

**SHUTESBURY ZONING BOARD OF APPEALS
SPECIAL PERMIT APPLICATION**

ZBA Contact: zba@shutesbury.org

Matthew & Melissa Borowiec

Petitioner(s)

178 Fields Hill Rd

Address

PO Box 806

Conway, MA 01341

Telephone/E-mail

413-519-0704 / mattboro74@gmail.com

Property Owner (If other than petitioner)

Address

Telephone/E-mail

Zoning Board Use Only:

Application #: _____

Filing date: _____

Application complete date: _____

Hearing opened date: _____

Hearing closed date: _____

Final action date: _____

Written decision date: _____

Attorney/Engineer/Architect (If any)

Address

Telephone/ E-mail

Brief description of request (attach plans as necessary): _____

Requesting a Special permit, per Jim Hawkins 6.1-3 C. Improving the neighborhood by replacing the existing structure that is located on the property, it has been neglected for many years. We purchased the property last year. My grandparents and family have been part of the lake community since the 1950's. We are planning to build a new home that is within the forward and aft setbacks to the lake, while not encroaching any further on the existing side setbacks. The overall footprint and height will be enlarged, but remaining within the bylaws for the lake area.

Amendment to previously granted special permit? ____ Yes ☒ No

Property Address 16 Wyola Drive

Assessor Map/Parcel #(s) B-163

Property Deed Book/Page #(s) 1457 / 69

Zoning District(s) Lake Wyola

Applicable Zoning Bylaw Section(s) 6.1-3

Over »

ZBA SPECIAL PERMIT APPLICATION (cont.)

Request for Zoning Waiver(s), if any:

Justification for Special Permit (attach additional materials/plans as necessary):

The 16 Wyola Drive property (Assessors Parcel B-613) contains an existing structure with side yard setbacks of 7.67 ft to the westerly property line and 5.03 ft to the easterly property line. The 16 Wyola Drive property was created and recorded at the Franklin County Registry of Deeds on August 9, 1938, which predates the Commonwealth of Massachusetts Zoning Enabling Act (Massachusetts General Law Chapter 40A or M.G.L. c. 40A) enabled in 1975. Therefore, the existing structure on the property is considered a pre-existing nonconforming structure.

Per M.G.L. c. 40A, § 6, "Pre-existing nonconforming structures or uses may be extended or altered, provided, that no such extension or alteration shall be permitted unless there is a finding by the permit granting authority or by the special permit granting authority designated by ordinance or by-law that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use to the neighborhood."

In the case of this Special Permit application, the nonconformity is specifically the side yard setback and all other dimensional requirements of the Town of Shutesbury Zoning Bylaws will be met. The project proposes to increase the side yard setbacks from 7.67 ft to 7.70 ft on the western property line and from 5.03 ft to 6.30 ft on the eastern property line. Therefore, the proposed alteration on the property will be less nonconforming and detrimental as required by M.G.L. c. 40A, § 6.

Attachments: Site Plan, House Plans , Abutter Lists

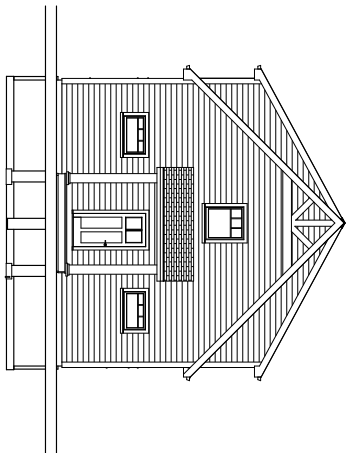
TOWN HALL OFFICE USE ONLY

6 copies filed with Town Clerk on: _____ Fee paid: \$ _____
(Date) (Amount)

Certified abutters list submitted: _____
(Yes/No)

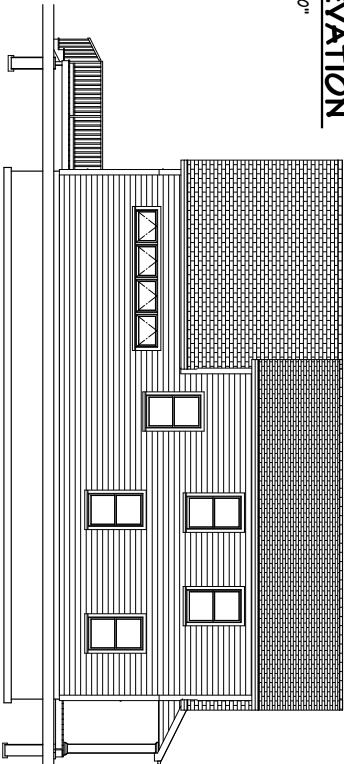
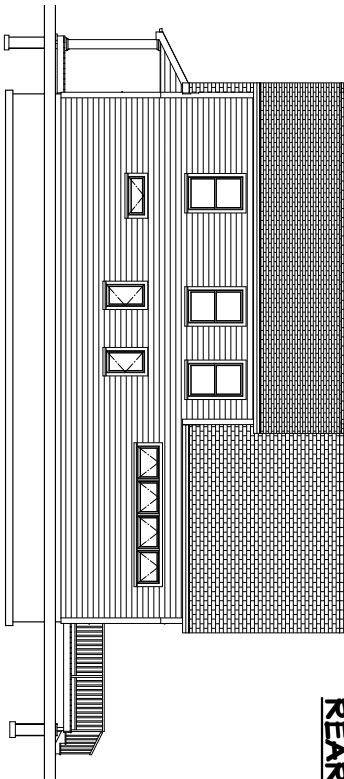
Notice to Zoning Board: _____
(Date)

Method of notice: _____
(Town Clerk)

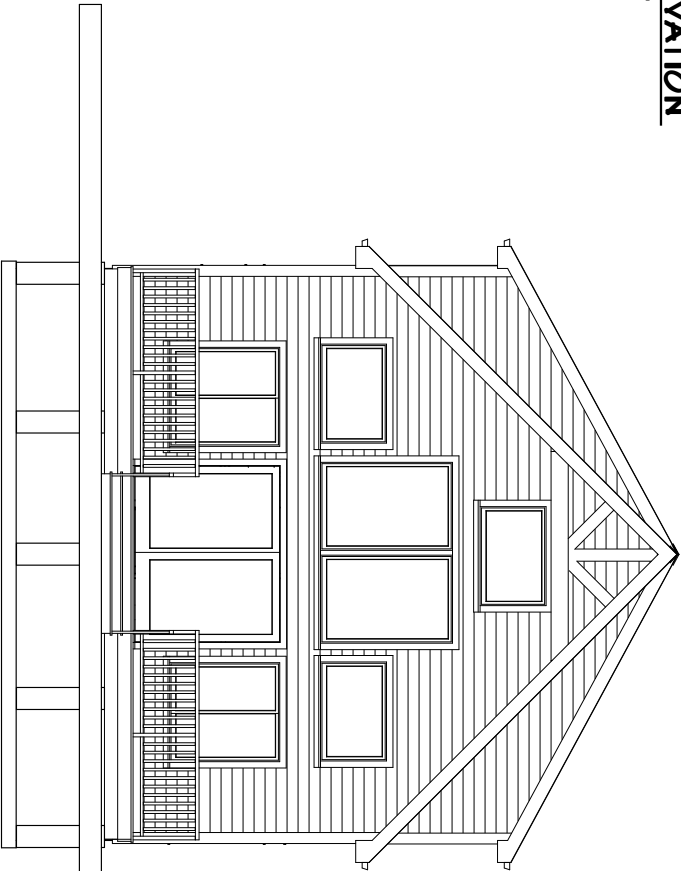


To the best of my knowledge these plans are drawn to comply with owner's and/or builder's specifications and any changes made on them after prints are made will be done at the owner's and / or builder's expense and responsibility. The contractor shall verify all dimensions and enclosed drawing. LAURA'S ARCHITECTURAL DRAFTING AND DESIGN is not liable for errors once construction has begun. While every effort has been made in the preparation of this plan to avoid mistakes, the maker can not guarantee against human error. The contractor of the job must check all dimensions and other details prior to construction and be solely responsible thereafter.

REAR ELEVATION
1/8"=1'0"



LEFT ELEVATION
1/8"=1'0"



FRONT ELEVATION

RIGHT ELEVATION
1/8"=1'0"

ELEVATIONS

DRAWING PREPARED FOR
**BOROWIEC
RESIDENCE**

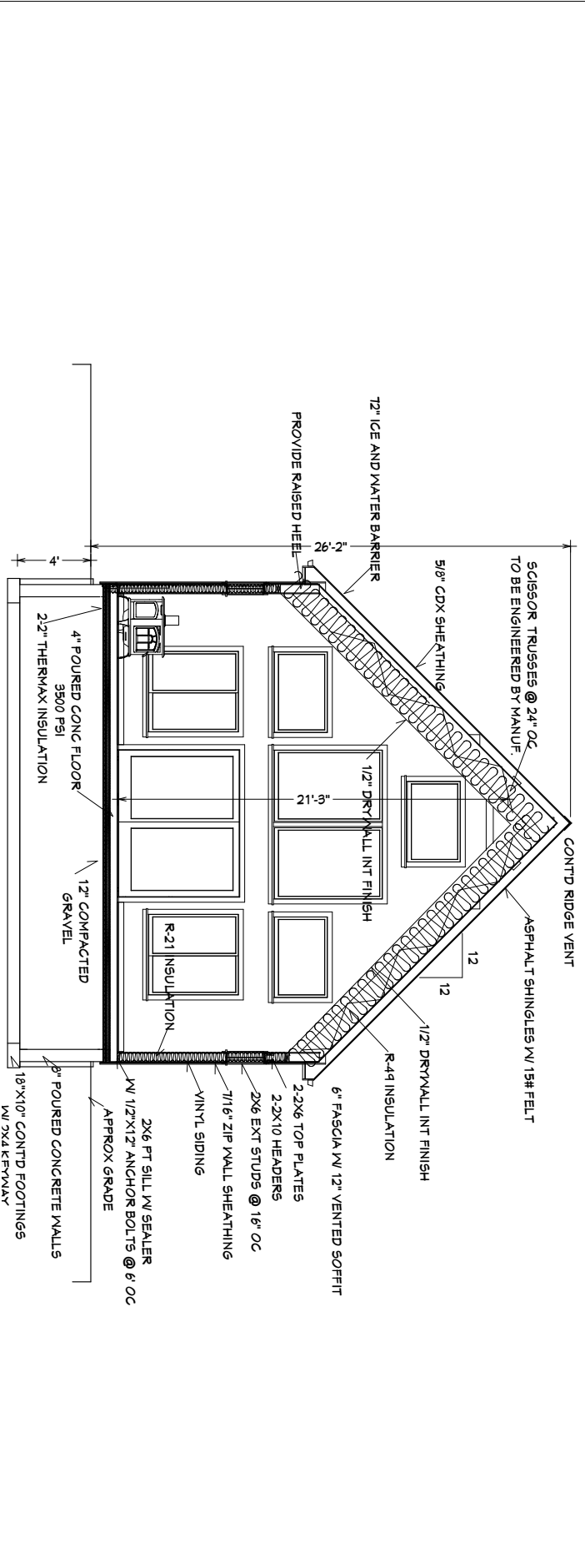
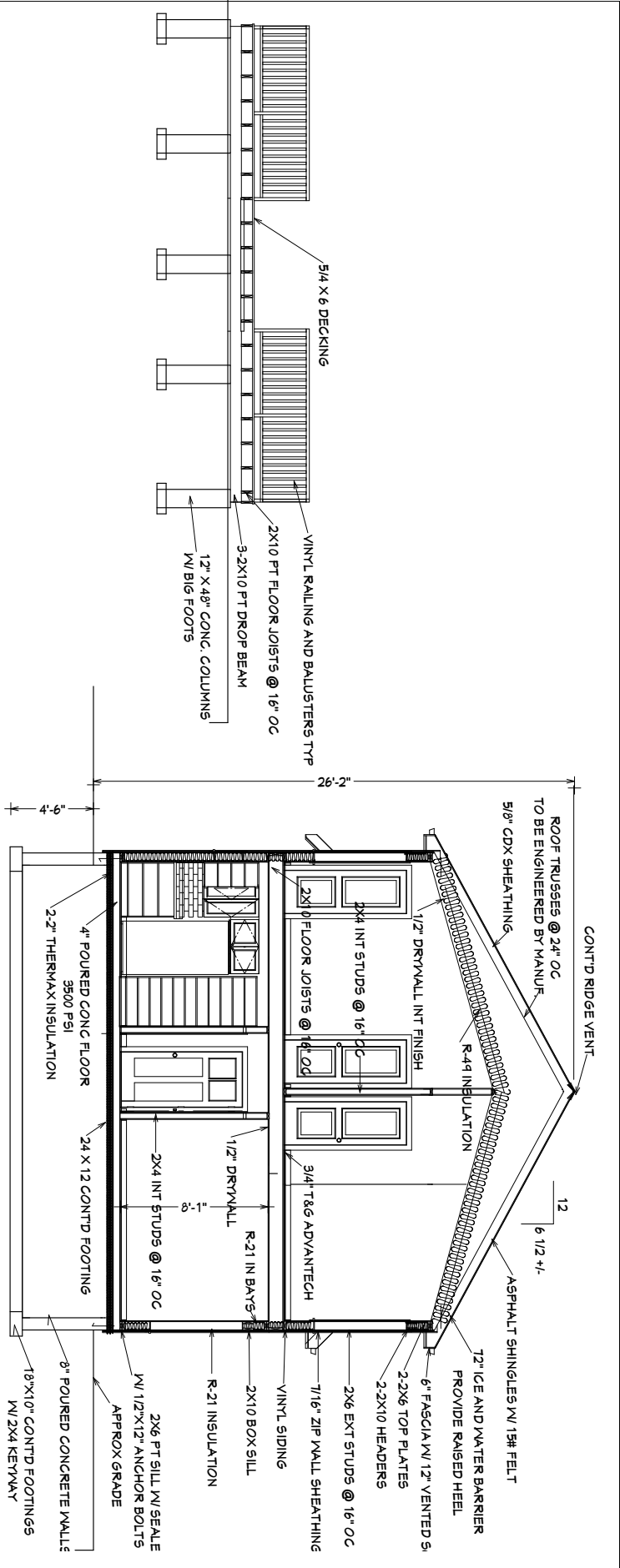
DRAWINGS PROVIDED BY
LAURA'S ARCHITECTURAL DRAFTING AND DESIGN
220 TAYLOR ST. GRANBY, MA 01033 413-467-2899

DATE:
9/8/2020

SCALE:
1/4"=1'0"

SHEET:

P-1



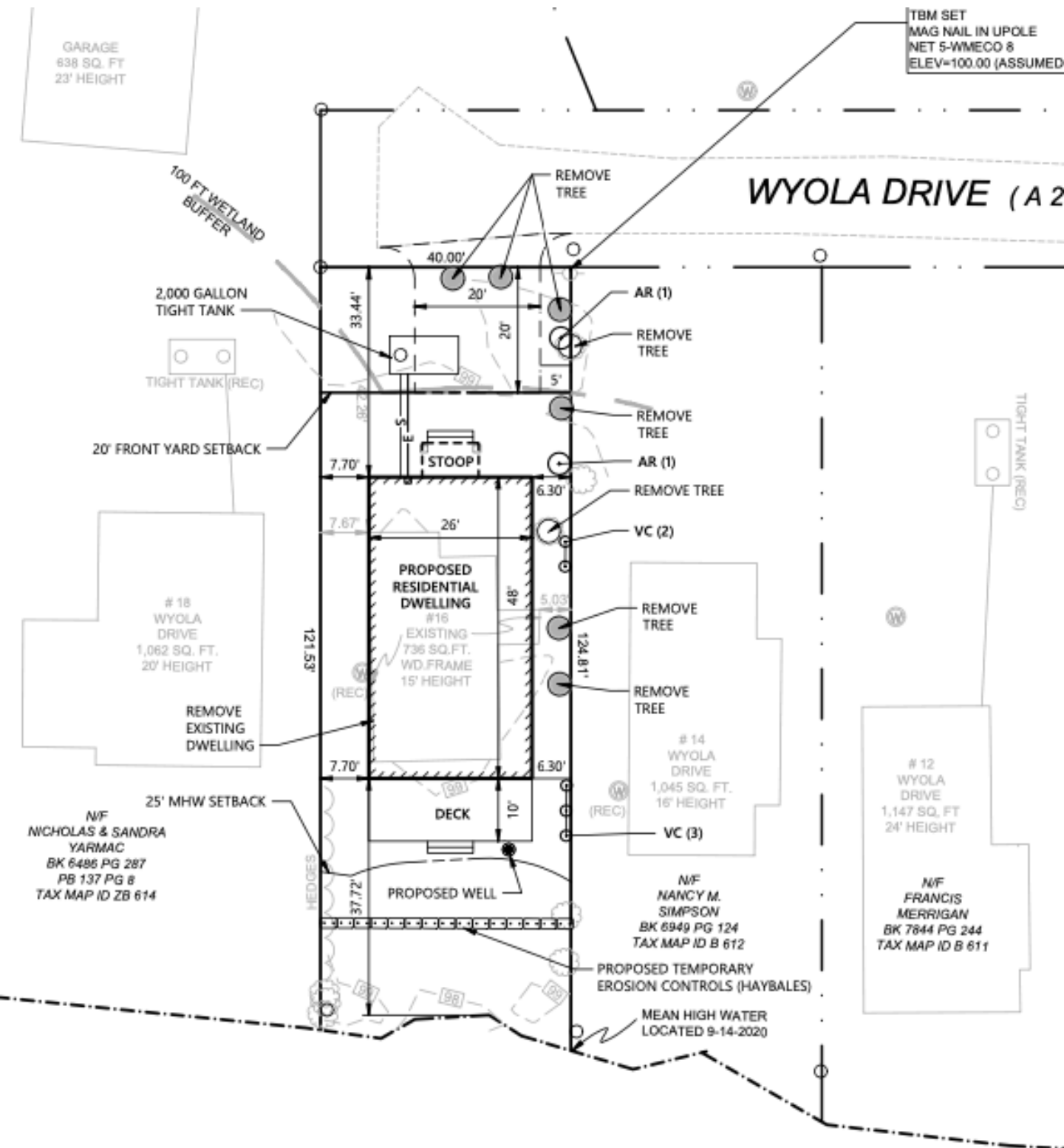
DRAWING PREPARED FOR
**BOROWIEC
RESIDENCE**

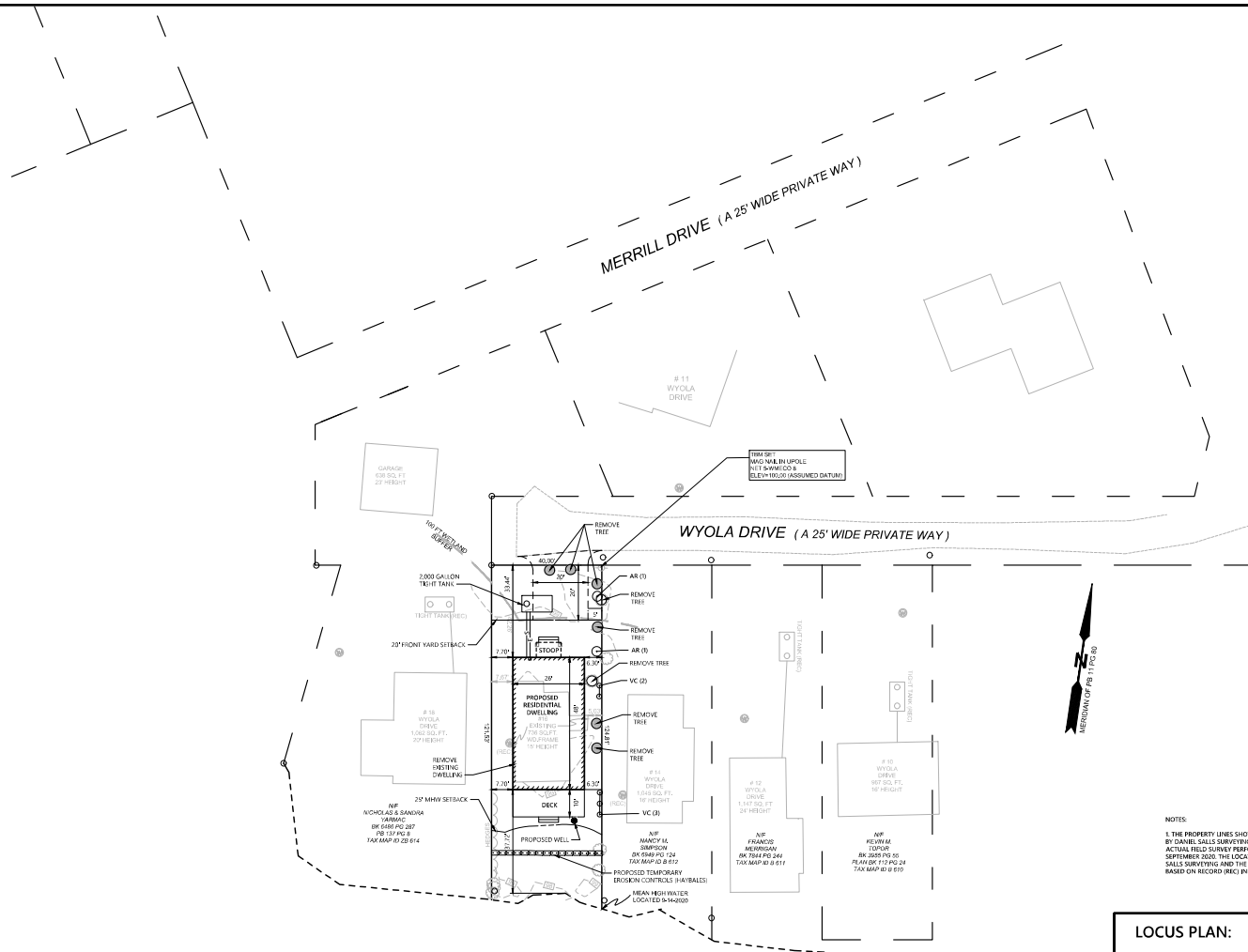
CROSS SECTIONS

DRAWINGS PROVIDED BY
LAURA'S ARCHITECTURAL DRAFTING AND DESIGN
220 TAYLOR ST. GRANBY, MA 01033 413-467-2899

DATE:	9/8/2020
SCALE:	1/4"=1'-0"
SHEET:	P-5

16 Wyola Site Plan



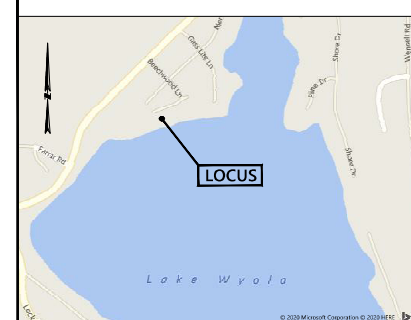


LAKE WYOLA

Wetland Buffer Zone Mitigation Plantings Table

SYMBOL	LATIN NAME	COMMON NAME	INDICATOR STATUS	PLANT TYPE	NUMBER OF PLANTINGS	SIZE	SUGGESTED SPACING
VC	<i>Vaccinium corymbosum</i>	HIGHBUSH BLUEBERRY	FACIW	SHRUB	5	2-3 FT	3 FT ON CENTER
AR	<i>Acer rubrum</i>	RED MAPLE	FAC	TREE	2	1 IN CALIPER	20 FT ON CENTER

LOCUS PLAN: NOT TO SCALE



16 WYOLA DRIVE

IN
SHUTESBURY
MASSACHUSETTS
(FRANKLIN COUNTY)

SITE PLAN

DECEMBER 3, 2020

NO.	DATE	DESC.
1	12/17/20	ADD PLANTINGS

Petrin
Engineering

33 Lee Road
South Deerfield, Massachusetts
01373

413 397 3059



Digitally signed by Michael R. Petrin, PE
DN: cn=Michael R. Petrin, o=Michael R. Petrin, ou=Village-Hill, email=Michael.R.Petrin@petrin-engineering.com, c=US
Date: 2020.12.17 14:21:47-0500

MICHAEL R. PETRIN
PROFESSIONAL ENGINEER

PREPARED FOR:
MATTHEW & MELISSA BOROWEC
178 FIELDS HILL ROAD
CONWAY, MASSACHUSETTS
01341

SCALE: AS SHOWN
0 10 20 40 FEET

DESIGN: M. PETRIN
SURVEY: D. SALLS
FILE: \0005.00 sep.dwg
DWG. NO: 0005-2
JOB. NO: 0005.00

SHEET 1 OF 1