

RECEIVED
JUL 23 2014
ZONING BOARD OF APPEALS

TOWN OF WESTFORD
ZONING BOARD OF APPEALS
55 Main Street
Westford, Massachusetts 01886
TEL (978) 692-5524 FAX (978) 399-2558

RECEIVED
JUL 23 2014
ZONING BOARD OF APPEALS

Variance

RECEIVED
JUL 23 2014
TOWN CLERK
WESTFORD

Date: July 22, 2014

Pursuant to the provisions of Section 9.2.2 of the Zoning Bylaw, the undersigned hereby petitions your Board for a Variance from the terms of Section 3.5.2.1 which will allow the construction or addition to the dwelling or building located at: 13 Baldwin Road

The proposed construction will include: The installation of an 18'x45' swimming pool.
Relief requested: One hundred and seventy one (171) square feet (9.6' x18') of the pool is proposed to encroach upon the front yard/setback off of Cortland Road. The pool will be located 40.5' from the westerly property line. Please see narrative with supporting information.

It is the opinion of the petitioner that unless relief is granted by your Board, substantial hardship, as defined in Section 9.2.2-(2) will result. A hearing is therefore requested at your next Board Meeting.

FEE: \$200 ZONING DISTRICT: Residence A

Is your project subject to review by other Westford Boards/Committees?
If yes, please identify _____

Owner of Property: Jeffrey and Krista Snow

Mailing Address: 13 Baldwin Road, Westford, MA

Phone: Work: 617-516-2320 Home: _____

Signature of Owner(s): *Jeffrey Snow / Krista Snow*

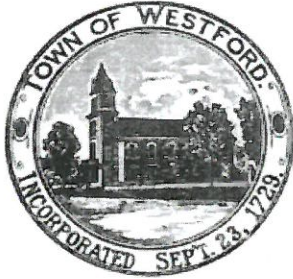
Petitioner (If other than owner): Jennifer DiNovo, RLA - Design Works Landscape Architecture & Construction

Mailing Address: 125 Wason Road, Hudson, NH 03051

Phone at Work: 603-864-8646 Home: 603-303-5836

Signature of Petitioner: *Jennifer DiNovo*

File Number: BOA 1417 VAR
13 Baldwin Road



Town of Westford
Board of Appeals

55 Main Street
Westford, Massachusetts 01886
TEL (978) 692-5524 FAX (978) 399-2732

Public Hearing Notice and Posting

In accordance with the provisions of MGL Chapter 40A Section 11, notice is hereby given of a public hearing to be held by the Westford Zoning Board of Appeals at a meeting **starting at 7:00 p.m. on Wednesday, August 20, 2014**, in **Meeting Room 201 at Town Hall, 55 Main Street in Westford**, to consider an application of Jeffrey and Krista Snow for a **Variance** from section 3.5.2.1 of the Westford Zoning Bylaw (and any other permit relief as may be required under the Westford Zoning Bylaw) to allow for the installation of a pool (18' x 45') that would be located within the front yard where accessory structures are not allowed. The property is located at 13 Baldwin Road in the Residence A Zoning District and is identified as Assessor Map 033 Parcel 0023 Lot 0024.

A copy of the application, **file number BOA 1417 VAR** and accompanying information may be viewed at the Permitting Office located on the second floor of Town Hall, 55 Main Street during normal business hours (8:00 a.m. to 4:00 p.m.).

Any person interested or wishing to be heard on the application(s) should appear at the time and place designated, or submit written correspondence to the Board of Appeals. All written comments received prior to the close of the public hearing will be included in the written record for this application. Email correspondence should be sent to jmorrissette@westfordma.gov

Robert Herrmann, Chair
Westford Board of Appeals

TO BE PUBLISHED IN THE **WESTFORD EAGLE** ON:

Thursday, July 31, 2014

and

Thursday, August 7, 2014



If you should have any questions, please contact Permitting Assistant Victoria Johnson at (978) 692-5524.



Landscape Architecture & Consulting

125 Wason Road, Hudson, NH 03051 * 603-864-8646

July 22, 2014

Mr. Robert Hermann, Chair
Westford Zoning Board of Appeals
Town Hall
55 Main Street
Westford, MA 01886

c/o Jeffrey Morrissette, Town Planner

Reference: Variance Petition
Snow Residence
3 Baldwin Road
Westford, Massachusetts

Dear Chairman Hermann and Members of the Board:

On behalf of Jeffrey and Krista Snow, Design Works, LLC. respectfully submits this application for a variance from the terms of Section 3.5.2.1 (Front Yard) of the Zoning Ordinance, which will allow the construction of an in-ground swimming pool (accessory structure) at 3 Baldwin Road in Westford, Massachusetts. This project requires relief from the Zoning Ordinance because 171 square feet (9.6'x18') of the accessory structure is proposed within the front yard/setback from Cortland Road. Below is a narrative which describes the existing and proposed conditions, as well as the basis for this petition.

Existing Conditions

The property consists of a 1.05+/- acre property occupied by a single family residence. The property is located at the corner of Baldwin Road and Cortland Road. The property is located in the Residence A (RA) zoning district.

Frontage and Setbacks

Frontage for the property is located on both Baldwin and Cortland Roads, making the property a corner lot. According to Appendix C, Note 2 of the Zoning Ordinance, corner lots have two (2) front yards and two (2) side yards. As a result, the setback along Baldwin Road (northern property line) is 50', the setback along Cortland Road (western property line) is 50', and the southern and eastern property setbacks are 15 feet.

Topography

The dwelling is situated near the rear of the lot and in the middle of the eastern and western property lines. The topography on the southern side of the house descends from a high point at the eastern property line to a low point at the western property line. The flattest portion of the site is located on the eastern side of the back yard. Starting at the middle of the house, the

topography drops about 8 feet down to the edge of the garage (approximately 16 %). From the corner of the garage, the topography further descends gradually to an existing drain.

Vegetation and Screening

As shown in the photographs, the property is bordered by existing evergreen and deciduous trees, creating a heavy screen. Additionally, the back yard (southern side of the house) is entirely fenced in with an existing vinyl fence (see plan).

Proposed Conditions

Mr. and Mrs. Snow wish to construct an 18'x45' in-ground swimming pool in their "backyard" for their family to enjoy. The "backyard" of their property is divided by a slope in the middle of the yard, creating a lower area (with minor grade change) and an upper area (southeast corner of property). Since the upper area is the flattest areas of the site, it is the most usable area of the yard for the family to play. The homeowner's would like to take advantage of the lower area of the site, as it is the most appropriate place for an in-ground swimming pool.

Shape of Lot

As described in the existing conditions section above, the Subject Property is a corner lot. The boundaries of Baldwin Road and Cortland road create the shape of the lot. The front yard setback (50') that exists off of Cortland Road restricts the homeowner's ability to utilize the most suitable location of their "backyard" for an in-ground swimming pool.

Topography

As described in the existing conditions section above, a 16% slope exists in the backyard. The slope stretches from the middle of the southern side of the house down to the southwest corner of the garage. The swimming pool is proposed at the bottom of the slope, which is the flattest area of the southwestern side of the property. The proposed location will reduce the amount grade change and site disturbance, therefore relating harmoniously to the existing terrain.

The front yard setback (50') that exists off of Cortland Road would require that the in-ground swimming pool be located in the sloped area. Consequently a literal enforcement of the Zoning By-Law would involve substantial hardship.

Cortland Road

Cortland Road has the characteristics of a private or common driveway. Cortland Road provides access to two houses. Additionally, the road itself appears to be the width of a typical paved residential driveway (see photos and aerial photograph). Given the characteristics of Cortland Road, relief is being requested to reduce the front yard setback on the Subject Property to less than 50' or a distance that would be more typical of a side yard.

Landscape and Screening

A dense screen of evergreen and deciduous trees already exists along the western property line (parallel to Cortland Road). A dense planting screen also exists along the southern and eastern borders of the property. All existing plantings, including a large deciduous tree along the southern property line, will be preserved.

Variance Application
3 Baldwin Road
July 22, 2014

A six-foot vinyl fence exists along the southern perimeter of the property and connects to the house (see plan). The fence provides a visual barrier and noise attenuation to the adjacent properties.

% of Accessory Structure in Front Yard

One-hundred and seventy one (171) square feet of the total pool area will encroach upon the front yard/setback. The pool is proposed to be located 40'-6" from the western property line. Less than ten feet of the pool is proposed within the front yard/setback. Less than 2% of the accessory structure is located in the front yard setback off of Cortland Road.

Consistency with Neighborhood and Zoning By-Law

The proposed in-ground swimming pool is consistent with the character, scale and aesthetics of the abutting properties and the surrounding neighborhood. In fact, the two adjacent properties have swimming pools of a similar size (see Layout and Photo plan). Additionally, the proposed in-ground swimming pool will be screened entirely by the existing vegetation and vinyl-fence.

The continued use of the property will not vary from its current use. We feel that the proposed project will stay within the intent of the Zoning Ordinance and will not create substantial detriment to the public good.

We thank you for the opportunity to submit this Variance Application. Please feel free to contact us at 603-864-8646 with any questions or comments and we look forward to meeting with the Board at the next Board meeting.

Very truly yours,

DS DESIGN WORKS, LLC.



Jennifer DiNovo, RLA, LEED AP
Principal Landscape Architect

CC:
Jeffrey and Krista Snow



PROPERTY LOCATION

No	Alt No	Direction/Street/City
13		BALDWIN RD, WESTFORD
OWNERSHIP		
Owner 1:	SNOW JEFFREY MICHAEL	Unit #:
Owner 2:	SNOW KRISTA LEE	
Owner 3:		
Street 1:	13 BALDWIN RD	
Street 2:		
Twn/City:	WESTFORD	
S/P/Prov:	MA	Chtry
Postal:	01886	Own Occ: Y

IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value	Legal Description
101	552,400		1.050	266,100	818,500	
Total Card		552,400	1.050	266,100	818,500	Entered Lot Size
Total Parcel		552,400	1.050	266,100	818,500	Total Land:
Source: Market Adj. Cost		Total Value per SQ unit/Card: 177.55		Parcel: 177.55		Land Unit Type:

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes
2013	101	FV	538,500	0	1.05	262,900	801,400	801,400	Year End Roll
2012	101	FV	534,200	0	1.05	269,200	803,400	803,400	Year End Roll
2011	101	FV	509,100	0	1.05	269,200	778,300	778,300	Year End
2010	101	FV	480,600	0	1.05	275,400	756,000	756,000	Year End
2009	101	FV	506,200	0	1.05	275,500	781,700	781,700	
2008	101	FV	522,400	0	1.05	275,500	797,900	797,900	
2007	101	FV	529,100	0	1.05	275,500	804,600	804,600	year end
2006	101	FV	523,900	0	1.05	275,500	799,400	799,400	

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value	Notes
CARNEVALE ROBER	26500-285	Q	10/5/2012		850,000	No	No	D		T BY E
BR TRUST,	24087-194	Q	7/12/2010			No	No	D		FROM TRUST: T BY E
CARNEVALE CHERY	10407-314	Q	9/15/1999			1 No	No	D		
CARNEVALE	7022-0285	Q	4/5/1994			1 No	No	D		

TAX DISTRICT

PAT ACCT.

3995
lisa

BUILDING PERMITS

Date	Number	Descrp	Amount	C/O	Last Visit	Fed Code	F. Descrp	Comment
10/22/2009	R-090447	ROOFING	11,495 C					

ACTIVITY INFORMATION

Date	Result	By	Name
10/19/2012	DEED ENTERED	SF	SHEILA
5/14/2012	ML.S/F.SBO	LFD	LFD
12/28/2010	ML.S/F.SBO	LFD	LFD
10/13/2010	ML.S/F.SBO	JPP	JP PLOUFFE
7/29/2010	DEED ENTERED	MG	MGARLAND
6/20/2007	MEAS/NOTICE	SD	S DAVILA
5/30/2002	LEFT NOTICE	274	DAVE RUBERTI
6/11/2001	MEASURED	264	DAVE SAUNDER
10/31/2000	MEASURED	274	DAVE RUBERTI

Sign: / /

Use Code	Description	LUC	No of Units	Depth /	Price/Units	Unit Type	Land Type	LT	Factor	Base Value	Unit Price	Adj	Neigh	Neigh	Neigh	Mod	Inf1	%	Inf2	%	Inf3	%	Appraised Value	Alt	%	Spec	J	Code	Fact	Use Value	Notes
101	ONE FAM	1.0	43560			Sq Ft	Site	1.0	1.0	0	6.1	1,000 R6										265,716			1	1	1	265,700			
101	ONE FAM	1.0	0.05			Acres	Excess	1.0	1.0	0	7,500	1,000 R6										375			1	1	1	400			
Total ACH/A: 1.05000		Total SF/SM: 45738.00		Parcel LUC: 101		ONE FAM		Prime NB Desc: RES 6		Total: 266,091		Spl Credit: sheila		Total: 266,100																	

Westford
Abutters List

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
033 0020 0000	19 HUNT RD	DONLAN PETER A	DONLAN JEAN A	19 HUNT RD	WESTFORD	MA	01886
033 0021 0000	17 HUNT RD	LANDINO REALTY TRUST u/d/t 9/1	CHARLES S LANDINO -TRUS	17 HUNT RD	WESTFORD	MA	01886
033 0022 0000	9 HUNT RD	CLARK PROPERTY DEVELOPMEN		57 CHEEVER CIRCLE	ANDOVER	MA	01810
033 0023 0012	12 BALDWIN RD	LAVALLEE JACQUES A	LAVALLEE LISA A	12 BALDWIN RD	WESTFORD	MA	01886
033 0023 0013	14 BALDWIN RD	LYNCH KEVIN P	LYNCH CARLA A	14 BALDWIN RD	WESTFORD	MA	01886
033 0023 0015	16 BALDWIN RD	POLMONARI ALBERT A	POLMONARI LISA M	16 BALDWIN RD	WESTFORD	MA	01886
033 0023 0016	18 BALDWIN RD	TWOGOOD MARK J	TWOGOOD DEAVIN VIOLE	18 BALDWIN RD	WESTFORD	MA	01886
033 0023 0017	20 BALDWIN RD	DELOOMY ILHAM	EVAN JOUBERT	20 BALDWIN RD	WESTFORD	MA	01886
033 0023 0020	19 BALDWIN RD	THE GIACALONE REALTY TRUST I	GLENN P GIACALONE - TR	19 BALDWIN RD	WESTFORD	MA	01886
033 0023 0021	4 MACINTOSH RD	EXNER MAURICE MICHAEL	EXNER ELY ROSE	4 MACINTOSH RD	WESTFORD	MA	01886
033 0023 0022	3 MACINTOSH RD	JANN TERRANCE D	JANN CORRINE M	3 MACINTOSH RD	WESTFORD	MA	01886
033 0023 0023	15 BALDWIN RD	ALIBRANDI JAMES P	ALIBRANDI KAREN L	15 BALDWIN RD	WESTFORD	MA	01886
033 0023 0024	13 BALDWIN RD	SNOW JEFFREY MICHAEL	SNOW KRISTA LEE	13 BALDWIN RD	WESTFORD	MA	01886
033 0023 0025	4 CORTLAND RD	WINN RICHARD T	BRODERICK CORINNE	4 CORTLAND RD	WESTFORD	MA	01886
033 0023 0026	3 CORTLAND RD	WALKER ROBERT A	WALKER MICHELE	3 CORTLAND RD	WESTFORD	MA	01886
033 0023 0027	11 BALDWIN RD	LEVENBAUM RON	LEVENBAUM SUSAN	11 BALDWIN RD	WESTFORD	MA	01886
033 0023 0028	9 BALDWIN RD	THE MCGRATH FAMILY REALTY TI	GARY P MCGRATH - TR	9 BALDWIN RD	WESTFORD	MA	01886
033 0023 0029	7 BALDWIN RD	7 BALDWIN RD NOMINEE TRUST L	MAMATHA POLAVARAPU (TI	7 BALDWIN RD	WESTFORD	MA	01886
033 0023 0030	5 BALDWIN RD	NEWMAN DAVID A & ELANA C		5 BALDWIN RD	WESTFORD	MA	01886
033 0027 0001	198 MAIN ST	THOMAS MARC C	THOMAS JENNIFER M	198 MAIN ST	WESTFORD	MA	01886
033 0027 0003	196 MAIN ST	MEYERS JOANNE		196 MAIN ST	WESTFORD	MA	01886

End of Report

CERTIFIED

BOARD OF ASSESSORS
55 MAIN STREET
WESTFORD, MA 01886

[Signature]
7/17/2014

2012 00053559
Bk: 26500 Pg: 285 Page: 1 of 1
Recorded: 10/05/2012 02:54 PM

MASSACHUSETTS EXCISE TAX
Middlesex North ROD #14 001
Date: 10/05/2012 02:54 PM
Ctrl# 050503 12899 Doc# 00053559
Fee: \$3,876.00 cons: \$850,000.00

Quitclaim Deed

We Cheryl L. Carnevale and Robert J. Carnevale of Westford, Massachusetts, County of Middlesex for consideration of \$850,000.00 (Eight Hundred and Fifty Thousand dollars) paid grant to Jeffrey Michael Snow and Krista Lee Snow husband and wife, as tenants by the entirety, with quitclaim covenants,

the land with the buildings thereon, situated on the Southerly side of Baldwin Road and the Easterly side of Cortland Road, in the town of Westford, County of Middlesex, and Commonwealth of Massachusetts, and being shown as Lot 22 on a plan of land entitled "Frances Hill Estates 'Definitive Plan' for subdivision in Westford, MA prepared for Carl & Eileen Anderson, 23 Hunt Road, Westford, MA 01886, prepared by: H-Star Engineering," which plan is recorded with Middlesex North District Registry of Deeds at Plan Book 177, Plan. 106, and to which plan reference may be made for a more particular description of said premises.

Containing 46,006 square feet, more or less, according to said plan.

Said premises are conveyed subject to, and with benefit of, any and all rights, easements and restrictions of record, insofar as the same may now be in force and effect, and subject to a first mortgage of record. Sellers both waive any and all claims to the Massachusetts Homestead Act.

For our title, see deed dated 12 July 2010, and recorded with said Registry in Book 24087, Page 194.

Witness our hands and seals this 4th day of October 2012.

Cheryl L. Carnevale
Cheryl L. Carnevale
Robert J. Carnevale
Robert J. Carnevale

The Commonwealth of Massachusetts

Middlesex, ss.

Westford, Massachusetts

Then personally appeared the above named Cheryl L. Carnevale and Robert J. Carnevale [each produced licenses] and acknowledged the foregoing instrument to be their free acts and deeds before me on this 4th day of October 2012.

Jessica B. Silva
Notary Public

My commission expires:



JESSICA B. SILVA
Notary Public
Commonwealth of Massachusetts
My Commission Expires
March 25, 2016

13 Baldwin Rd. Westford, MA 01886

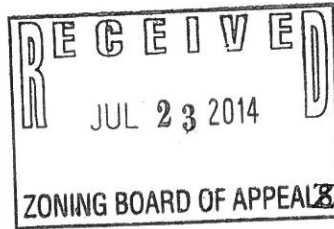
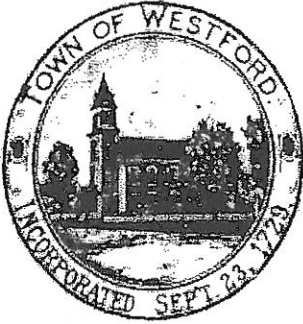
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033 0027 0003	196 MAIN ST	MEYERS JOANNE		196 MAIN ST	WESTFORD	MA	01886

End of Report

CERTIFIED

BOARD OF ASSESSORS
55 MAIN STREET
WESTFORD, MA 01886

John Co 7/17/2014



TOWN OF WESTFORD
ZONING BOARD OF APPEALS
55 Main Street
Westford, Massachusetts 01886
TEL (978) 692-5524 FAX (978) 399-2558

3rd Party Billing Form

Date: July 22, 2014

To: Beacon Community Newspapers
Legal Notice Department

I hereby authorize the Beacon Community Newspapers to bill me directly for the legal notice to be published in the _____ on _____
This legal notice pertains to a _____

Signed: Applicant/Authorized Agent _____ Date _____

Print Name: Jennifer Dinjoud, RLA - DESIGN WORKS
on behalf of Jeffrey + Krista Snow

Address: 125 Wason Road
Hudson, NH 03051

Phone: 603-864-8646

WARNING: THIS DOCUMENT HAS SECURITY FEATURES IN THE PAPER

J.DiNovo Construction, LLC
dba DS Design Works
125 Wason Rd.
Hudson NH 03051

CITIZENS BANK

54-153/114/481

2052

Pay to the Order of

Town of Westford, MA

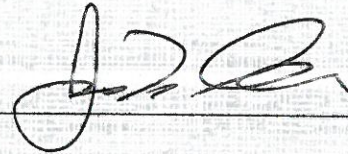
Two-hundred + _____

$\frac{00}{100}$

200.⁰⁰

DOLLARS

Memo:



~~⑈002054⑈ ⑆01101533⑆ 311120108⑈~~

WARNING: THIS DOCUMENT HAS SECURITY FEATURES IN THE PAPER

J.DiNovo Construction, LLC
dba DS Design Works
125 Wason Rd.
Hudson NH 03051

CITIZENS BANK

54-153/114/481

2018

Pay to the Order of

Town of Westford, MA

Eight-Five + _____

$\frac{68}{100}$

85.68

DOLLARS

Memo:



~~⑈002054⑈ ⑆01101533⑆ 311120108⑈~~

13 Baldwin

BOA 1417