 120 Deed Book: 65907 Page: 290

Current Property Owner: Vlad Palii

### **2. Permit/Approval Sought:**

Special Permit       Amendment to Special Permit       Variance

Appeal of Building Inspector Decision       Comprehensive Permit (as per MGL Ch. 40B)

Use Type: Residential:  Commercial:  Industrial:

### **3. Applicant Information:** Owner: Tenant: Prospective Purchaser/Tenant:

Name: Vlad Palii

Address: 23 Washington Avenue, Ashland, MA 01721

Phone: 617 612-5631 Email: palii.cristina@yahoo.com

Agent's Name: Terrence P. Morris, Esquire

Agent's Address: 57 Elm road, Newton, MA 02460

Agent's Phone: 617 202-9132 Agent's Email: tpmorris.landuse.law@comcast.net

### **4. Additional Information:**

Are all real estate taxes and other assessments to the Town current?: Yes

Is the parcel on a scenic road?: No

Is this an amendment to a previously issued Special Permit? (attach approved permit): No

Date structure was built? (Buildings built before 1940 may need review by Historical Commission): 1900

Is the property within 100 ft. of a wetland, within 200 ft. of a stream, or in a floodplain?: No

**5. Description of the Relief Sought:** (attach additional pages if needed)

Petitioner seeks relief from the minimum 20,000 sq. ft. lot size, and to exceed the volume and footprint of the original structure to allow the replacement of a circa 1900, single-family dwelling with a new 1F dwelling containing 3,404 sf situated on a 16,200 sq. ft. lot.

What specific zoning bylaws is this application associated with?: Subsection 3.3.5 Nonconforming Single and Two Family Residential Structures; Subsection 3.3.7 Reconstruction after Demolition; Section 4.1.1 General Dimensional Requirements


**6. Justification for why the application should be approved:**

Of the 15 house lots on the street, none of them meet the minimum lot size for the RB District. The average lot size for the other 14 lots is 7,078 sq. ft. The subject lot is the largest lot having been created through the merger of 4 smaller (4,050 sf) lots originally shown on a 1909 Subdivision Plan of Land that laid out Washington Avenue into predominantly 4,000-4,500 sf lots. It is one of only three that meet the frontage requirement. The relief will allow the construction of a modest single-family home with a floor area ratio (FAR) of .210. FAR measures the relationship of a building to the lot on which it is situated. As such it is critical standard for establishing neighborhood context and individual streetscape. There are 7 other homes that constitute the streetscape on the south side of Washington Avenue with an average FAR of .209. Four of these have an FAR ranging from .219 to .306, all of which exceed that requested by the applicant. We respectfully request that you find the single-family use as proposed is not substantially more detrimental than the existing non-conforming structure to the neighborhood, because it eliminates the current nonconforming front setback, is compliant with every other dimensional criteria in the By-law, and is more compliant with the lot size standard from which relief is sought than any other home on the street.

**7. Existing use and condition of the property and surrounding neighborhood:** (Please list all relevant non-conformities.) Existing structure is setback 9.2 ft. from the front lot line where 30 ft. is required. The existing structure is a two-story wood-frame dwelling on a nonconforming 16,200 sq. ft. lot. There are 14 other House lots on the street, all occupied by single-family homes.

By signing below you assert this application is complete and accurate to the best of your knowledge:

**Signatures:**

Applicant/Agent: Terrence P. Morris Applicant's Name: Vlad Palii  
Email Address: tpmorris.landuse.law@comcast.net Phone Number: 617 202-9132  
Agent's Relationship to Applicant: Attorney Firm: Law Offices of Terrence P. Morris LLC  
Owner:  Owner's Name: Vlad Palii

Note: If the applicant is not the owner, please have the owner sign above or submit a letter of permission with the application.