



SPECIAL PERMIT APPLICATION

73 KINGLAND ROAD MAP U-04 PARCEL 66

PREPARED FOR:

DION FAMILY REVOCABLE NOMINEE TRUST

CONTENTS

PROJECT NARRATIVE

ZBA SPECIAL PERMIT APPLICATION

ASSESSORS MAP U-04 (LOCUS INDICATED)

CERTIFIED ABUTTERS LIST

LOCUS DEED

LOCUS RECORDED PLANS

EXISTING PLOT PLAN

PROPOSED PLOT PLAN

PROPOSED ARCHITECTURAL FLOOR PLANS & ELEVATIONS

PROJECT NARRATIVE

73 Kingland Road (Stow Assessor's Map U-04 Parcel 66) is the site of an existing single-family home in the Residential Zone on Lake Boon constructed in 1925. A special permit is sought under Zoning Bylaw Section 4.1.6 for demolition of the existing dwelling and construction of a new dwelling on the lot. A special permit is required because the lot is dimensionally non-conforming for current minimum frontage (191.54' existing; 200-ft min. required) and area (41,273 sq.ft. existing; 65,340 sq.ft. min. required) in the Residential Zone.

The proposed dwelling will be located substantially in the same location as the existing dwelling with a larger footprint. All proposed construction will occur within the existing developed dwelling/driveway/yard area with only minor grade changes and tree removal required for construction. The proposed dwelling will conform with the minimum required YARD requirements, minimum OPEN SPACE, and height limitation currently required in the Residential Zone (ZBL Sec. 4.2 & 4.4).



TOWN OF STOW ZONING BOARD OF APPEALS APPLICATION FOR:

- SPECIAL PERMIT**
- DIMENSIONAL VARIANCE**
- SIGN VARIANCE**
- APPEAL of DECISION OF BUILDING INSPECTOR/ZONING ENFORCEMENT OFFICER/SIGN OFFICER**

File one (1) copy of the Application (including plans and reports as required by the Rules and Regulations), folded to fit neatly within a legal sized file folder, to the Town Clerk.

Received and Filed with Town Clerk
Date
Stow Town Clerk

File nine (9) copies of the Application (including plans and reports as required by the Rules and Regulations), folded to fit neatly within a legal sized file folder, to the Zoning Board of Appeals along with an Application fee payable to "Town of Stow" in the amount required by the Rules and Regulations. Refer to the Rules and Regulations for details on the information required.

APPLICANT'S NAME: DION FAMILY REVOCABLE NOMINEE TRUST	PHONE # (978) 868-1007 EMAIL: <u>marcusdion31@gmail.com</u>
MAILING ADDRESS: 73 KINGLAND ROAD, STOW, MA 01775	
LOCATION AND STREET ADDRESS OF SITE: 73 KINGLAND ROAD	
AREA OF SITE 41,273 sq.ft.	FRONTAGE: 161.54 linear feet
ZONING DISTRICT RESIDENTIAL	TOWN OF STOW ASSESSOR'S MAP Number(s) U-04 Parcel Number(s) 66
SOUTH MIDDLESEX REGISTRY OF DEEDS BOOK AND PAGE NO.(s): <u>NA</u> or LAND COURT CERTIFICATE OF TITLE NO.(s): <u>CERTIFICATE OF TITLE# 277654</u>	
PROPERTY OWNER(S) NAME: DION FAMILY REVOCABLE NOMINEE TRUST	PHONE NO.: (978) 868-1007 EMAIL: <u>marcusdion31@gmail.com</u>
APPLICATION FEE MADE PAYABLE TO TOWN OF STOW	\$250.00 PLUS \$2.00 FOR EACH LISTED ABUTTER \$250 + 12(\$2) = \$274.00

TYPE OF APPLICATION

X Special Permit	Check the appropriate box below
	<input type="checkbox"/> Section 3.2.2 of the Zoning Bylaw (Residential District Use)
	<input type="checkbox"/> Section 3.3.3 of the Zoning Bylaw (Business District Use)
	<input type="checkbox"/> Section 3.9 of the Zoning Bylaw (Non-Conforming Use or Structure) (attach copy of form Appendix 7 for non-conforming vacant lots)
	<input type="checkbox"/> Section 4.1.3 of the Zoning Bylaw (Two or more dwelling houses)
	<input type="checkbox"/> Section 4.1.4 of the Zoning Bylaw (Floodplain)
	X Section 4.1.6 of the Zoning Bylaw (Single Family dwelling on non-conforming lot in single ownership)
	<input type="checkbox"/> Section 4.4 of the Zoning Bylaw (Table of Dimensional Requirements) for expansion of an existing non-conformity.
	<input type="checkbox"/> Section 5.1.1.7 of the Zoning Bylaw (Floodplain Overlay District – Mapping Error)
	<input type="checkbox"/> Other

<input type="checkbox"/> Variance (Section 4.4 (Dimensional Requirements) of the Zoning Bylaw)	Required Setback – Current Zoning Bylaw		Existing Setback	Proposed Setback	Variance Requested
	Front yard	_____feet	_____feet	_____feet	_____feet
	Side Yard	_____feet	_____feet	_____feet	_____feet
	Rear Yard	_____feet	_____feet	_____feet	_____feet
	Other	(Describe)			

<input type="checkbox"/> Variance – Section 6.3..7.7 (Signs) of the Zoning Bylaw	Attach description of and justification for variance.
<input type="checkbox"/> Appeal of Decision of the Building Commissioner/Zoning Enforcement Officer/Sign Officer	Attach description of and justification for appeal.

DESCRIPTION AND JUSTIFICATION FOR THE PROPOSED REQUEST:

Attach detailed description and justification for request.

Any additional maps, plans, photographs, deeds, or documents which the Applicant wishes to submit should be enclosed with each copy of this Application.

=====

The undersigned hereby certify that the information on this Application and plans submitted herewith are correct, and that all applicable provisions of Statutes, Regulations, and Bylaws will be complied with.

The above is subscribed to and executed by the undersigned under the penalties of perjury in accordance with Section 1-A of Chapter 268, General Laws of the Commonwealth of Massachusetts.

APPLICANT

Date: MAY 31, 2023		
Name (print)	Signature	
Marcus Dion	<i>Marcus Dion</i>	5/31/23
Shelley Dion	Shelley Dion	5/31/23

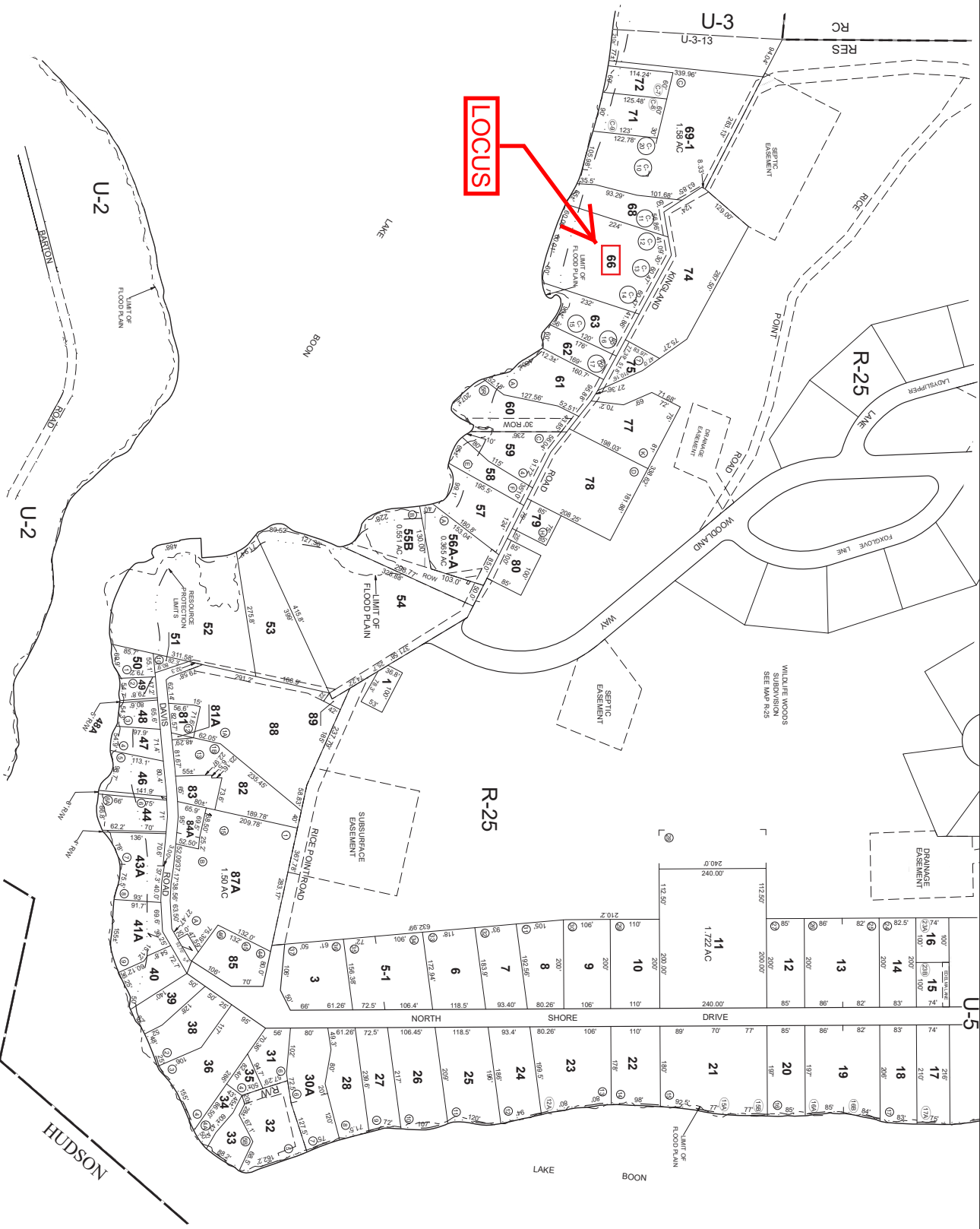
OWNER'S KNOWLEDGE AND CONSENT

I hereby assert that I have knowledge of and give my consent to the Application presented above.

Date: MAY 31, 2023		
Name (print)	Signature	
Marcus Dion	<i>Marcus Dion</i>	5/31/23
Shelley Dion	Shelley Dion	5/31/23

TRUST, CORPORATION OR COMPANY KNOWLEDGE AND CONSENT

Date: MAY 31, 2023		
Name (print)	Signature	
Marcus Dion	<i>Marcus Dion</i>	5/31/23
Shelley Dion	Shelley Dion	5/31/23



DIGESTED IN 1988 BY: AERIAL SURVEILLANCE PHOTO, INC.
 400 WEST FLOOD RD. #100
 NORFOLK, MASSACHUSETTS 01901
 UPDATED JANUARY 1, 2022 BY: R. BOGERS CONSULTING SERVICES

PREPARED BY: STOW TOWN ENGINEERS & ARCHITECTS, INC.
 100 STATE STREET, SUITE 200
 STOW, MASSACHUSETTS 01961

PROPERTY MAPS
STOW, MASSACHUSETTS
 U04

1" = 100'
 SCALE: 1" = 100'
 0 100 200 300 FEET

LEGEND: AREAS UNDEVELOPED SUBDIVISION

ABUTTERS LIST
73 KINGLAND
MAP U4 PARCEL 66

MAP/PARCEL	PROPERTY LOCATION	OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	STATE	ZIP CODE	DEED BOOK	DEED PAGE
000U-4 000060	95 KINGLAND RD	WALKER DANIEL A	WALKER JEFFERY G & SANDRA A TRS	95 KINGLAND ROAD	STOW	MA	01775 13365	242	
000U-4 000061	93 KINGLAND RD	WALKER LIVING TRUST		93 KINGLAND ROAD	STOW	MA	01775 59571	300	
000U-4 000062	89 KINGLAND RD	SULLIVAN, JILL	PAYNE, THOMAS	89 KINGLAND RD	STOW	MA	01775 1343	47	
000U-4 000063	0 KINGLAND RD	TOWN OF STOW	CONSERVATION COMMISSION	380 GREAT RD	STOW	MA	01775 947	82	
000U-4 000066	73 KINGLAND RD	DION, MARCUS T. & SHELLEY E.	DION FAMILY REV. TRUST	73 KINGLAND RD	STOW	MA	01775 1207	11	
000U-4 000068	0 KINGLAND RD	PAULEY KENNETH C/O ERNEST DODD	WATERMAN E & WASHER E	339 SUDBURY RD	STOW	MA	01775 848	43	
000U-4 000071	65 KINGLAND RD	KOVACH PETER J	KOVACH PIYAWAN C	4607 COOPER LANE	BETHESDA	MD	20816 1357	83	
000U-4 000072	63 KINGLAND RD	PETRY III, JOHN P.	PETRY, MARY W.	367 WALTHAM ST	NEWTON	MA	02465 1337	5	
000U-4 000074	0 KINGLAND RD	TOWN OF STOW	CONSERVATION COMMISSION	TOWN HALL	STOW	MA	01775 14330	298	
000U-4 000075	0 KINGLAND RD	ROBERTS FRANK	ALICE M ROBERTS	65 GASTON ST	MEDFORD	MA	02155 7387	148	
000U-4 000077	92 KINGLAND RD	SCHANDELMAYER JR CLIFTON L		92 KINGLAND RD	STOW	MA	01775 31329	371	
000U-4 000078	98 KINGLAND RD	GARABEDIAN HELEN		98 KINGLAND DR	STOW	MA	01775 50930	244	
000U-4 0069-1	69 KINGLAND RD	KIRK JAMES	KIRK AMY	69 KINGLAND ROAD	STOW	MA	01775 1435	77	
00R-25 02A-2A	0 WOODLAND WY	TOWN OF STOW		380 GREAT RD	STOW	MA	01775 53275	473	
00R-25 02A-3A	0 WOODLAND WY	TOWN OF STOW		380 GREAT ROAD	STOW	MA	01775 53275	413	

Certified by the Stow Board of Assessors:



Date Certified or Re-Certified:

5/12/23

Ft:

300



2021 01896304

Bk: 1580 Pg: 80 Cert#: 277654

Doc: DEED 10/12/2021 12:53 PM

DEED

Crown Castle Properties, LLC a Massachusetts Limited Liability Company with offices located at 20 Main Street, Acton, Middlesex County, Massachusetts

For consideration paid and in full consideration of One Million One Hundred Thousand (\$1,100,000.00) Dollars

Grant to Marcus T. Dion and Shelley E. Dion, Trustees of the Dion Family Revocable Nominee Trust under Declaration of Trust dated September 28, 2021 Of 73 Kingland Road, Stow, Middlesex County, Massachusetts

With Quitclaim Covenants

A certain parcel of land with the buildings thereon situated in Stow, Middlesex County, Massachusetts, bounded and described as follows:

- NORTHWESTERLY by high water mark in Lake Book
- NORTHEASTERLY by Lot C12 as shown on plan hereinafter mentioned, about two hundred fifty-one feet;
- SOUTHEASTERLY by the middle line of a way as shown on said plan, sixty and 47/100 feet; and
- SOUTHWESTERLY by Lot C14 on said plan, about two hundred forty-two feet.

Said parcel is shown as Lot C13 on said plan, Plan No. 10130E.

Also another certain parcel of land situated in said Stow, bounded and described as follows:

- NORTHWESTERLY by high water mark in Lake Boon;
- NORTHEASTERLY by Lot C11 as shown on said plan hereinafter mentioned, about two hundred twenty-four feet;
- NORTHEASTERLY again, forty-one and 9/100 feet, and
- SOUTHEASTERLY thirty feet, by lines in a way as shown on said plan; and
- SOUTHWESTERLY by Lot C13 on said plan, about two hundred fifty-one feet.

Said parcel is shown as Lot C12 on said plan, Plan No. 10130E.

All of said boundaries, except the water lines, are determined by the Court to be located as shown on a subdivision plan, as approved by the Court, filed in the Land Registration Office, a

73 Kingland Road, Stow, MA

MASSACHUSETTS EXCISE TAX
Southern Middlesex District MOD # 001
Date: 10/12/2021 12:53 PM
Ctrl# 347795 20940 Doc# 01896304
Fee: \$5,016.00 Cons: \$1,100,000.00

276940

1576-157

copy of which is filed in the Registry of Deeds for the South Registry District of Middlesex County in Registration Book 407, Page 253, with Certificate 60977, as Plan 10130E.

Also, another certain Parcel of land situated in said Stow, bounded and described as follows:

NORTHWESTERLY by high water mark in Lake Boon;
 NORTHEASTERLY by Lot C13 as shown on plan hereinafter mentioned, about two hundred forty-two feet;
 SOUTHEASTERLY by the middle line of a way as shown on said plan, sixty and 47/100 feet;
 SOUTHWESTERLY by Lot C15 on said plan, one hundred and twenty-five feet;
 NORTHWESTERLY twenty feet;
 SOUTHWESTERLY fifteen feet, and
 SOUTHEASTERLY twenty feet, by Lot C19 on said plan, and
 SOUTHWESTERLY by said Lot C15, about ninety-two feet.

Said parcel is shown as Lot C18 on said plan, Plan No. 10130F.

Also, another certain parcel of land situated in said Stow, bounded and described as follows:

NORTHWESTERLY twenty feet;
 NORTHEASTERLY fifteen feet, and
 SOUTHEASTERLY twenty feet, by Lot C18 as shown on said plan hereinafter mentioned; and
 SOUTHWESTERLY by Lot C15 on said plan, fifteen feet

Said parcel is shown as Lot C19 on said plan, Plan No. 10130F

All of said boundaries, except the water lines, are determined by the Court to be located as shown on a subdivision plan, as approved by the Court, filed in the Land Registration Office, a copy of which is filed in the Registry of Deeds, Middlesex South District in Registration Book 425, Page 237, with Certificate 63607, as Plan 10130F.

There is appurtenant to said Lot C19 the right to use the twenty foot way as shown on plan filed in Registration Book 425, Page 237 in common with others entitled thereto.

So much of said Lots C13, C12 and C18 as are included within the limits of the way twenty feet wide, as shown on plans filed in Registration Book 407, Page 253 and Book 425, Page 237, is subject to the rights of all persons lawfully entitled thereto in and over the same; and there is appurtenant to said Lots the right to use the whole of said way in common with others entitled thereto.

Said Lots 13, C12, C18 and C19 are subject to the terms of a stipulation between Minnie W. Huse and the American Woolen Co., filed on July 14, 1925, being Document 65678 and have the benefit of any appurtenant rights therein contained, so far as legally sufficient under the agreement of such parties.

Said Lots C13, C12 and C18 are subject to the covenants and to the reservation to conduct a water pipe and maintain it in its present location across said Lots C13, C12, and C18, as set forth in Document 219232.

Said Lot C18 is also subject to the reservation as to a right of way six feet wide extending from Lot C19 on said plan filed in Registration Book 425, Page 237, a distance of one hundred twenty-five feet to said twenty foot right of way on said plan for the purpose of access to well and for the purpose of constructing a water pipe line in the ground under said strip of land and maintaining the same from time to time with the right to make necessary excavations of same, set forth in said Document 219232.

Said Lot C19 is subject to and has the benefit of the reservation set forth in Document 219231, to the degree same is in force and effect.

The Grantor, certifies that he did not utilize the premises as a residence and declares under the pains and penalties of perjury that there are no other persons with rights of homestead therein; hereby releasing any Rights of Homestead if any there be.

The Grantor certifies that this conveyance does not constitute the sale of all or substantially all of the Grantors assets within the Commonwealth of Massachusetts.

For title, see deed from Daniel B. O'Connell and Robin M. O'Connell dated July 6, 2021 and filed with the Middlesex South Registry of Deeds of the Land Court on July 29, 2021 as Document No. 01888742, with Certificate of Title No. 276940, at Book 1576, Page 157..

{SIGNATURES ON THE FOLLOWING PAGE}

Witness my hand and seal this 29th day of September, 2021.

Crown Castle Properties LLC

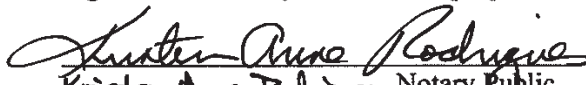
By: 
John M. Anderson, Manager
a/k/a John Michael Anderson

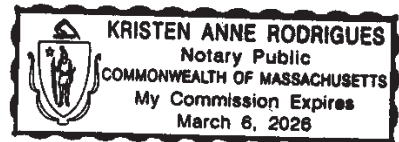
COMMONWEALTH OF MASSACHUSETTS

LLC#1896303

Middlesex, ss.

On this 29th day of September, 2021, before me, the undersigned notary public, personally appeared John M. Anderson, Manager of Crown Castle Properties LLC, proved to me through satisfactory evidence of identification, which was a picture ID (Massachusetts State Driver's License) containing his signature to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.


Kristen Anne Rodrigues, Notary Public
My Commission Expires: 3/6/2026



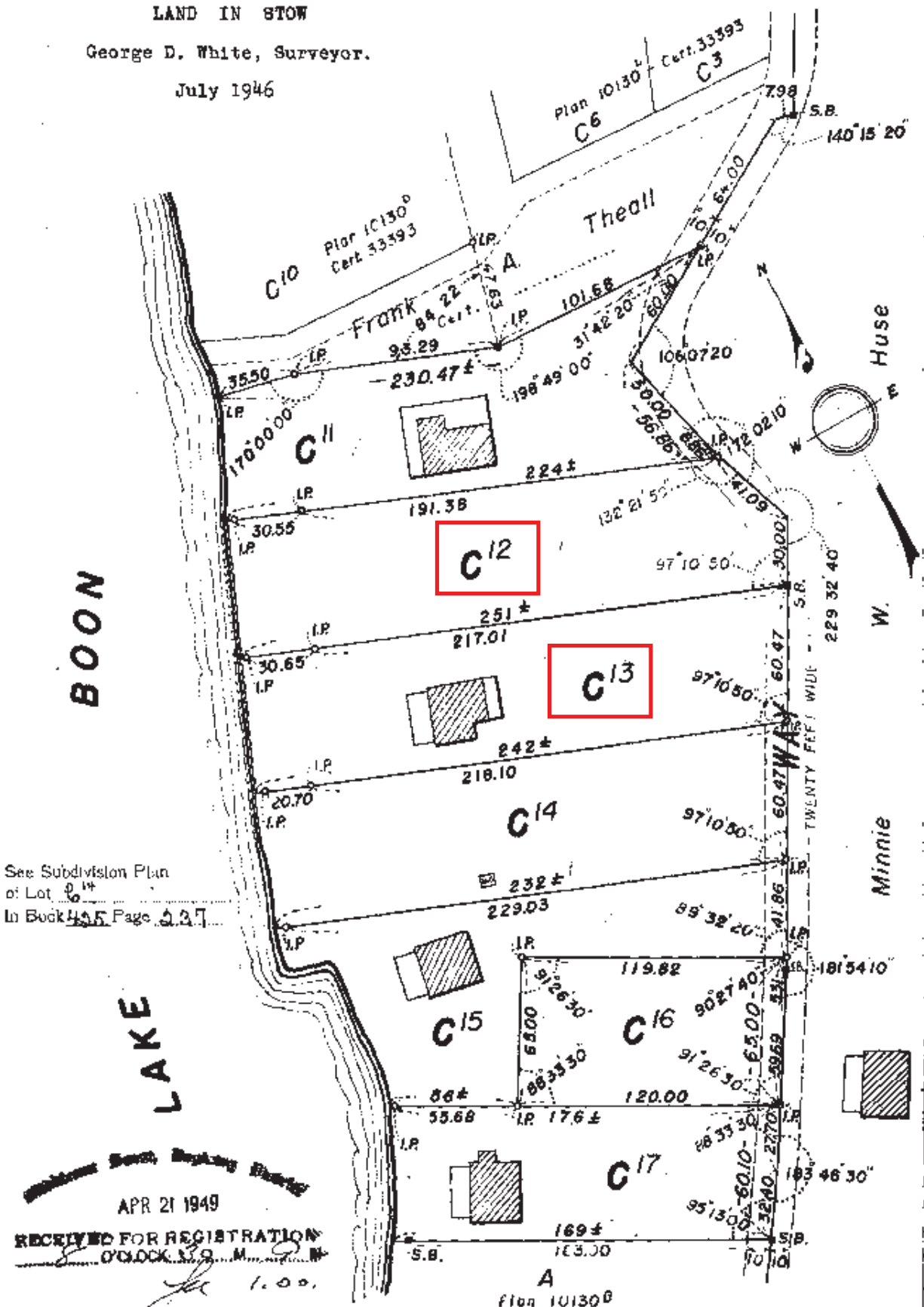
Subdivision of part of Lot C shown on Plan 10130^C

Filed with Cert. of Title No. 27063 South Registry District of Middlesex County.

LAND IN STOW

George D. White, Surveyor.

July 1946



See Subdivision Plan of Lot C¹⁴ in Book 435 Page 237

RECEIVED FOR REGISTRATION
 APR 21 1947
 O'CLOCK P.M.
 1.00.

Separate certificates of title may be issued for LOTS C¹⁰ TO C¹⁷ INCL. as shown hereon By the Court
 Robert E. French
 Recorder
 MAR. 11 1947

Plan 10130^B
 Cert. 24369

Copy of part of plan 10130^A filed in
 LAND REGISTRATION OFFICE
 MAR. 11 1947
 Scale of this plan 50 feet to an inch
 W.T. Fairclough Engineer for Court

63607 405 207

10130^F

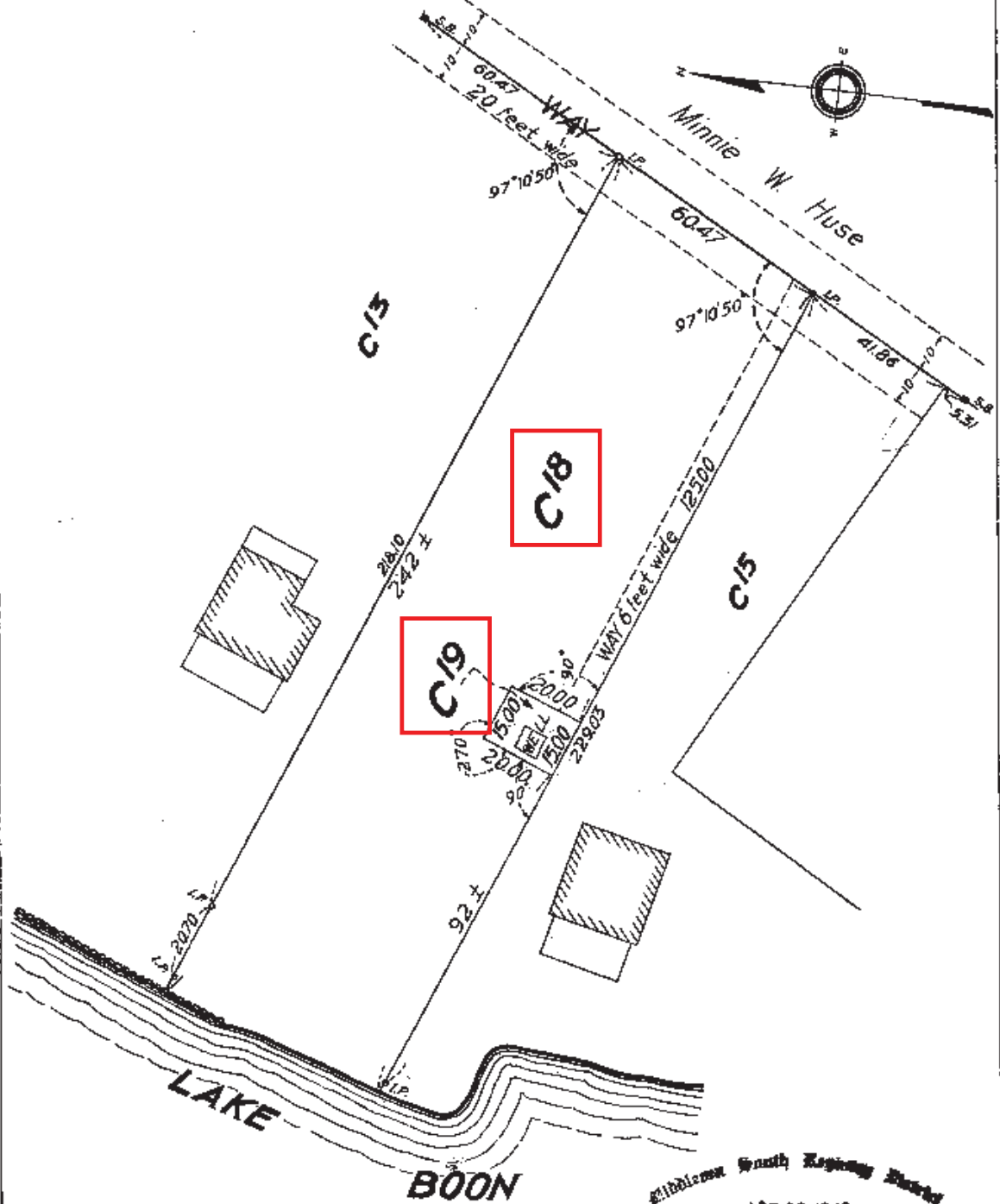
SUBDIVISION PLAN OF LAND IN STOW

W. T. Fairclough, Engineer for Court

Scale 30 feet to an inch

December 22, 1947

APR 14 1949



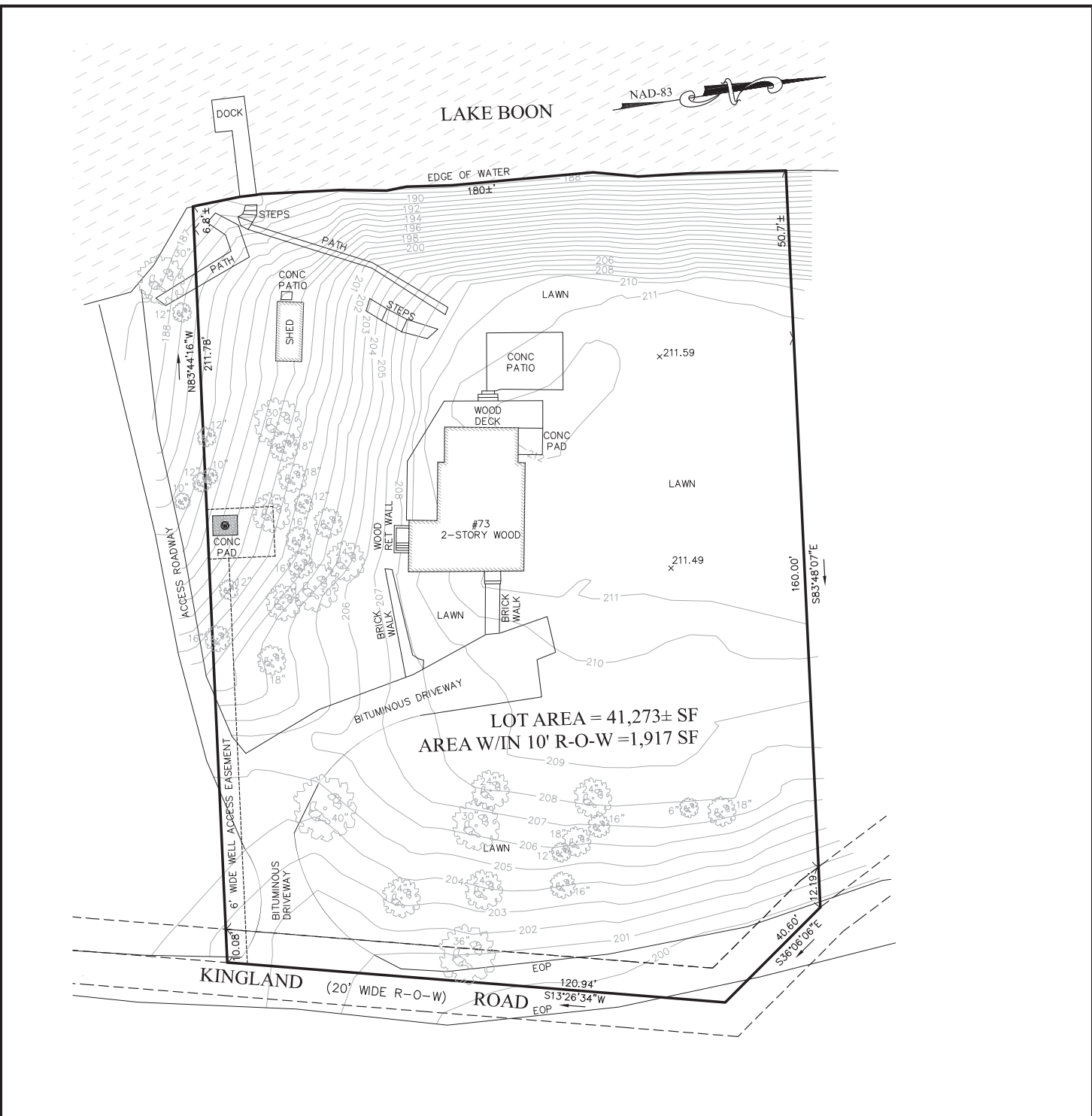
Subdivision of Lot C14
 Shown on Plan 10130^E
 Filed with Cert. of Title No. 60976
 South Registry District of Middlesex County
 Separate certificates of title may be issued
 for Lots C/18 & C/19 as shown hereon
 By the Court

DEC. 22, 1947
Thomas A. Cummings
 Deputy Recorder

Middlesex South Registry District
 APR 20 1949

RECEIVED FOR REGISTRATION
 8 O'CLOCK 30 M. 9 M

for 1.00



ZONING:
 ZONING DISTRICT: RESIDENTIAL (RES)
 CURRENT DIMENSIONAL REQUIREMENT:
 MIN. LOT AREA: 65,340 SF
 MIN. FRONTAGE: 200 FT
 MIN. FRONT YARD: 30 FT
 MIN. SIDE YARD: 25 FT
 MIN. REAR YARD: 40 FT
 MAIN. OPEN SAPCE: 10%

OWNERS OF RECORD:
 MARCUS T DION
 SHELLEY E DION
 BK 1580 PG 80
 MBLU: U-4/66
 PID: 986

LEGEND:
 CONC
 (W) WATER WELL
 R-O-W RIGHT-OF-WAY
 EOP EDGE OF PAVEMENT
 (T) 18" 18" TREE
 RET WALL RETAINING WALL

CERTIFICATION:
 I CERTIFY THAT THIS PLAN AS SHOWN IS BASED ON ON-GROUND SURVEY



PROFESSIONAL LAND SURVEYOR

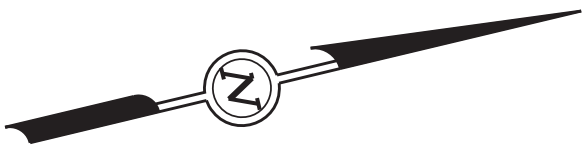
06/13/2022
 DATE



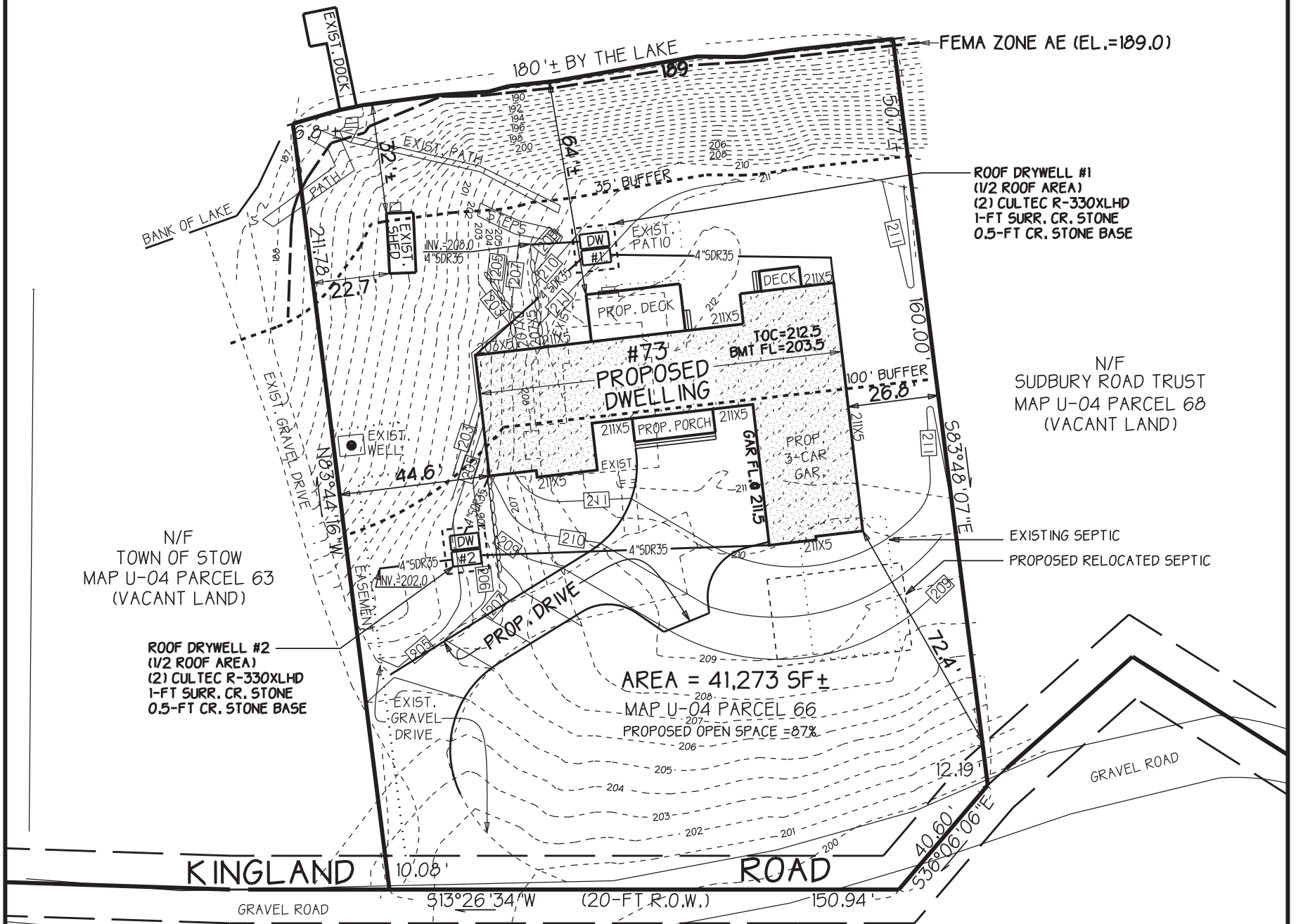
DATE	REVISION	BY	JOB. NO: 22-113	FLD. BK: TAJ-22
6-13-2022	FINAL REVIEW	HSA	DATE: 05/24/2022	CHECK: HSA
6-9-2022	TREES LARGER THAN 12"	HSA	SCALE: 1" = 20 FT.	SURVEY: DC
			SHEET: 1 OF 1	CALC: HSA
				DRAFT: DC/AF

TAJ ENGINEERING, LLC
 CIVIL & STRUCTURAL ENGINEERS, LAND SURVEYORS
 PROJECT MANAGEMENT, PERMITTING
 225 STEEDMAN ST., SUITE 308, LOWELL, MA, 01851
 PHONE: 978-250-4173 FAX: 978-770-0652
 Info@tajengineering.net

PLOT PLAN OF LAND
 73 KINGLAND ROAD
 STOW, MA
PREPARED FOR:
 MARCUS T DION



LAKE BOON



N/F
TOWN OF STOW
MAP U-04 PARCEL 63
(VACANT LAND)

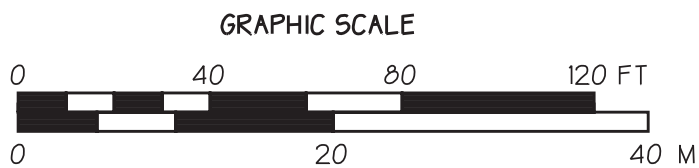
ROOF DRYWELL #2
(1/2 ROOF AREA)
(2) CULTEC R-330XLHD
1-FT SURR. CR. STONE
0.5-FT CR. STONE BASE

ROOF DRYWELL #1
(1/2 ROOF AREA)
(2) CULTEC R-330XLHD
1-FT SURR. CR. STONE
0.5-FT CR. STONE BASE

N/F
SUDBURY ROAD TRUST
MAP U-04 PARCEL 68
(VACANT LAND)

EXISTING SEPTIC
PROPOSED RELOCATED SEPTIC

AREA = 41,273 SF±
MAP U-04 PARCEL 66
PROPOSED OPEN SPACE = 87%



N/F
TOWN OF STOW
MAP U-04 PARCEL 74
(VACANT LAND)



73 KINGLAND ROAD, STOW, MA

OWNER:
DION FAMILY REVOCABLE NOM. TRUST

MAP U-04 PARCEL 66

MIDDLESEX COUNTY LAND REG. REFS.

LAND REG. BOOK 1580 PAGE 80 (DEED)
LAND COURT PLAN NO. 10130-E (LOT C13)
LAND COURT PLAN NO. 10130-F (LOTS C18 & C19)

ZONING DISTRICT: RESIDENTIAL

WATER RESOURCE PROTECTION
OVERLAY DISTRICT

PROPOSED PLOT PLAN

73 KINGLAND ROAD
STOW, MASSACHUSETTS

PREPARED FOR:
DION FAMILY REV. NOM. TR.
73 KINGLAND RD.
STOW, MA 01775

DATE: MAY 26, 2023
SCALE: 1 IN. = 40 FT

RESIDENTIAL DIM. REQ. (ZBL SEC. 4.4)

MIN. AREA:	65,340 S.F.*	MIN. FRONT YARD:	30-FT
MIN. FRONTAGE:	200-FT *	MIN. SIDE YARD:	25-FT
MIN. OPEN SPACE:	10%	MIN. REAR YARD:	40-FT
MAX. HEIGHT:	35-FT		

*ZBA SPECIAL PERMIT REQUIRED FOR NON-CONFORMING LOT
FRONTAGE AND AREA UNDER ZBL SEC. 4.1.6

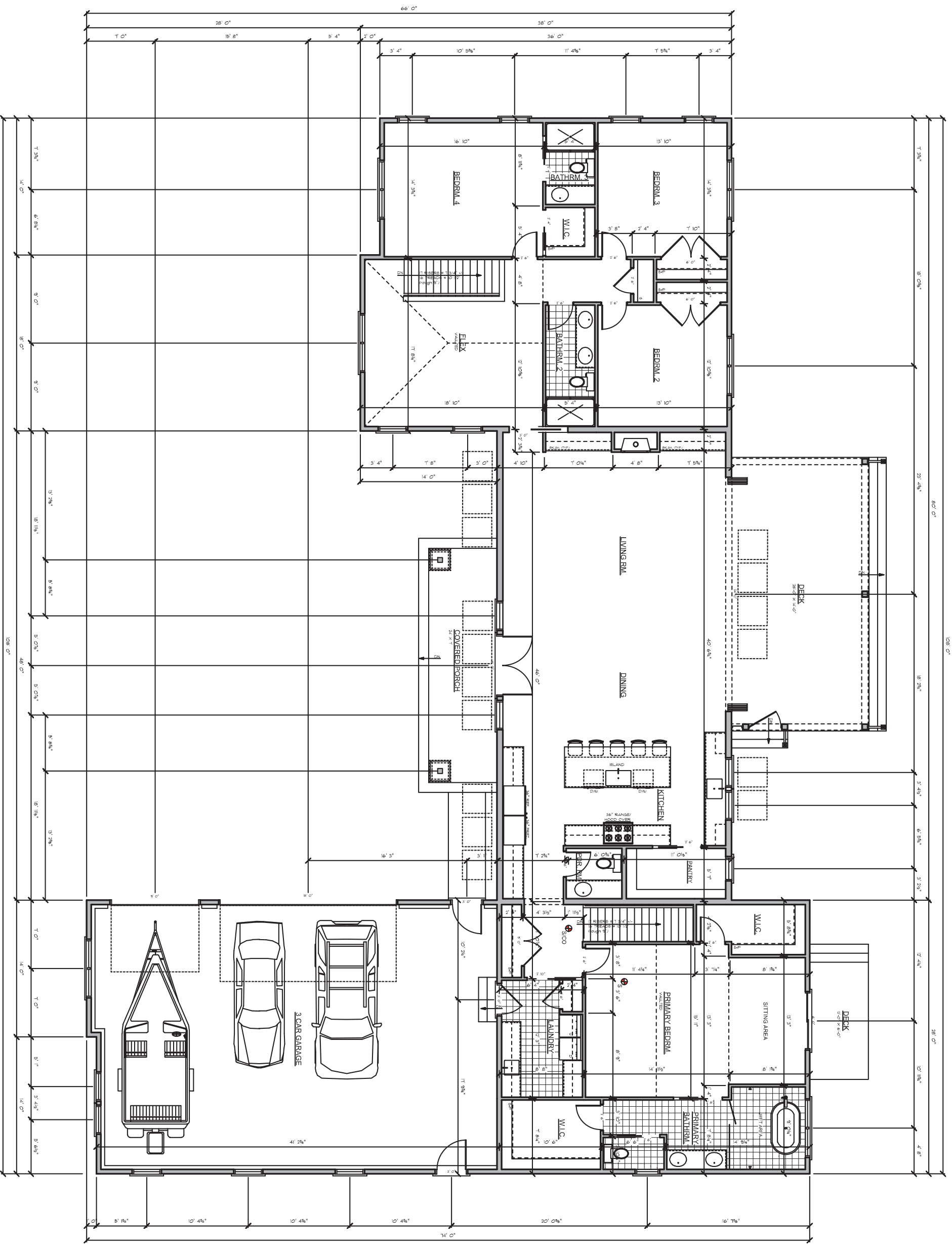


FORESITE
ENGINEERING

16 Gleasondale Road Suite 1-1
Stow, Massachusetts 01775

Phone: (978) 461-2350

FIRST FLOOR PLAN

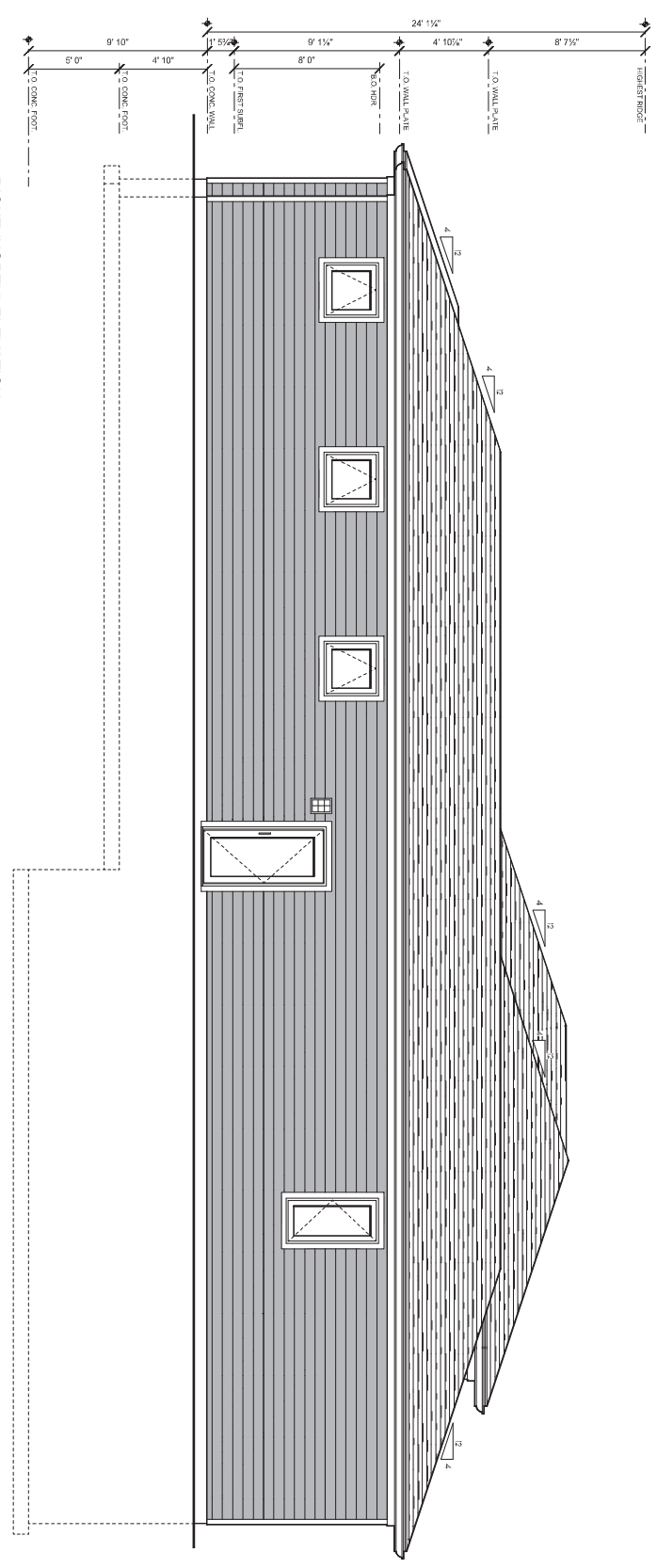
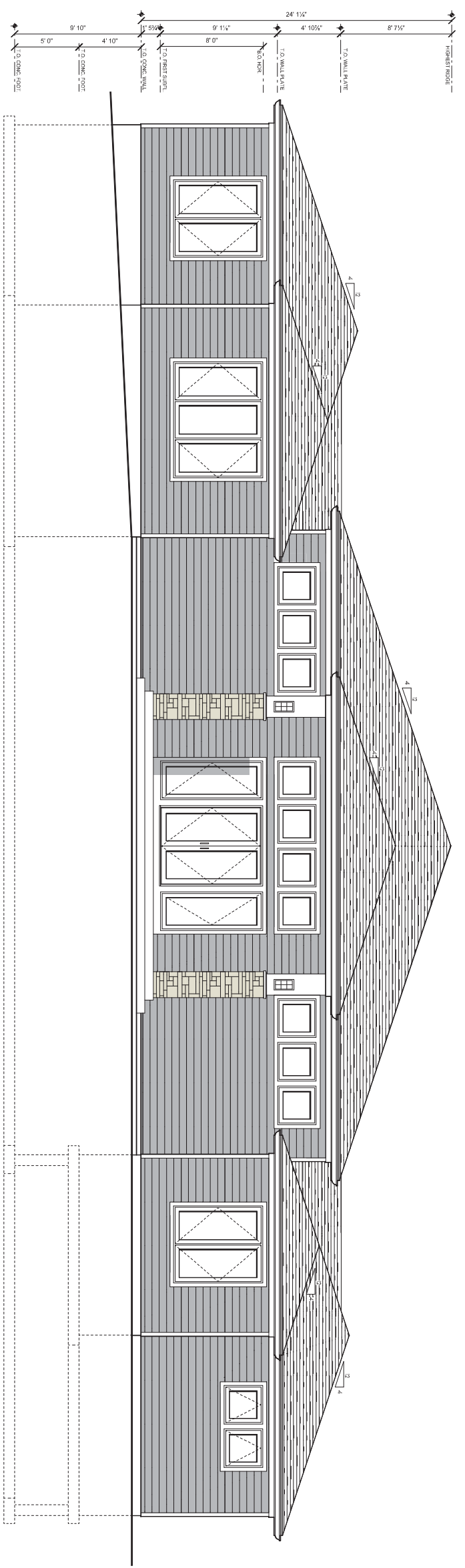


FIRST FLOOR PLAN

PROPOSED SINGLE FAMILY DWELLING

Address: **73 Kingland Road Stow, MA**

SCALE: AS SHOWN
DATE: 5-5-2023
REV:



RIGHT (NORTH) ELEVATION

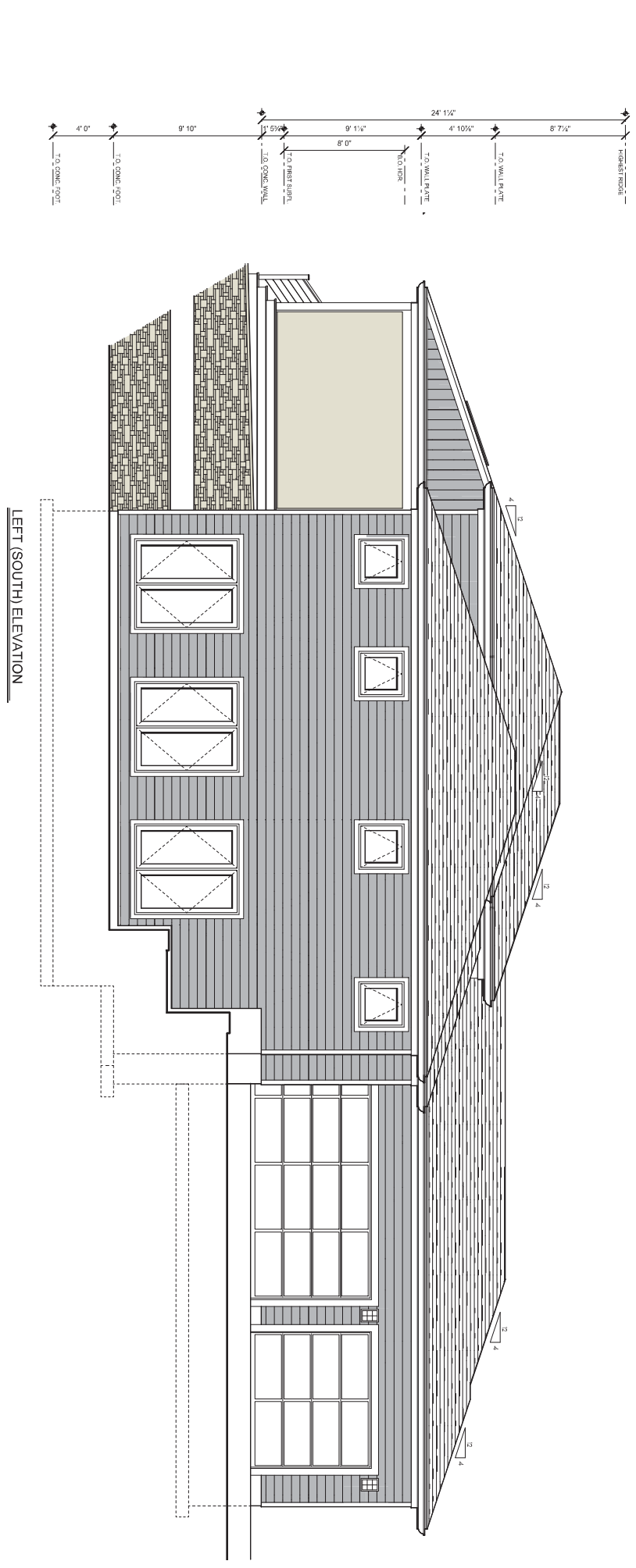
FRONT (EAST) ELEVATION

SCALE: AS SHOWN
 DATE: 5-5-2023
 REV:

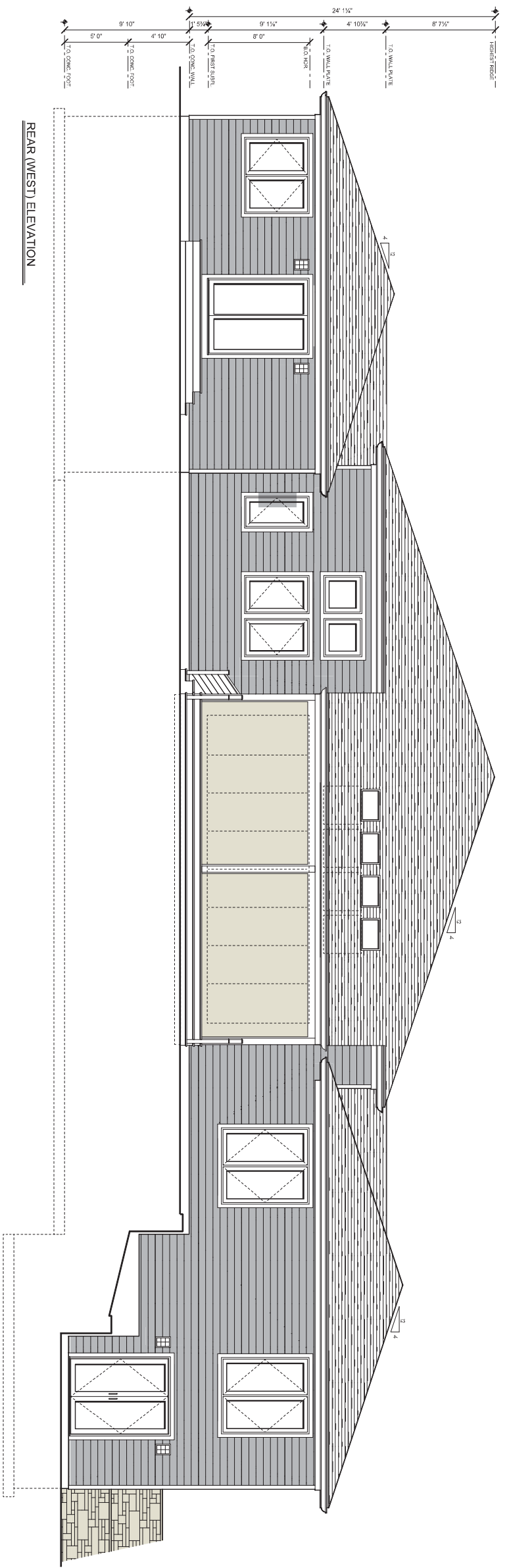
FRONT (EAST) ELEVATION
 RIGHT (NORTH) ELEVATION

PROPOSED
 SINGLE FAMILY
 DWELLING

Address:
**73 Kingland Road
 Stow, MA**



LEFT (SOUTH) ELEVATION



REAR (WEST) ELEVATION

SCALE: AS SHOWN
 DATE: 5-5-2023
 REV:

REAR (WEST) ELEVATION
 LEFT (SOUTH) ELEVATION

PROPOSED
 SINGLE FAMILY
 DWELLING

Address:
73 Kingland Road
Stow, MA