

CITY OF METHUEN

FORM C-1 APPLICATION FOR APPROVAL OF A MODIFIED DEFINITIVE
SUBDIVISION PLAN –FRONTAGE WAIVER

A plan showing a lot having less than the required frontage under Zoning is not entitled to FORM A (ANR) endorsement. Any plan depicting a lot with inadequate frontage shall be filed as a definitive plan under the Subdivision Rules and Regulations. A frontage variance from the Zoning Board of Appeals must be obtained prior to Community Development Board action.

TO THE COMMUNITY DEVELOPMENT BOARD:

The undersigned represents that they are the owners of a certain parcel of land located at 218 Hampshire Road (address) which they propose to divide into 3 lots, as depicted on the accompanying plan; and hereby petitions the Community Development Board to waive, to the extent shown on the submitted plan, the frontage requirements of the City of Methuen Comprehensive Zoning Ordinance and the Community Development Board's Subdivision Rules and Regulations pursuant to the authority of M.G.L. Ch. 41, Sec. 81-R.

Assessor's Map/Parcel: 310-125-7 Deed Book/Page: Land Court Cert. 9526

Name of Applicant: SS LBMA, LLC c/o Greenman-Pedersen, Inc.

Address of Applicant: 84 State Street, Boston, MA 02109 c/o 44 Stiles Road, Suite One, Salem, NH

Applicant's contact information: Jeff Title, (914) 661-6668, jeff@lienbase.com

Name of Owner: SS LBMA, LLC c/o Greenman-Pedersen, Inc.

Address of Owner: 84 State Street, Boston, MA 02109 c/o 44 Stiles Road, Suite One, Salem, NH


Owner's contact information: Jeff Title, (914) 661-6668, jeff@lienbase.com


Zoning District: RR

Frontage required: 200' Frontage provided: 132' (each lot)

Attach a Statement of justification for a frontage waiver, consistent with Section 2.3.3.1 Frontage Waiver of the Subdivision Rules and Regulations.

Attach a copy of the frontage variance from the Zoning Board of Appeals

Applicant's signature:  Date: 3/4/21
David R. Jordan, Greenman-Pedersen, Inc. for SS LBMA, LLC

Owner's signature:  Date: 3/4/21
(Provide signatures of all subject landowners)
David R. Jordan, Greenman-Pedersen, Inc. for SS LBMA, LLC

August 4, 2021

Methuen Community Development Board
City Hall
41 Pleasant Street
Methuen, MA 01844

Re: Frontage Waiver Request
218 Hampshire Road
Parcel ID 310-125-7

Dear Chairman DeFeo and Members of the Methuen Community Development Board,

Greenman-Pedersen, Inc. (GPI), on behalf of SS LBMA, LLC, owner of the property at 218 Hampshire Road, is hereby requesting that the Methuen Community Development Board grant a frontage waiver for the three lots shown on the accompanying Subdivision Plan. These lots were granted a Special Permit by the Methuen Zoning Board of Appeals on July 29, 2020 to permit the construction of three single family homes in a Residential Rural (RR) District under Section IX-B and IX-D, Non-Conforming Uses, Structures and Lots.

We offer the following responses to the criteria contained in City of Methuen Subdivision Rules and Regulations Section 2.3.3.1:

1. Maintains the integrity and economic health of the neighborhood

The subject parcel is the location of an existing non-conforming use with 2 single family homes and a commercial garage that are in disrepair. The removal of three dilapidated structures and the construction of three new single-family homes will improve the integrity and economic health of the neighborhood.

2. Results in the location and siting of a structure in manner consistent with the surrounding neighborhood

Currently a non-confirming use exists on the property. This will be replaced with three single-family homes, a use that conforms to zoning and is consistent with the rest of the neighborhood.

3. Acquires some abutting property as preferable alternative

The acquisition of some abutting property in the instance is not an option as the abutting parcel are owned by other entities and the frontage of those parcels is already less than the minimum required for the RR District.

4. Maximizes available frontage on a public way without causing any other lot to be in non-compliance

The frontage for the existing parcel was equally divided between the three lots. No other lots will become non-compliant.

5. Complements other lots in the neighborhood which may have insufficient frontage

The frontage proposed for these lots is not inconsistent with the frontage of other lots in the neighborhood, many of which are also non-compliant.

6. *Provides adequate actual access to the buildable portion of the lot*

The subject parcel is nearly level with no wetlands thereby providing easily attainable adequate actual access to each proposed lot with the new homes likely sitting up along Hampshire Road.

7. *Is in the public interest and not inconsistent with the intent and purpose of the subdivision control law.*

Removing a non-confirming use and construction three new single-family homes in the RR District is not inconsistent with the intent and purpose of the subdivision control law.

If you have any questions or need additional information, please feel free to contact our office at 603-374-7912 or by email to djordan@gpinet.com.

Sincerely,

Greenman-Pedersen, Inc.



David R. Jordan, P.E., P.L.S., LEED AP
Director of Site Engineering – Land Development

cc: Jeffrey Title, SS LBMA, LLC

F:\Projects\NEX-2021240 - Methuen, MA - SS-LBMA, LLC\Frontage Waiver Request.docx

City of Methuen
ZONING BOARD OF APPEALS

The Great Hall, in the Searles Building, 41 Pleasant Street, Methuen, MA 01844

#2020 - 7

SS-LBMA, LLC.
84 State Street
Boston, MA 02109

DETAILED RECORD AND DECISION

July 29th, 2020

The Methuen Zoning Board of Appeals hereby certifies that the following is a detailed record of the Board's proceedings and decision regarding the above captioned application regarding the property located at **#218 Hampshire Road, Methuen, MA 01844.** Board Members present were: Chairman Mr. Matthew D'Agostino, Vice Chairman, Ms. Laura Walta, Permanent Member, Mr. Philip Cultrera and Alternate Members Mr. Ronald Pitocchelli, Jr. and Mr. David DiNatale. Board Clerk, Mr. Vincenzo Pesce and Alternate Member Gisette Beshara were excused.

A Special Permit requested to Alter a Non-Conforming Use for construction of three single family homes in a Residential Rural (RR) District under Sections IX-B and IX-D, Non-Conforming Uses, Structures and Lots, of the Comprehensive Zoning Ordinance of the City of Methuen for property located at **218 Hampshire Road, (Map:310-125-7), Methuen, Massachusetts 01844.**

A notice of public hearing on this application, a true copy of which is on file in the Office of the City Clerk was:

1. Published in the Eagle Tribune, a newspaper of general circulation in the City of Methuen on July 14th, 2020 and July 21st, 2020; and
2. Posted in a conspicuous place in the City of Methuen on July 14th, 2020 which was at least 14 days prior to the original hearing; and
3. Mailed, postpaid on or before July 14th, 2020, which was at least 14 days before the original hearing to the petitioner, abutters, owners of land directly opposite the property in question on any public or private street or way, and abutters to abutters within 300 feet of the subject property. The notice was mailed to the names and addresses shown on the most recent tax list provided by the assessor's office.

The public hearing was opened on July 29th, 2020 at 7:05 PM at which time opportunity was given to all those interested to be heard in favor or opposition to the application. Details of public participation may be found in the Minutes on file in the Office of the City Clerk, 41 Pleasant Street, Methuen, MA 01844. Please note that an on-demand webcast of this meeting, including public participation may be heard at www.cityofmethuen.net.

The public hearing was closed on July 29th, 2020.

1. The premises and subject site is located at 218 Hampshire Road. The site has an area of 213,865 square feet, with 396 feet of frontage on Hampshire Road. According to the submitted application, the parcel is recorded in the Northern Essex Registry of Deeds; Land Court Number 9526.
2. The requested use will not create an excess single family homes in this neighborhood that would be detrimental to its character.
3. The requested use will not create undue traffic congestion or unduly impair pedestrian safety at this time. There is adequate off street parking.
4. The requested use will not subject the neighborhood to health, fire safety hazards, nor overload the water, drainage or sewer system.
5. The requested use will not impair the integrity or character of the neighborhood. Aesthetically the site will be improved with the removal of the existing non-conforming use and creation of three new single family homes.
6. The requested use will not inhibit the public convenience and will be beneficial in meeting the housing needs of the public. The five member Board voted to grant the requested Special Permit with a condition. The Board found that the creation of three (3) residential single family house lots with non-conforming frontage and area would be less detrimental to the neighborhood than the existing non-conforming use of 2 single family homes and a commercial garage on the same lot. The Board established a condition that the driveways of the new homes must have sufficient width to allow for cars to turn around in the driveway in order to exit onto Hampshire Road. The Board further required that the petitioner should seek to coordinate the location of the driveways for the homes with the property owners across the street.
7. All statutory requirements for issuance of the requested Special Permit have been complied with and the Decision and Plan have been filed with the Methuen Board of Appeals and the Methuen City Clerk.

CITY OF METHUEN
ZONING BOARD OF APPEALS

by: _____
Matthew J. D'Agostino
Chairman, Zoning Board of Appeals

Yes: Philip Cultrera

Yes: Matthew J. D'Agostino, Chairman

Yes: Laura Walta

Yes: Ronald Pitocchelli, Jr.

Yes: David DiNatale

GRANTED with Condition:

1. Driveways shall have sufficient width to allow cars to turn around in order to exit onto Hampshire Road. Petitioner will seek to coordinate driveway locations with property owners across the street.

ANY APPEAL OF THIS DECISION SHALL BE MADE PURSUANT TO THE REQUIREMENTS OF MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 17, AND SHALL BE FILED WITHIN TWENTY (20) DAYS AFTER THE DATE THE NOTICE OF DECISION WAS FILED WITH THE METHUEN CITY CLERK.

I hereby certify that no appeal has been filed in the City Clerk's Office within the aforesaid twenty-day period.

John J. Wilson, Jr., Interim City Clerk