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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: 10 CEDAR HILL ROAD
Zoning District: _____ Overlay District: _____
Assessor's Map: _____ Lot: _____ Deed Book: _____ Page: _____
Current Property Owner*: MICHAEL & KATHERINE KOTCH

2. Permit/Approval Sought:

___ Special Permit (Section 9.3) ___ Amendment to Special Permit (Section 9.3) Variance (Section 9.2.2.2)
___ Appeal of Building Inspector Decision (M.G.L. Ch. 40A) ___ Comprehensive Permit (M.G.L. Ch. 40B)
Use Type: Residential: Commercial: ___ Industrial: ___

3. Applicant Information:

Owner: Tenant: ___ Prospective Purchaser/Tenant: ___
Name: MICHAEL & KATHERINE KOTCH
Address: 10 CEDAR HILL RD
Phone: 781-697-7523 Email: MIKOKOTCH27@GMAIL.COM
Agent's Name: N/A
Agent's Address: N/A
Agent's Phone: N/A Agent's Email: N/A

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.): 50's
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 Letter of Denial of Building Permit.)

DENIAL ON FILE @ TOWN HALL

ASKING FOR RELIEF ON THE 40' SETBACK REQUIREMENT
DUE TO RESTRICTIONS TO BUILD OFF SIDE OR BACK

What specific zoning bylaws is this application associated with?:

40' SETBACK REQUIREMENTS

6. Justification for why the application should be approved:

PROJECT WILL NOT ALTER OR NEGATIVELY AFFECT
SIGHT LINES. IT IS STAYING WITHIN THE SCOPE OF
HOW OTHER HOMES ARE BUILT IN THE NEIGHBORHOOD. IT
IS OUR MOST PRACTICAL ECONOMIC OPTION TO ADD SPACE FOR
OUR GROWING FAMILY OF 4.

7. Existing use and condition of the property and surrounding neighborhood: (Please list all relevant non-conformities.)

AS A CORNER LOT, THE PROPERTY IS ALREADY
NON-CONFORMING

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

Signatures:

Applicant/Agent: M Kotz Applicant's Name: MICHAEL KOTZ

Email Address: MIKOKOTZ17@GMAIL.COM Phone Number: 781-697-7523

Agent's Relationship to Applicant: _____ Firm: _____

Owner: M Kotz Owner's Name: MICHAEL KOTZ

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

Application Requirements

All applications must include a fully completed application form, all required documents, and a check for the full amount made to the Town of Ashland. Any application not complete may lead to the Zoning Board of Appeals issuing a denial without prejudice.

All applications must include:

- A letter of Denial of a Building Permit from the Building Commissioner.
- Abutters list from the Ashland Assessors office (and other towns if applicable)
- A copy of the property card from the Assessors Office.
- One (1) 24x36" sized copy of the certified (signed and stamped by a registered land surveyor) Site Plan and must include a dimensional table of required and proposed setbacks.
- Sixteen (16) packets containing the following: a copy of the application, an 11x17" sized copy of the plot plan, and any supporting documentation. (Note: Make sure the 11x17" copies of the plans are readable. Feel free to consult with the Planning Department if at all unsure.)
- A .pdf copy of the submitted plans must be either handed in to the Planning Department or sent by email to planning@ashlandmass.com, and a georeferenced CAD file (MA State Plain NAD83 Feet) will be required for final approval.

Note that additional fees associated with the Public Hearing process must also be paid with a separate check, along with a copy of the abutters list. See Public Hearing Associated Costs on page 4 for details.

Criteria

The criteria for a Special Permit is: (from Chapter 282 Section 9.3.2) "...the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site." or (from Chapter 282 Section 3.3.2/3.3.3) "...only if determines that such [change of use or change of a structure] shall not be substantially more detrimental than the existing nonconforming [use or structure] to the neighborhood."

Expect to discuss the following:

- Community needs served by the proposal
- Traffic flow and safety, including parking and loading
- Adequacy of utilities and other public services
- Neighborhood character and social structures
- Impacts on the natural environment
- Potential fiscal impact, including impact on town services, tax base, and employment

The criteria for a Variance is that you need to create or extend a nonconformity due to a hardship derived from the physical conditions of the lot or else the lot can't be used. Note that the threshold for granting a variance is somewhat substantial. (See MGL Ch. 40A Section 10.)

Ashland Zoning Board of Appeals Fees

<u>Special Permit:</u>	\$150	Modification/Extension of Special Permit:	\$100
<u>Variance:</u>	\$300	Modification/Extension of Variance:	\$300
<u>Administrative Appeal of a Building Inspector Decision:</u>			\$300

Comprehensive Permit: \$2000 – \$200 per market-rate unit and \$50 per affordable unit proposed.

<u>Project Review Fees:</u>	2-15 Lots/Units:	\$4,000
	16-20 Lots/Units:	\$6,000
	21-25 Lots/Units:	\$10,000
	26-74 Lots/Units:	\$20,000
	75 or More Lots/Units:	\$30,000
	20 or Fewer Parking Spaces:	\$2,500
	21 or More Parking Spaces:	\$5,000
	Wireless Commercial Facility:	\$3,000
	Appeal of Bldg. Insp. for 2+ lots:	\$1,000

Note: Unused project review funds will be returned to the applicant at the end of the process. The applicant may request details on the account at any time from the Planning Department.

Public Hearing Associated Costs:

By state law (M.G.L. Ch. 40A Section 11) the ZBA requires public hearings for the above matters. There are additional fees for the following:

Legal Advertisement: At cost (Price determined by the newspaper. –\$50-75 depending on length of the notice.)

Abutter list: \$2 per abutter, \$50 max (Obtained and paid at Assessors Department.)

Abutter notifications: \$2 per abutter, \$50 max (Planning Department will mail notifications.)

The Zoning Board of Appeals may require a peer review consultant and/or posting of the project on coUrbanize.com at the expense of the applicant.

Please be aware that the Planning Department may hold back decisions and/or permits until all checks have been received.

CoUrbanize Fee Schedule

Application Type	CoUrbanize Requirement
Site Plan Review	CoUrbanize Required
Site Plan Review (Pertaining to Uses Proposed for ADD A, B, & C)	Town planner or Planning Board determines whether CoUrbanize is required
Special Permit	Town planner or Applicable Regulatory Board (PB/ZBA) determines whether CoUrbanize is required
Subdivision Permit (Cluster Included)	CoUrbanize Required
Comprehensive Permit (40B)	CoUrbanize Required
Additional Customization	Applicable Regulatory Board determines whether CoUrbanize is required

The requirement to engage the services of CoUrbanize, as listed above, only pertains to the basic CoUrbanize package, not additional customization services*. The Town Planner and/or Planning Board will determine whether and to what extent additional customization services are required (see second chart below). Any applicant can be granted a waiver from engaging the services of CoUrbanize at the discretion of the Planning Board.

Project Type	Building Size (square feet)	Total Fee Charged By The Planning Department
Small	0 – 24,999	\$600.00
Medium	25,000 – 74,999	\$1,100.00
Large	75,000 – 149,999	\$2,500.00
Very Large	150,000 and Greater	\$3,950.00

Additional Customization*	
Traffic	\$1,500.00
Shadow	\$1,750.00
Parking	\$500.00
Other Impact Study	\$1,500.00

PARCEL INFORMATION

Owner#1: KOTCH MICHAEL E
 Owner#2: KATHERINE A KOTCH
 Address#1: 10 CEDAR HILL RD
 Address#2: ASHLAND MA 01721

Use-Code: 101
 Tax Class: T
 Tot Fin Area: 1479
 Tot Land Area: 0.34

Sale Price: 347500
 Sale Date: 1/26/2007
 Sale Type: P
 Sale Valid: Y
 Grantor: BAILEY DAVID & DONNA

Book: 48900
 Page: 0289
 Cert/Doc:

Inspect Date: 5/27/2017
 Meas Date: 5/27/2017
 Entrance: X
 Collect ID: MJF
 Inspect Reas: C

Road Type: T
 Rd Condition: P
 Traffic: M
 Water: PS
 Sewer: SW

Exempt-B/L%: 0/0
 Resid-B/L%: 100/100
 Comm-B/L%: 0/0
 Indust-B/L%: 0/0
 Open Sp-B/L%: 0/0

RESIDENCE # 1 INFORMATION

Style: CP
 Story Height: 175
 Roof: G
 Ext Wall: AV
 Masonry Trim: CN
 Foundation: T

Tot Rooms: 7
 Bedrooms: 3
 Full Baths: 1
 Half Baths: 1
 Ext Bath Fix: 0
 Bath Qual: T
 Kitch Qual: T
 Ext Kitch: T

Heat Type: HW
 Fuel Type: G
 Fireplace: 1
 Central AC: N

Main Fn Area: 903
 Up Fn Area: 576
 Add Fn Area: 384
 Unfin Area: 384
 Tot Fn Area: 1479

Eff Yr Built: 1980
 Year Built: 1955
 Grade: A
 Condition: G
 Pct Complete: 100
 Att Gar SF: 432

Attic: N
 Bsmt Area: 768
 Fn Bsmt Area: 384
 Bsmt Grade: 170860

RCNLD: 170860
 Mkt Adj: 1980
 Sound Value: 1955
 Cost Bldg: 170900
 Att Str Val: 100
 Att Str Val2: 100/69

Porch Type: W
 Porch Area: 196
 Porch Grade Factor:

LAND INFORMATION

NBHD CODE: 404
 Seg Type: 1 P
 Code: 101
 Method: S
 Sq-Ft: 14731
 Acres: 0.34
 Inllu-1/2/3: N
 Zone: R1
 Value: 215578

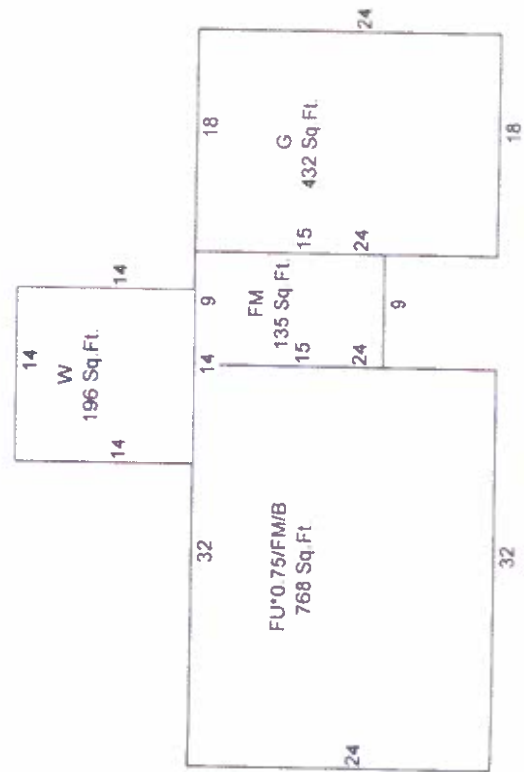
DETACHED STRUCTURE INFORMATION

Str	Unit	Msr-1	Msr-2	E-YR-Blt	Grade	Cond	%Good	P/F/E/R	Cost	Class
PV	S	648		1975	A	A	///45		10800	
SE	S	80		1966	A	A		90/100/90	0	

VALUATION INFORMATION

Current Total	Prior Tot	Bldg	Bldg	Land	Land	MktLnd	MktLnd
397300	397300	181700	181700	215600	215600	215600	215600

SKETCH



PHOTO



10 CEDAR HILL RD

To The Zoning Board of Appeals
 10 Cedar Hill Road
 Michael E. and Katherine A. Kotch
 Abutters To Map 8 Parcel 113

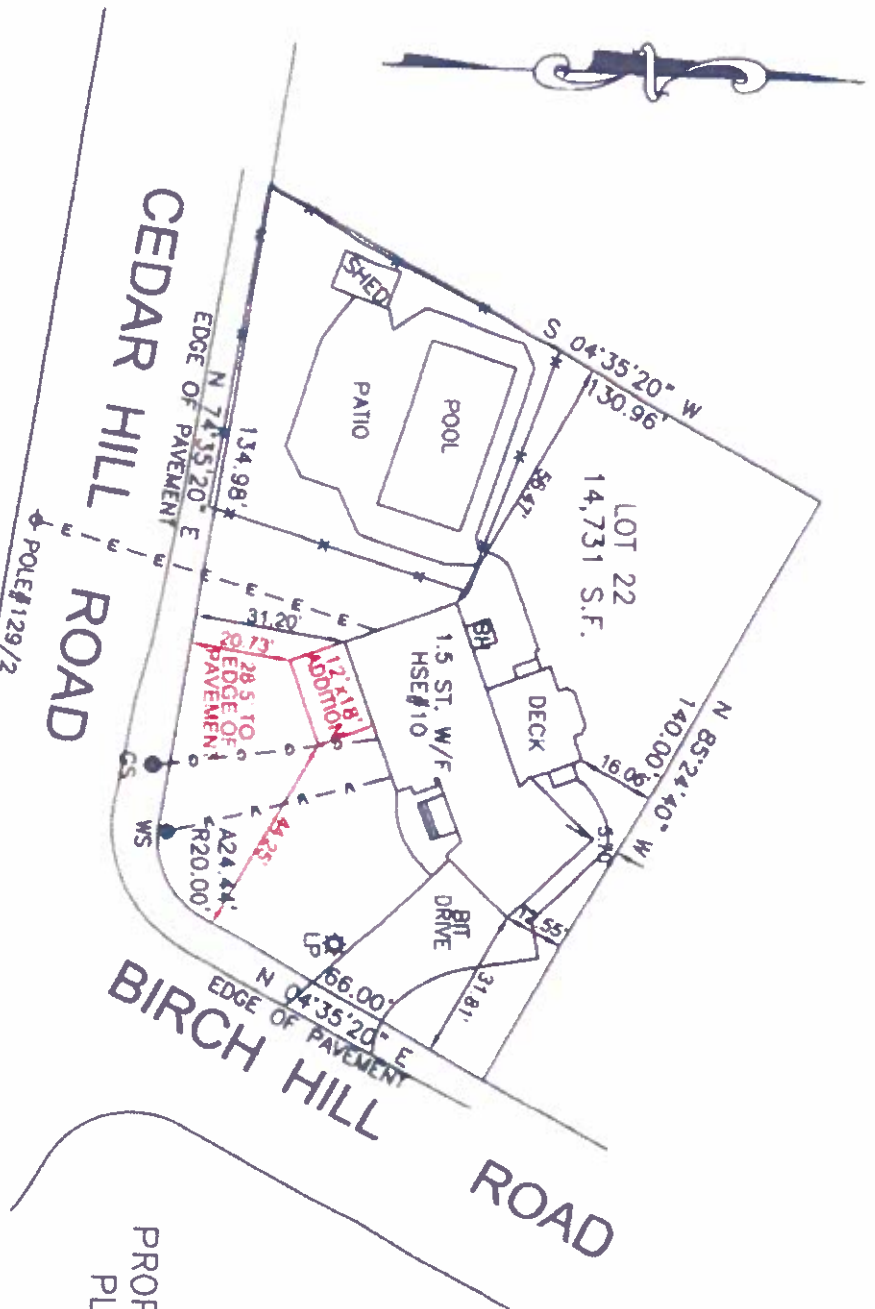
PARCEL ID	PARCEL LOCATION	OWNER 1	OWNER 2	MAILING ADDRESS	CITY/TOWN	STATE	ZIP
08-087-00-000	77 PINE HILL RD EXT	CAPISTRAN JEAN PAUL	MARY C CAPISTRAN	77 PINE HILL RD EXT	ASHLAND	MA	01721
08-089-00-000	69 PINE HILL RD	BAKER EDNAMARIE J	FOX JAMES P	69 PINE HILL RD	ASHLAND	MA	01721
08-090-00-000	65 PINE HILL RD	WRIGHT DEBORAH A		65 PINE HILL RD	ASHLAND	MA	01721
08-091-00-000	61 PINE HILL RD	TRIPP JAMES A	LEIGH TRIPP	61 PINE HILL RD	ASHLAND	MA	01721
08-093-00-000	72 PINE HILL RD	COFFEY FRANCIS G IV		72 PINE HILL RD	ASHLAND	MA	01721
08-094-00-000	58 PINE HILL RD	MAHER KEVIN J		68 PINE HILL RD	ASHLAND	MA	01721
08-095-00-000	64 PINE HILL RD	RAINHO JACQUELYN A		64 PINE HILL RD	ASHLAND	MA	01721
08-096-00-000	60 PINE HILL RD	HEGUY THOMAS H	SUSAN L HEGUY	60 PINE HILL RD	ASHLAND	MA	01721
08-097-00-000	56 PINE HILL RD	PIERS KEITH T	REINSTEIN CAROLYN A	56 PINE HILL RD	ASHLAND	MA	01721
08-109-00-000	37 BIRCH HILL RD	ROTHWELL MARK F	SHARON A ROTHWELL	37 BIRCH HILL RD	ASHLAND	MA	01721
08-110-00-000	41 BIRCH HILL RD	DIONNE USA A	MICHAEL DIONNE	41 BIRCH HILL RD	ASHLAND	MA	01721
08-111-00-000	45 BIRCH HILL RD	GREEN DAVID M	SANDRA A GREEN	45 BIRCH HILL RD	ASHLAND	MA	01721
08-112-00-000	49 BIRCH HILL RD	BROOKS ERIC W	DOREEN M BROOKS	49 BIRCH HILL RD	ASHLAND	MA	01721
08-159-00-000	22 CEDAR HILL RD	MORRISON KATHLEEN A	TRST JUDITH J MORRISON IRREVOCABLE	22 CEDAR HILL RD	ASHLAND	MA	01721
08-160-00-000	18 CEDAR HILL RD	KANE SHARON A	TRUSTEE CEDAR HILL MILLENNIUM RLTY	18 CEDAR HILL	ASHLAND	MA	01721
08-161-00-000	14 CEDAR HILL RD	PEDERSON RANDALL G	KAREN L PEDERSON	14 CEDAR HILL RD	ASHLAND	MA	01721
08-162-00-000	48 BIRCH HILL RD	ABELLI LYNN MERLON		48 BIRCH HILL RD	ASHLAND	MA	01721
08-163-00-000	44 BIRCH HILL RD	GILFOY KENNETH FRANGS	MELINDA A GILFOY	44 BIRCH HILL RD	ASHLAND	MA	01721
08-164-00-000	40 BIRCH HILL RD	MCMANUS GLEN M		40 BIRCH HILL RD	ASHLAND	MA	01721
08-173-00-000	0 BIRCH HILL RD REAR	TOWN OF ASHLAND		101 MAIN ST	ASHLAND	MA	01721
08-181-00-000	0 WINTER ST	TOWN OF ASHLAND		101 MAIN ST	ASHLAND	MA	01721
08-194-00-000	82 PINE HILL RD EXT	SPARKS JOEL W	LAUREL SPARKS	82 PINE HILL RD EXT	ASHLAND	MA	01721
08-195-00-000	80 PINE HILL RD EXT	KLEIN MICHAEL D		80 PINE HILL RD	ASHLAND	MA	01721
08-196-00-000	0 PINE HILL RD EXT	DICKEY THOMAS		3 CEDAR HILL RD	ASHLAND	MA	01721
08-197-00-000	3 CEDAR HILL RD	DICKEY EARL J & PATRICIA A	THOMAS E DICKEY	3 CEDAR HILL RD	ASHLAND	MA	01721
08-198-00-000	7 CEDAR HILL RD	BERGERON NANCY A & FERRARO PAUL J	TRSTS VINCENT J FERRARO ASSET PROTECTION	7 CEDAR HILL RD	ASHLAND	MA	01721
08-199-00-000	11 CEDAR HILL RD	FERRARO TYLER	LAURINA A FERRARO	11 CEDAR HILL RD	ASHLAND	MA	01721
08-200-00-000	15 CEDAR HILL RD	CAYA ARTHUR J & CLARA F	TRUSTEES OF THE CAYA FAMILY TRUST	15 CEDAR HILL RD	ASHLAND	MA	01721
08-201-00-000	19 CEDAR HILL RD	SULLIVAN MICHAEL D	MAUREEN L SULLIVAN	19 CEDAR HILL RD	ASHLAND	MA	01721
08-202-00-000	23 CEDAR HILL RD	RABBETTE STANLEY E	SCHADLER KATHY J	23 CEDAR HILL RD	ASHLAND	MA	01721
08-215-00-000	0 PINE HILL RD EXT	NIX ALVIN E	MALEY EDWARD F	77 WEST PLAIN ST	WAYLAND	MA	01778

The above reflects the latest information available on our records.


 Richard E. Ball, M.A.A.
 Director of Assessing

3/12/20
 Date

ZONE RA
 AREA 30,000 S.F.
 FRONTAGE 150'
 SETBACK 40'
 SIDEYARD 10'
 REARYARD 30'
 NOT WITHIN THE G.P.O.D.



I CERTIFY THAT THE PROPOSED ADDITION SHOWN ON THIS PLAN IS NO CLOSER TO THE PROPERTY LINES THAN THE EXISTING STRUCTURE AND DOES NOT LIE WITHIN THE FLOOD PLAN.

PROPOSED ADDITION
 PLAN OF LAND
 IN

ASHLAND, MA

SCALE: 1"=40' DEC. 12, 2019

OWNER: Michael & Katherine Kotch
 10 Cedar Hill Road
 Ashland, Ma. 01721

COLONIAL ENGINEERING INC.
 11 AWL STREET MEDWAY, MA.
 508-533-1644

