



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 Gregory Freeburn | PHONE # 774-573-1383 EMAIL: gfreeburn12@gmail.com |
| MAILING ADDRESS: 29 White Pond Rd., Stow, MA 01775 | |
| LOCATION AND STREET ADDRESS OF SITE 29 White Pond Rd., Stow, MA 01775 | |
| AREA OF SITE <u>80,370/1.85</u> sq. ft./acres | FRONTAGE <u>180</u> linear feet |
| ZONING DISTRICT Residential | TOWN OF STOW ASSESSOR'S 00R-29/000077 MAP Number(s) _____ Parcel Number(s) <u>2065</u> |
| SOUTH MIDDLESEX REGISTRY OF DEEDS BOOK AND PAGE NO.(s): <u>70299/176</u> or LAND COURT CERTIFICATE OF TITLE NO.(s): _____ | |
| PROPERTY OWNER(S) NAME Gregory Freeburn Molly Marshall | PHONE NO. <u>774-573-1383</u> EMAIL <u>gfreeburn12@gmail.com</u> |
| APPLICATION FEE MADE PAYABLE TO TOWN OF STOW | \$250.00 PLUS \$2.00 FOR EACH LISTED ABUTTER \$ <u>284.00</u> |

TYPE OF APPLICATION

| | |
|--|--|
| <input checked="" type="checkbox"/> 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 checked="" 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) |
| | <input type="checkbox"/> 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.

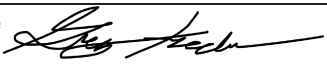
Any additional maps, plans, photographs, deeds, or documents which the Applicant wishes to submit should be enclosed with each copy of this Application.

=====

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: March 4, 2022 | |
| Name (print) Gregory Freeburn | Signature  |

OWNER'S KNOWLEDGE AND CONSENT

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

| | |
|----------------------------------|--|
| Date: March 4, 2022 | |
| Name (print) Gregory Freeburn | Signature  |

TRUST, CORPORATION OR COMPANY KNOWLEDGE AND CONSENT

| | |
|--------------|-----------|
| Date: | |
| Name (print) | Signature |

March 4, 2022

Gregory Freeburn & Molly Marshall
29 White Pond Rd.
Stow, MA 01775

RE: Town of Stow ZBA Application for Special Permit

Dear ZBA Board Members,

We own the home located at 29 White Pond Rd., Stow, MA 01775. Our home is a ranch style home built in 1952, and currently has two bedrooms and 1318 sqft of living space. We are interested in adding an addition to our house to give our family room to grow.

We are applying for a special permit after learning that our lot is “pre-existing non-conforming” due to insufficient frontage as outlined in the Town Bylaws. We contracted with Goldsmith, Prest, & Ringwall, Inc. (Civil Engineering and Surveying firm in Ayer, MA) who conducted a plot survey which is included in this application, along with a Building Permit Plot Plan outlining our proposed addition. As shown in the plot plan, our lot has 180ft of frontage, just 20ft short of the minimum requirement per the relevant town bylaw. Our proposed addition is laid out such to be located well within the setback requirement in a Residential zoned property.

We hope you consider our application for a special permit and please let us know if any further information is required.

Sincerely,



Gregory Freeburn

Molly Marshall



Town of Stow
BOARD OF ASSESSORS

380 Great Road
Stow, Massachusetts 01775-1122
(978) 897-4597
Email: Assessors2@Stow-MA.gov

REQUEST FOR CERTIFIED ABUTTERS' LIST

Date of Request: February 23, 2023

Property Owner: Gregory Freeburn & Molly Marshall

Property Location: 29 White Pond Rd, Stow, MA 01775

Parcel ID: (Map & Lot): MAP# 00R-29/000077 PARCEL ID#2065

Requesting Board: ZBA

Requestor Information:

Name: Gregory Freeburn

Mailing Address: 29 White Pond Road, Stow, MA 01775

Email address: gfreeburn12@gmail.com

Phone Number: 774-573-1383

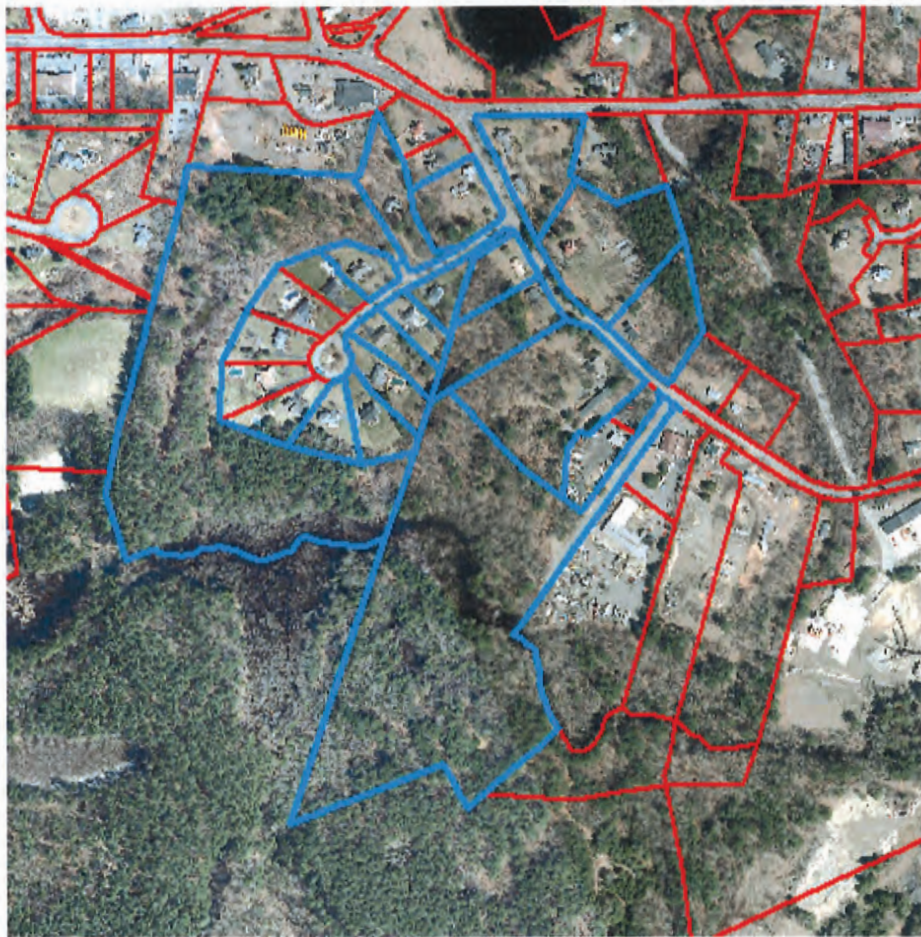
FEE: \$20.00 for first 20 abutters or less:
PLUS: \$1.00 per abutter above 20 entries and \$2.00 per sheet of labels.

Assessors' Office Use Only:

Deposit: \$ _____ Cash Check (check # _____)

Add'l Fee: \$ _____ Cash Check (check # _____)

The Board of Assessors has 10 business days to provide all Certified Lists of Abutters.
The list is valid for 90 days from the date of Certification.
Applications submitted without all necessary information may be returned for completion.



Southern Middlesex - 20/20 Perfect Vision i2 Document Detail Report

Current datetime: 2/23/2022 4:29:29 PM

| Doc# | Document Type | Town | Book/Page | File Date | Consideration |
|---|---------------|------|-----------|------------|---------------|
| 192725 | DEED | | 70299/176 | 11/28/2017 | 322000.00 |
| Property-Street Address and/or Description | | | | | |
| 29 WHITE POND RD | | | | | |
| Grantors | | | | | |
| DOTY JANE G TR, JANE G DOTY TRUST | | | | | |
| Grantees | | | | | |
| FREEBURN GREGORY R, MARSHALL MOLLY A B | | | | | |
| References-Book/Pg Description Recorded Year | | | | | |
| 70299/194 HOME 2017 | | | | | |
| Registered Land Certificate(s)-Cert# Book/Pg | | | | | |

3-0

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 11/28/2017 02:31 PM
Ctrl# 273854 26400 Doc# 00192725
Fee: \$1,468.32 Cons: \$322,000.00


2017 00192725
Bk: 70299 Pg: 176 Doc: DEED
Page: 1 of 3 11/28/2017 02:31 PM

QUITCLAIM DEED

I, JANE G. DOTY, TRUSTEE OF THE JANE G. DOTY TRUST UNDER DECLARATION OF TRUST DATED AUGUST 24, 2004 WITH A CERTIFICATE OF TRUST RECORDED WITH THE MIDDLESSEX SOUTH DISTRICT REGISTRY OF DEEDS, BOOK 46149, PAGE 97 of 41 WHITE POND ROAD, STOW, MASSACHUSETTS

in consideration of THREE HUNDRED TWENTY-TWO THOUSAND AND 00/100 (\$322,000.00) DOLLARS

Grant to GREGORY R. FREEBURN AND MOLLY A. B. MARSHALL, HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETY OF 29 WHITE POND ROAD, STOW, MASSACHUSETTS

with Quitclaim Covenants

PARCEL I

The land in said Stow, being shown as Lot B on a plan of land in Stow owned by Alice L. Locke, surveyed by Horace F. Tuttle, dated January 21, 1950 recorded with the Middlesex South District Registry of Deeds, bounded and described as follows:

- BEGINNING at the Northeasterly corner thereof at Lot A shown on said plan and White Pond Road;
- THENCE S. 8° W. by said White Pond Road, 105 feet to other land now or formerly of Alice L. Locke;
- THENCE N. 82° W. by said Locke land 467.50 feet to a wall at land now or formerly of August Fors;
- THENCE N 56° 32' E. by a wall on land of said Fors 156.30 feet to Lot A shown on said plan;
- THENCE S 82° E. by said lot A 352.00 feet to the place of beginning

29 White Pond Rd. Stow, MA

Containing 43,018 square feet of land, more or less, according to said plan,

PARCEL II

The land in said Stow, situated on the Westerly side of White Pond Road, being shown on a plan of land entitled "Land in Stow, owned by Alice L. Locke, Horace F. Tuttle, C.E., March 12, 1954, scale 50 feet to an inch", bounded and described as follows:

- EASTERLY: by White Pond Road, as shown on said plan, seventy-five (75) feet;
- SOUTHERLY: by land now or formerly of Alice L. Locke, as shown on said plan, five hundred fifty (550) feet;
- NORTHWESTERLY: by land now or formerly of August Fors, as shown on said plan, one hundred ten (110) feet; and
- NORTHERLY: by Lot B as shown on said plan, four hundred sixty-seven and 50/100 (467.50) feet;

Containing 38,156 square feet of land, more or less, according to said plan.

For title to the Grantor, see deed of Jane G. Doty, dated March 15, 2005 and recorded with said Deeds in Book 47159, Page 99.

All of said premises are conveyed subject to and together with the benefits of all rights, easements, covenants and restrictions of record, insofar as now in force and applicable.

The Grantor hereby waives and releases any and all rights of homestead to the property conveyed herein and states under the pains and penalties of perjury that there are no other persons entitled to any rights under G.L. c. 188.

Executed as a sealed instrument this 17 day of November, 2017.

JANE G. DOTY TRUST

Jane G. Doty
Jane G. Doty, Trustee

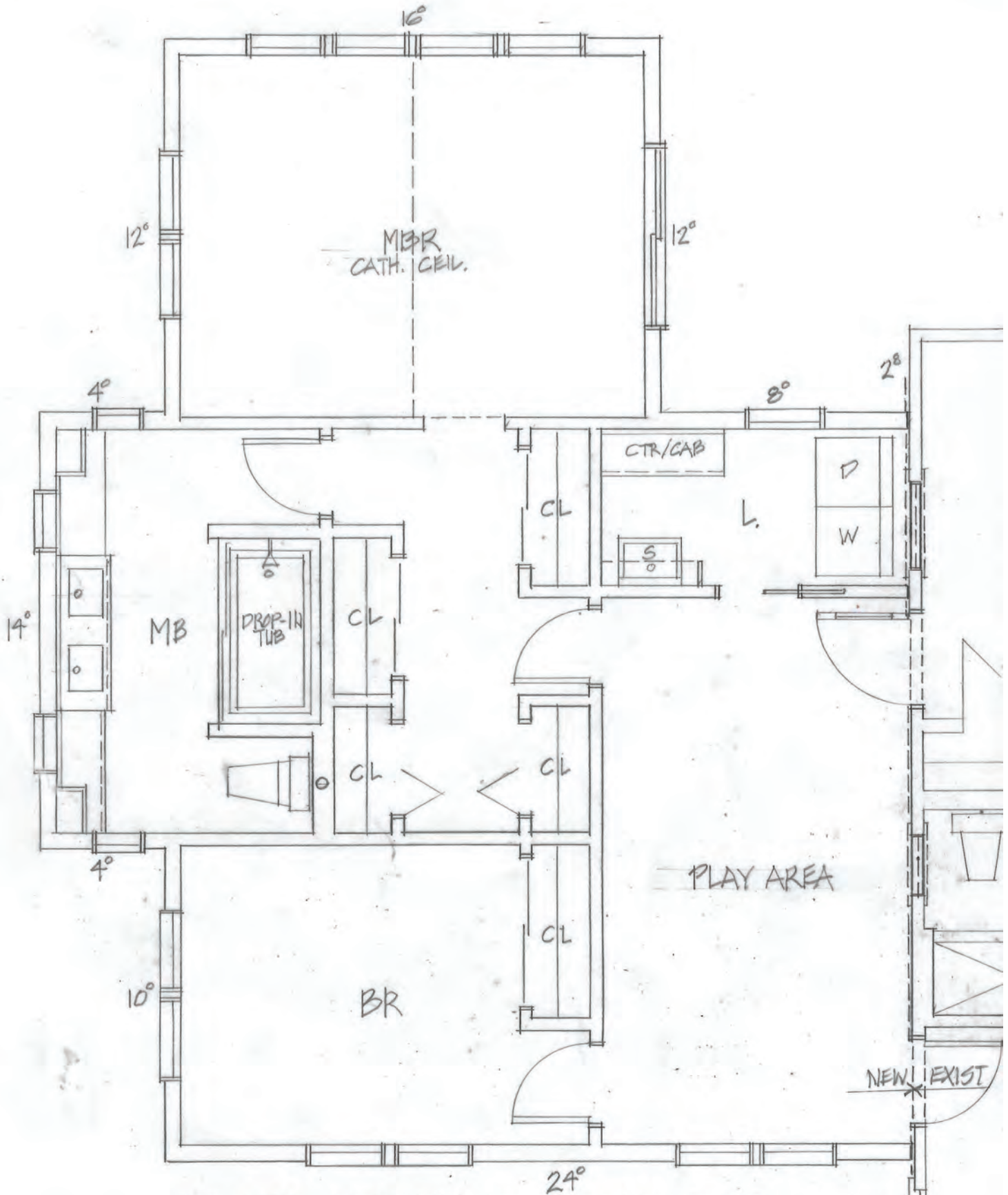
COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

On this 17 day of November, 2017, before me, the undersigned Notary Public, personally appeared Jane G. Doty, Trustee aforesaid and proved to me through satisfactory evidence of identification which was a Massachusetts driver's license to be the person whose name is signed on the preceding documents, and acknowledged to me that he/she signed it voluntarily for its stated purpose as Trustee of the Jane G. Doty Trust and who swore or affirmed to me that the declarations made within the document are truthful and accurate to the best of his/her knowledge and belief.



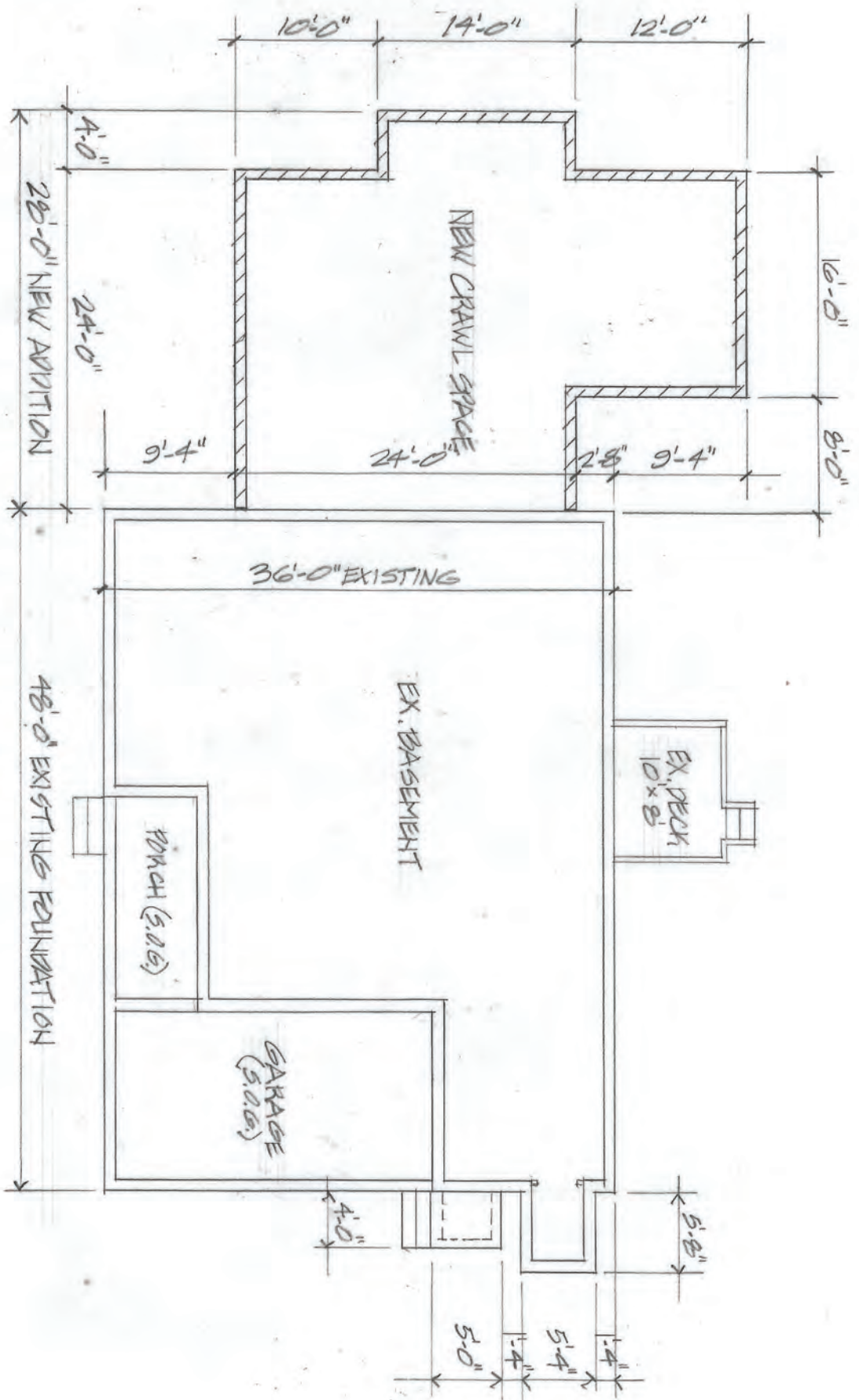
[Signature]
Notary Public:
My Commission Expires: 5-23-19



PROPOSED ADDITION - FREEBURN/MARSHALL 1/4"=1'
 29 WHITE POND RD. ~ STOW, MASS. 2/18/22

NEW EXIST

9'



PROPOSED NEW ADDITION 1'-10'-0"

FREEBURN-MARSHALL RESIDENCE

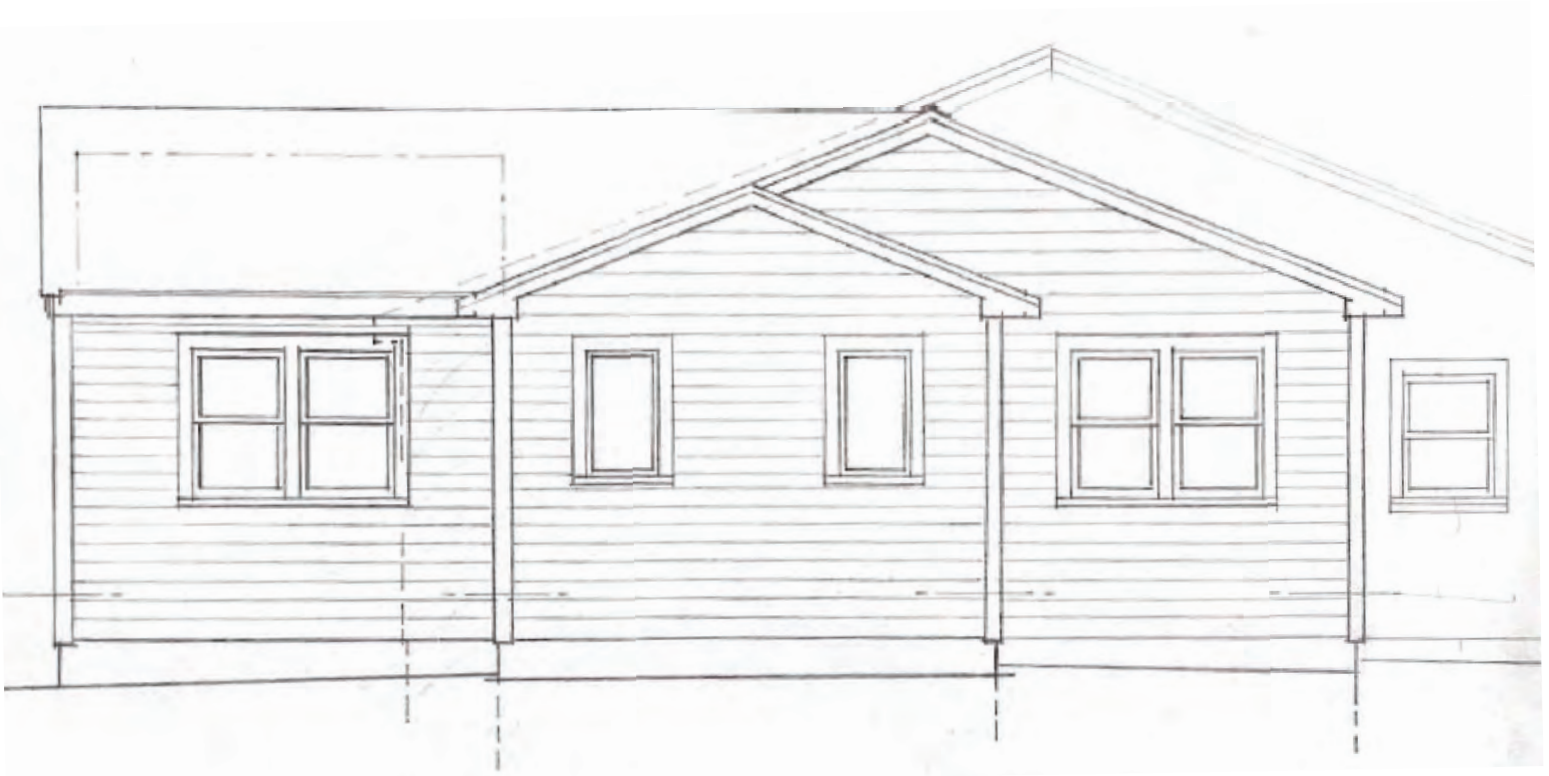
29 WHITE POND RD. ~ STOW, MA

2/17/22

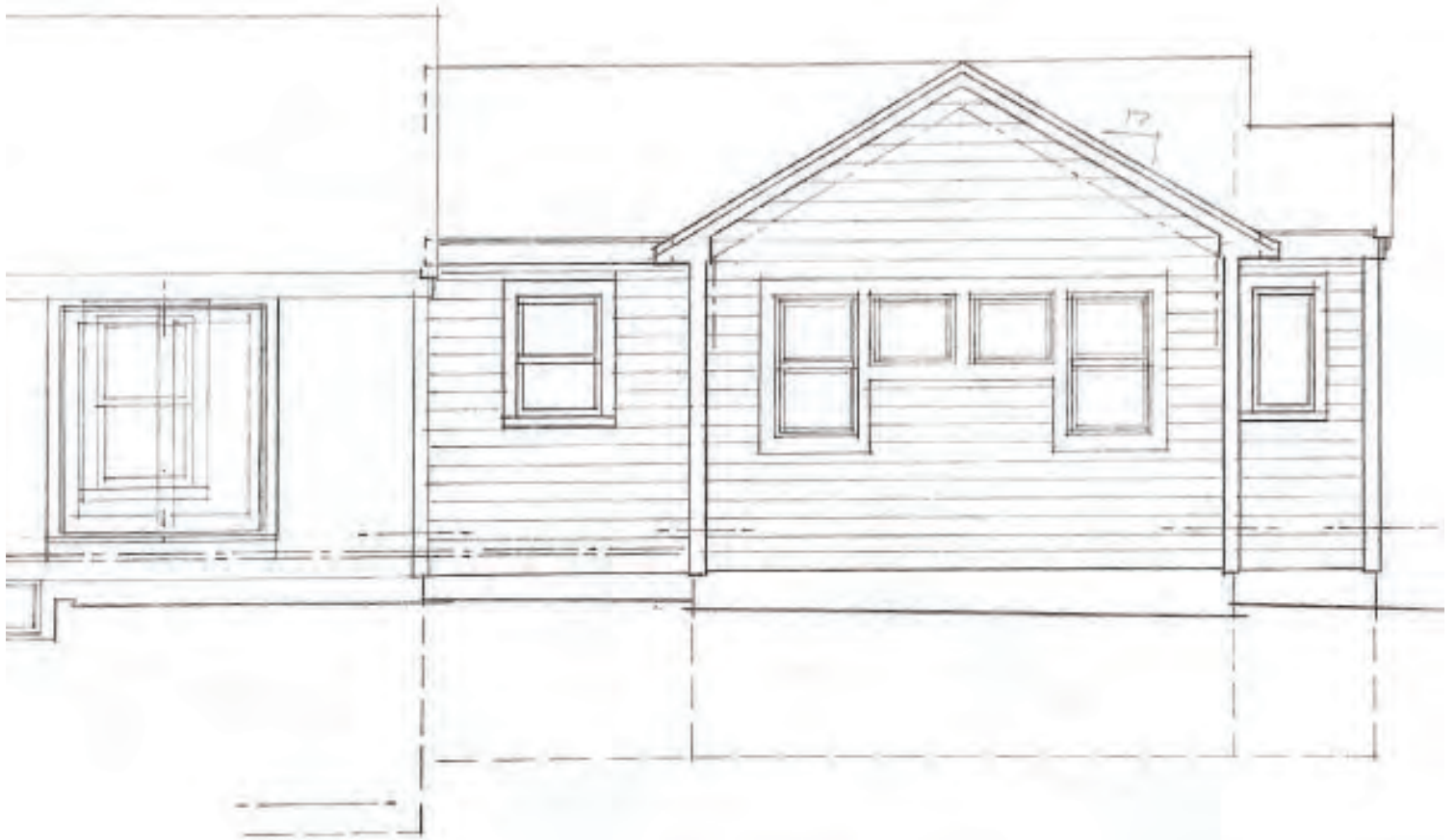
FRONT VIEW (White Pond Rd.)



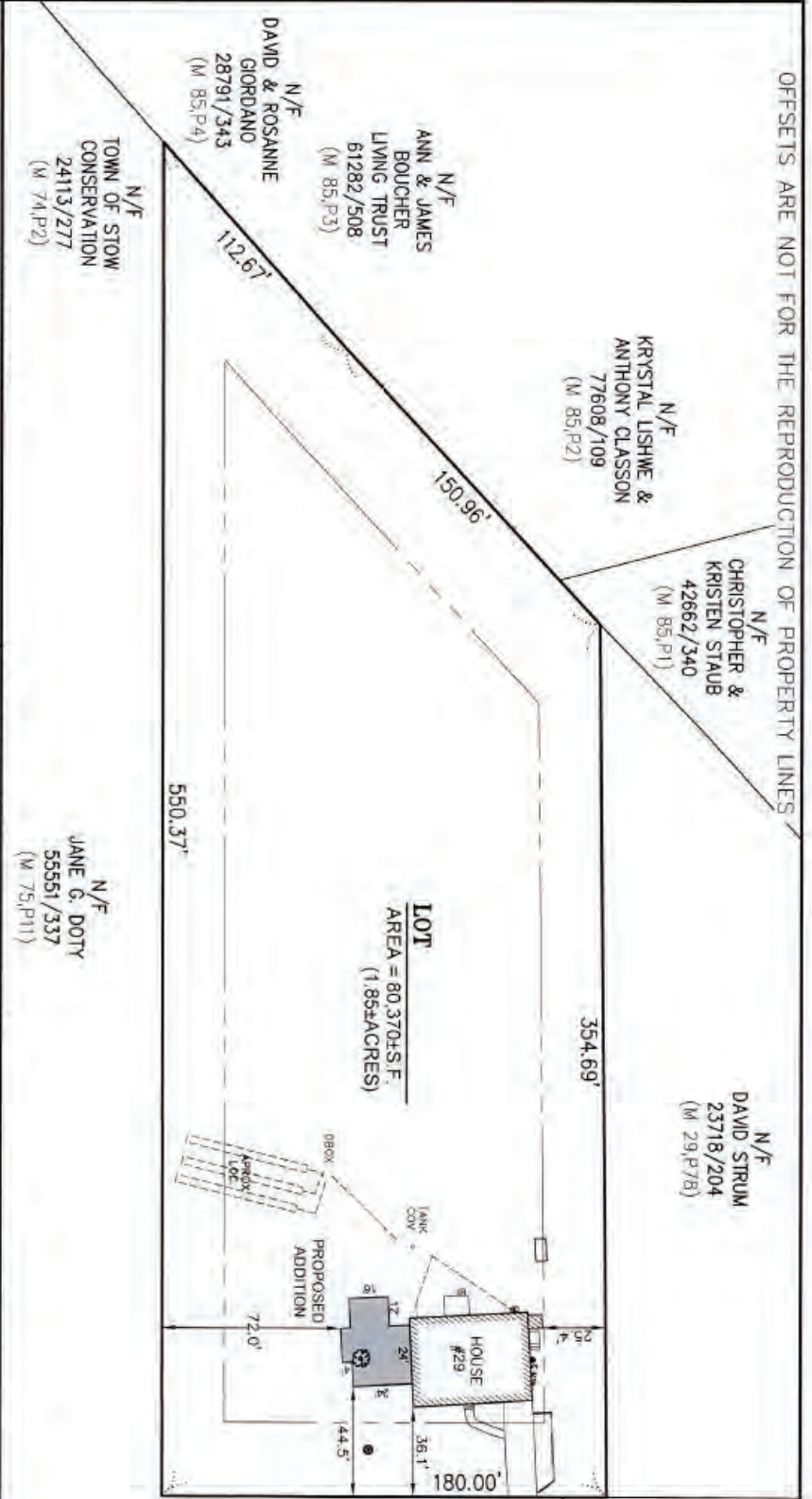
SIDE VIEW (South [41 White Pond Rd.]



REAR VIEW



OFFSETS ARE NOT FOR THE REPRODUCTION OF PROPERTY LINES



ZONING TABLE

ZONE: RESIDENTIAL

MIN. LOT AREA: 65,340

MIN. LOT FRONTAGE: 200

SETBACKS

FRONT - 30'

SIDE - 25'

REAR - 40'

THE STRUCTURE SHOWN IS NOT IN A FLOOD HAZARD AREA, BEING ZONE X (AREAS OF MINIMAL FLOODING) AS SHOWN ON THE F.E.M.A. FLOOD INSURANCE RATE MAP FOR STOW, MASS., DATED JUNE 7, 2007, COMMUNITY-PANEL NO. 250-1700-961F. ZONE HAS BEEN DETERMINED BY SCALE AND IS NOT NECESSARILY ACCURATE. ACCURATE DETERMINATION CANNOT BE MADE UNLESS A VERTICAL CONTROL SURVEY IS PERFORMED.

ASSESSOR'S MAP R-29, PARCEL 78
DEED BOOK 70299 PAGE 176
PLAN # 65 OF 1930

THIS LAND MAY BE SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, COVENANTS, OR OTHER LIMITATIONS WHICH MAY BE DISCLOSED BY A TITLE EXAMINATION.

THE EXISTING FEATURES SHOWN HAVE BEEN LOCATED BY AN INSTRUMENT SURVEY, PERFORMED BY THIS OFFICE, ON JANUARY 11, 2022.



DATE: 2/23/22

FILE: MAD CALC: DSB DFT: DSB

N/F
JANE G. DOTY
55551/337
(M 75,P11)

LOT
AREA = 80,370± S.F.
(1.85± ACRES)

N/F
DAVID STRUM
23718/204
(M 29,P 78)

BUILDING PERMIT PLAN
at # 29 WHITE POND ROAD
STOW, MASS.

PREPARED FOR: GREG & MOLLY FREEBURN
DATE: FEBRUARY 23, 2022
SCALE: 1" = 50'

GPR
Engineering Solutions
for Land & Structures

GOLDSMITH, PREST & RINGWALL, INC.
39 MAIN ST., SUITE 301, AVER MA 01432
CIVIL ENGINEERING • LAND SURVEYING • LAND PLANNING
VOICE: 978.772.1590 FAX: 978.772.1591 WEB: www.gpr-inc.com

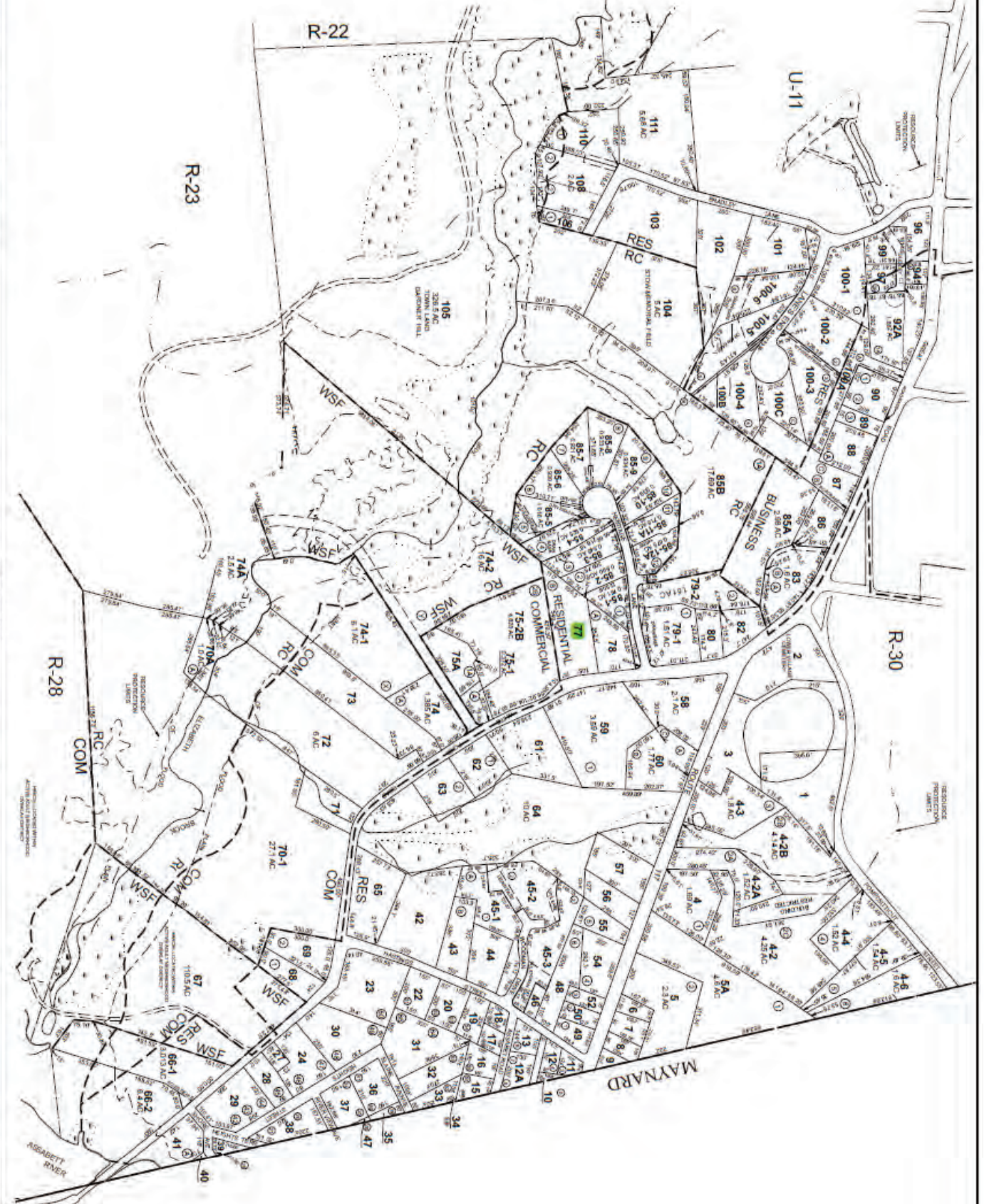


CONTRACT NO. 2002-01
500 MARKET ROAD, SUITE 200
NORWOOD, MASSACHUSETTS 01948
PHONED: 781-552-1100 FAX: 781-552-1101
WWW.MASSCONSULTANTS.COM
JOHN E. GOUGHNAN, F.A.S.T.C.I.
ALAN R. MAJUMDAR, F.A.S.T.C.I.
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PROSPECT MAPS
DEPARTMENTS: LAND DEVELOPMENT, ZONING

STOW, MASSACHUSETTS

PROSPECT MAPS
SCALE: 1" = 200'
R29



Approximate Abutter Well Locations

