

TOWN OF WESTFORD
ZONING BOARD OF APPEALS

55 Main Street

Westford, Massachusetts 01886
TEL (978) 692-5524 FAX (978) 399-2558

RECEIVED
JUL 22 2014
ZONING BOARD OF APPEALS
Special Permit

RECEIVED
JUL 22 2014
TOWN CLERK
WESTFORD

Date: 7/22/14

Pursuant to the provisions of Section 3.3 and Section 9.3 of the Zoning Bylaw, the undersigned hereby makes application for a Special Permit for the premises located at 8 Starr Circle, Westford in the following respect to create an accessory dwelling unit to be occupied by the Owner's parent.

Said premises are located within a Residence A District, a District in which the above requested use is only allowed with the granting of a Special Permit. Therefore, a hearing before the Town of Westford Zoning Board of Appeals is requested at its next meeting.

The reasons for the above request are as follows: Creating an accessory dwelling unit at 8 Starr Circle would allow our elderly mother to live with us in our home.

FEE: \$200⁰⁰

OWNER OF PROPERTY: Douglas + Julia Fruscione

MAILING ADDRESS: 40 GRIFFIN RD, Westford

PHONE AT WORK: 617 943-9912 HOME: 978 692-0076

SIGNATURE OF OWNER: John Fruscione Julia Fruscione

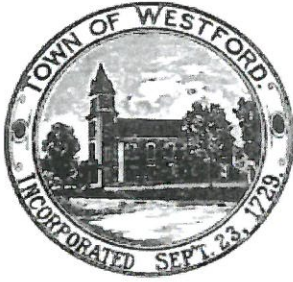
PETITIONER (if other than owner): _____

MAILING ADDRESS: _____

PHONE AT WORK: _____ HOME: _____

SIGNATURE OF PETITIONER: _____

File Number: BOA 1416 SP
8 Starr Circle



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 Douglas and Julia Fruscione for a **Special Permit** (and any other permit relief as may be required under the Westford Zoning Bylaw) to allow for an Accessory Dwelling Unit within an existing dwelling. The property is located at **8 Starr Circle** within the Residence A zoning district and is identified as Assessor Map 020 Parcel 0106 Lot 0005.

A copy of the application, **file number BOA 1416 SP** 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:

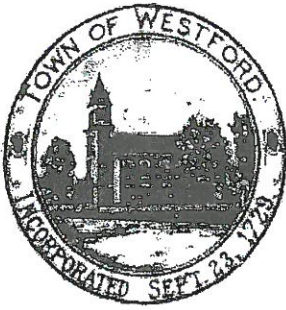
Thursday, July 31, 2014

and

Thursday, August 7, 2014



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

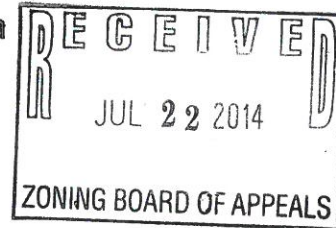


TOWN OF WESTFORD
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55 Main Street
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3rd Party Billing Form

Date: 7/22/14



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 Special permit for an accessory dwelling unit.

Edith Fruscione
Signed: Applicant/Authorized Agent

7/15/14
Date

Print Name: Edith FRUSCIONE

Address: 754 MAIN ST.
CONCORD, MA 01742

Phone: 978 369-6032

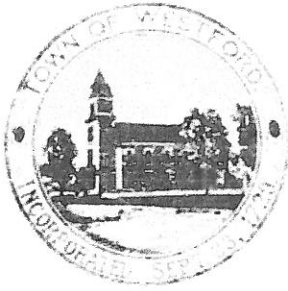
Special Permit Request for an Accessory Dwelling Unit

8 Starr Circle, Westford, MA

July 22, 2014

3.3.4 ACCESSORY DWELLING UNITS - STANDARDS:

1. Limit: The existing structure has 2736sf of living space. The allowable size of the accessory dwelling unit shall not exceed 33% of the existing 2736sf structure which would be equal to 904sf. The proposed unit is 757sf.
2. Location: The accessory dwelling unit will occupy the lower level of the existing structure. There will be no expansion of the existing structure's footprint to accommodate the new accessory dwelling unit.
3. Appearance:
 - a. There will be no increase in the floor space of the existing structure.
 - b. There exterior egress from the accessory dwelling unit will be located on the rear of the building and will not be visible from the public way.
 - c. The existing structure has a two car garage and sufficient driveway space to accommodate (1) additional parking space.
 - d. All renovations will be performed in accordance with the Massachusetts State Building Code.



Town of Westford
ZONING BOARD OF APPEALS

Town Hall
55 Main Street
Westford, MA 01886
Telephone (978) 692-5524 Fax (978) 399-2558

Accessory Dwelling Unit Affidavit

To be filed with Special Permit Application

Section 3.3.3 (3) of the Westford Zoning Bylaw requires all Accessory Dwelling Units that are approved by Special Permit by the Board of Appeals to submit an affidavit to certify that the primary dwelling unit is owner occupied.

I, Douglas Truscione, certify that I am the owner of property in Westford located at 8 Starr Circle, and I certify that I occupy the Accessory Dwelling Unit or the Primary Unit, at least six (6) months of each calendar year.

Signed: John Sumner

Date: 7/19/14

Middlesex North Registry of Deeds

Electronically Recorded Document

This is the first page of this document - Do not remove

Recording Information

Document Number : 24628
Document Type : DEED
Recorded Date : June 30, 2014
Recorded Time : 12:13:43 PM

Recorded Book and Page : 28285 / 203
Number of Pages(including cover sheet) : 5
Receipt Number : 667998
Recording Fee (including excise) : \$3,476.60

MASSACHUSETTS EXCISE TAX
Middlesex North ROD #14 001
Date: 06/30/2014 12:13 PM
Ctrl# 057706 09870 Doc# 00024628
Fee: \$3,351.60 cons: \$735,000.00

Middlesex North Registry of Deeds
Richard P. Howe Jr., Register
360 Gorham Street
Lowell, Massachusetts 01852
978/322-9000
www.lowelldeeds.com

QUITCLAIM DEED

WE, DAVID P. POEHLER and STACEY M. POEHLER, husband and wife, of Westford, Middlesex County, Massachusetts,

for consideration paid and in full consideration of SEVEN HUNDRED THIRTY FIVE THOUSAND AND 00/100 (\$735,000.00) DOLLARS,

grant to DOUGLAS FRUSCIONE and JULIA FRUSCIONE, Husband and Wife, as Tenants by the Entirety, both now of 8 Starr Circle, Westford, Middlesex County, Massachusetts, 01886

with QUITCLAIM COVENANTS,

The land in Westford, Middlesex County, Massachusetts with the buildings thereon being shown as Lot 5 as shown on a plan of land entitled "Definitive Subdivision Plan of Land, Deerskin Estates, Westford, MA" Scale 1" = 50', dated May 12, 1989 prepared by David J. DeBay, Registered Land Surveyor, Visniewski Engineering Associates, Inc., Civil Engineers & Land Surveyors, and recorded with the Middlesex North District Registry of Deeds in Plan Book 171, Plan 32, and land being more particularly bounded and described as follows:

LOT FIVE:

- EASTERLY Beginning at the intersection of Lot 4 and Lot 5 the line runs by Starr Circle in two courses twenty-eight and 97/100 (28.97) feet and one hundred eighty-six and 84/100 (186.84) feet;
- SOUTHERLY By Lot 6, as shown on said plan, one hundred forty-eight and 03/100 (148.03) feet;
- SOUTHWESTERLY By Lot 6, as shown on said plan, two hundred fifty and 97/100 (250.97) feet;
- NORTHERLY By Lot 4, as shown on said plan, two hundred ninety-eight and 61/100 (298.61) feet to the point of beginning.

Property Address: 8 Starr Circle, Westford, MA 01886

8 Starr Circle

Containing approximately 45,362 square feet of land, as shown on said plan.

The above described premises is subject to an Easement for Grading and Draining purposes as shown on said plan.

Said Lot 5 being subject to the following matters of record:

Subject to an outstanding Order of Conditions issued by the Westford Conservation Commission and recorded with the Middlesex North District Registry of Deeds on October 30, 1989 at Book 5053, Page 307. Certificate of Compliance recorded in Book 21798 Page 148.

Subject to an easement to New England Telephone and Telegraph Company and recorded with said Deeds at Book 5138, Page 270.

Subject to an easement to Massachusetts Electric Company and recorded with said Deeds at Book 5224, Page 117.

The Sellers hereby release any and all Rights of Homestead which have been declared in the property or have been granted as a matter of law.

For Grantors' title see Deed recorded with Middlesex North District Registry of Deeds at Book 22585, Page 85.

R. Starr Circle

WITNESS our hand and seal this 25 day of June, 2014.

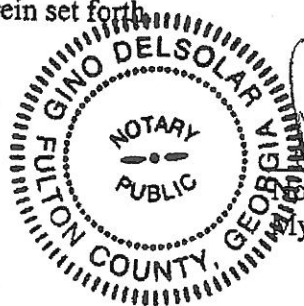
J. J. P. Poehler

DAVID P. POEHLER

STATE OF GEORGIA

Date: JUNE 25, 2014

On this day before me, the undersigned Notary Public in and for the County and State aforesaid, do hereby certify that David P. Poehler, by proof of identification which was the presentation of drivers' licenses, to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.



[Signature]

Notary Public:

My Commission Expires: MARCH 11, 2017


Stacey M Poehler
STACEY M. POEHLER

COMMONWEALTH OF MASSACHUSETTS

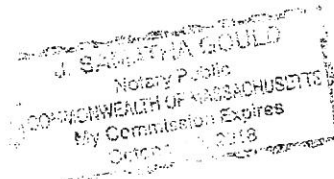
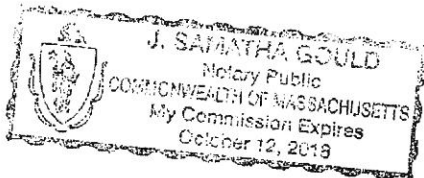
MIDDLESEX, SS.

Date: June 26, 2014

On this day before me, the undersigned Notary Public in and for the County and State aforesaid, do hereby certify that Stacey M. Poehler, by proof of identification which was the presentation of drivers' licenses, to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed, sealed and delivered the said instrument as her free and voluntary act for the uses and purposes therein set forth.



Notary Public:
My Commission Expires:





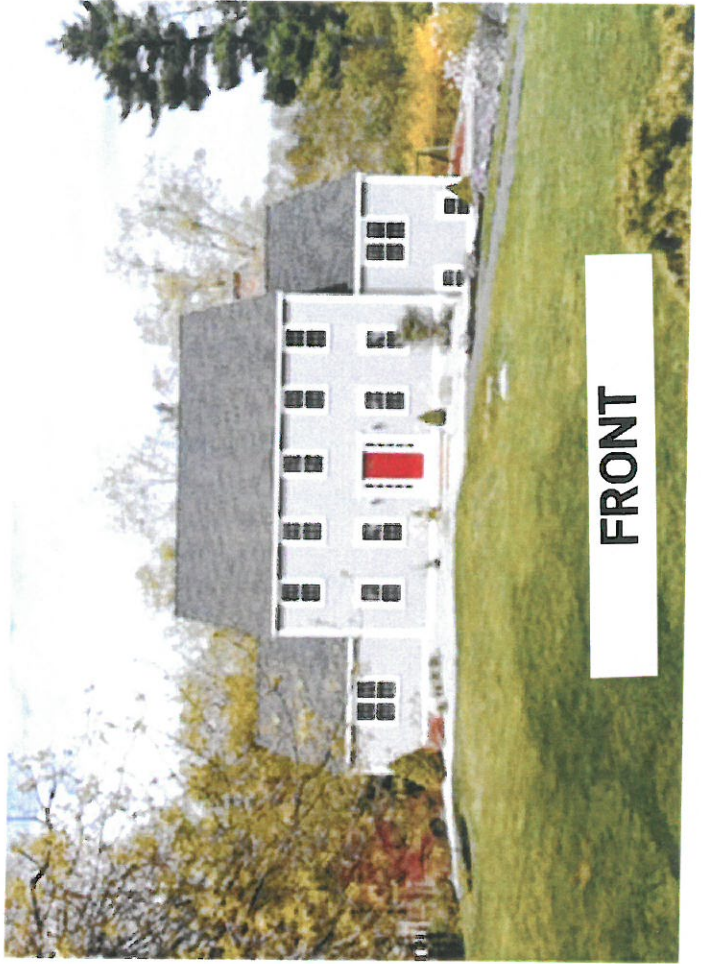
FRONT/SIDE



BACK



DRIVEWAY/SIDE



FRONT

8 STARR CIRCLE



Town of Westford, MA

8 Starr Circle

Special Permit Application - 7/22/14

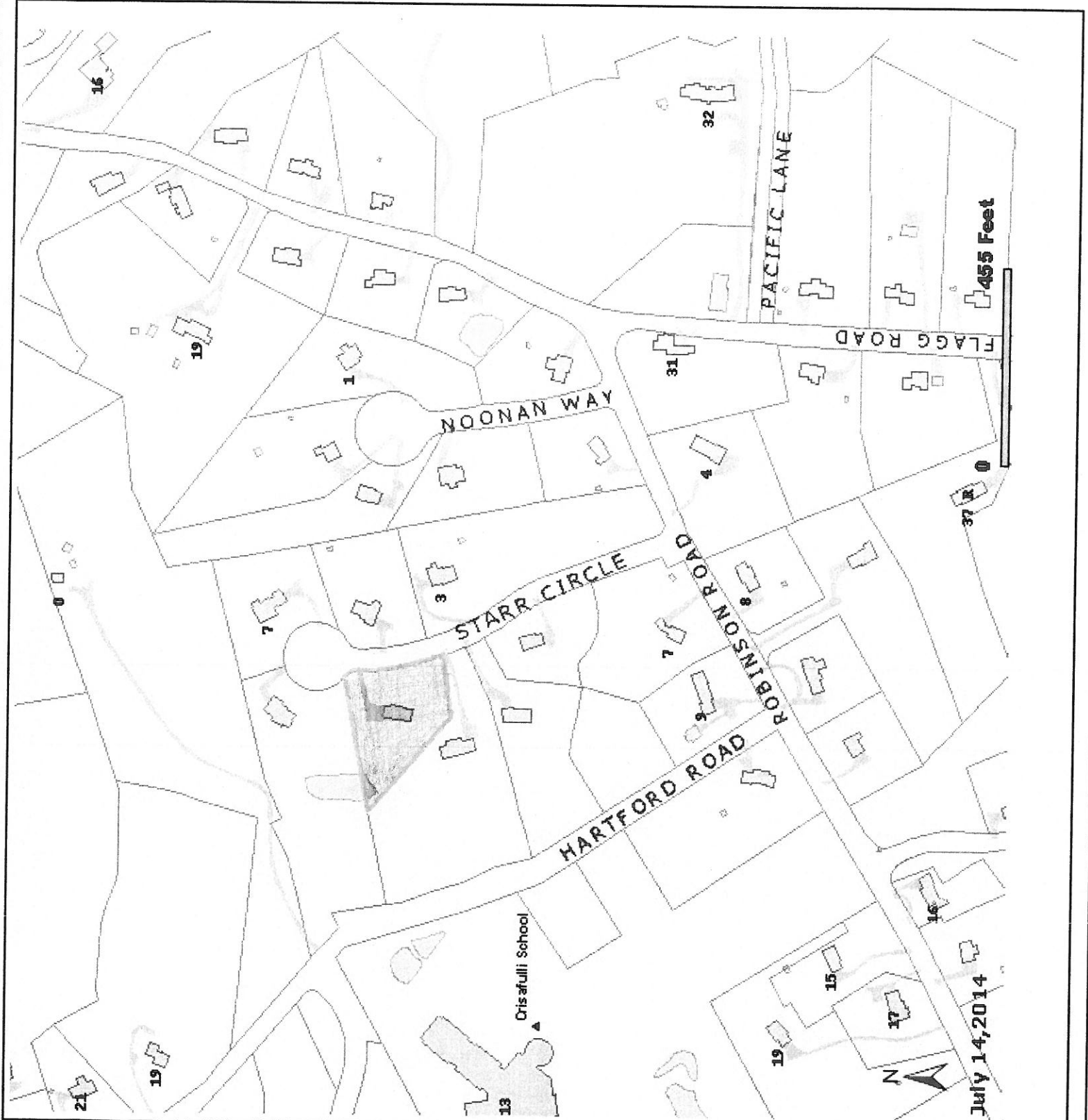
Overview Map



CONTEXT MAP

Disclaimer

Town of Westford, MA makes no warranty or representation as to the accuracy, timeliness or completeness of any of the data. The Town of Westford, MA, shall have no liability for the data or lack thereof, or any decision made or action taken or not





Town of Westford, MA

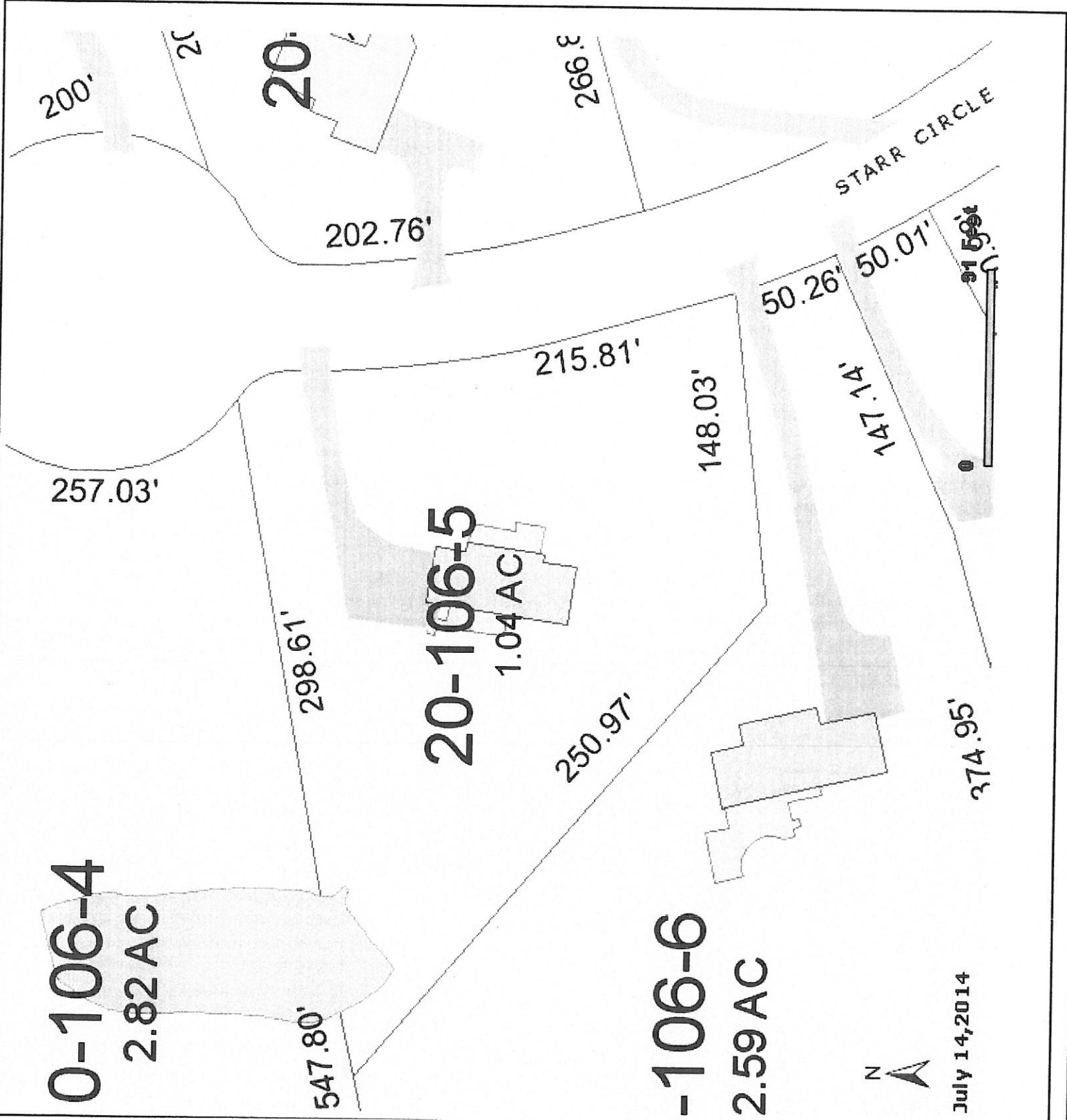
8 Starr Circle

Special Permit Application - 7/22/14

**ZONE:
RESIDENCE A**

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July 14, 2014



020 0106 0004



2 CAR GARAGE

Residence A

020 0106 0005 8

STARR CIRCLE

020 0106 0006

8 STARR CIRCLE
PARKING PLAN

6

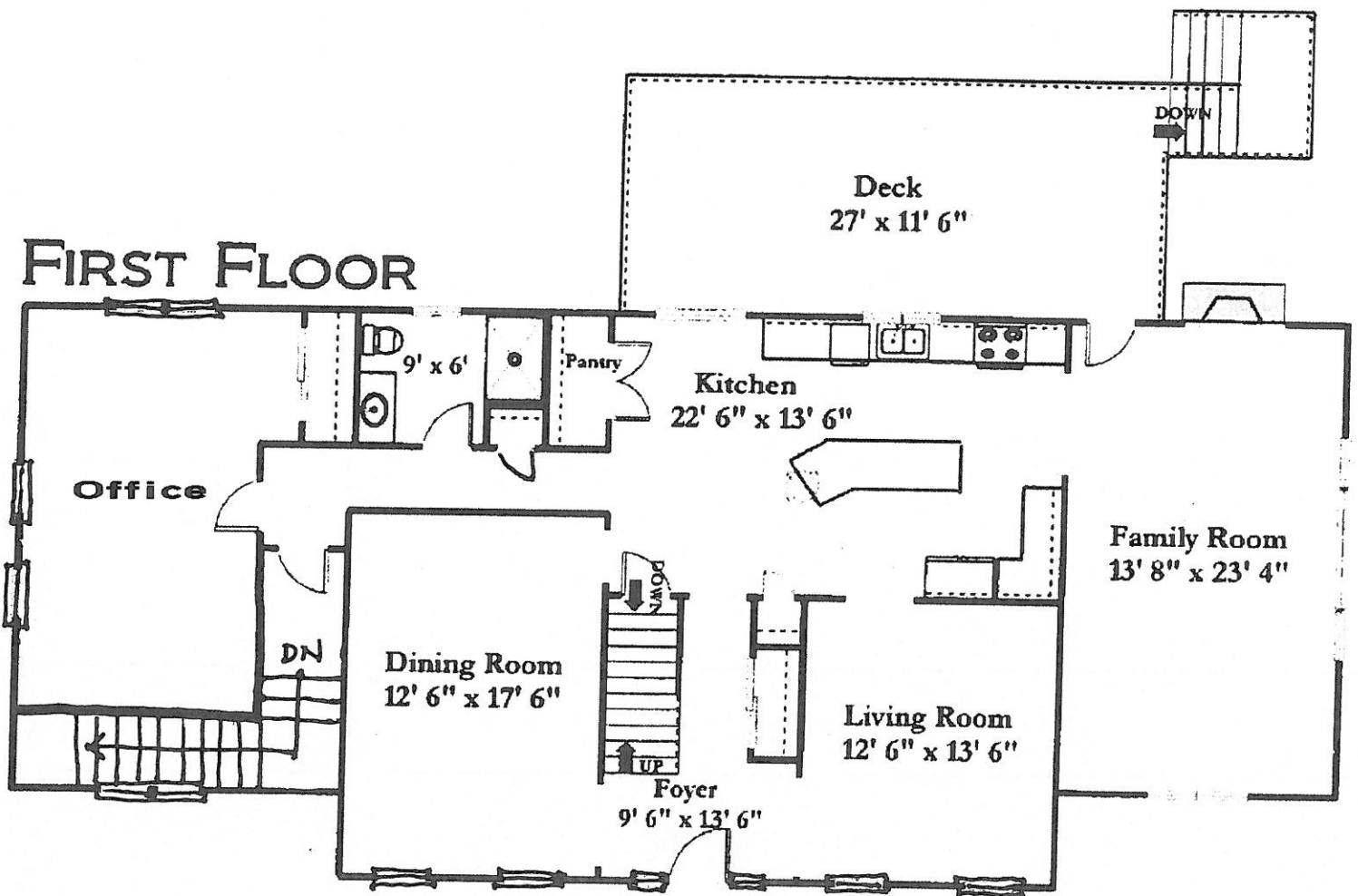
Town of Westford, MA

Geographic Information System



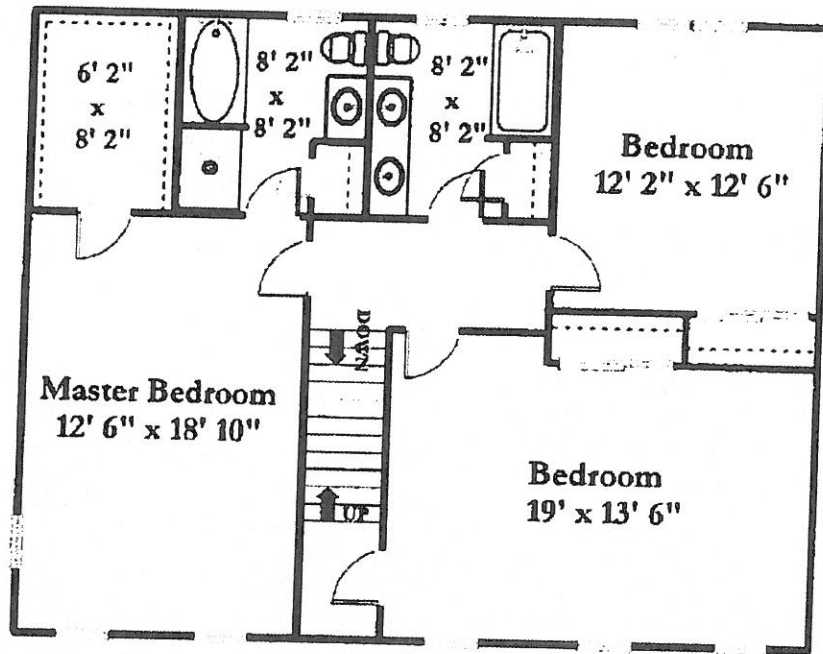
TOWN OF WESTFORD
PUBLIC RECORD RESPONSE - DISCLAIMER
Pursuant to M.G.L. Chapter 66, §10, the Town of Westford hereby produces the following information: GIS Data Information - Mapping System
In maintaining its GIS Data, the Town of Westford has made every effort to ensure the accuracy, currency and reliability of the content thereof; however, errors can occur. It is expressly understood and agreed that in producing this information, the Town of Westford, its officials, agents, servants and employees does not warrant or guarantee the information it has provided, nor does it accept responsibility for any errors contained therein. In no event will the Town of Westford, its officials, agents, servants and employees be deemed or held obligated, liable, or accountable for any loss or damage incurred or resulting from the use of the information.

8 STARR CIR WESTFORD, MA



8 STARR CIR WESTFORD, MA

SECOND FLOOR



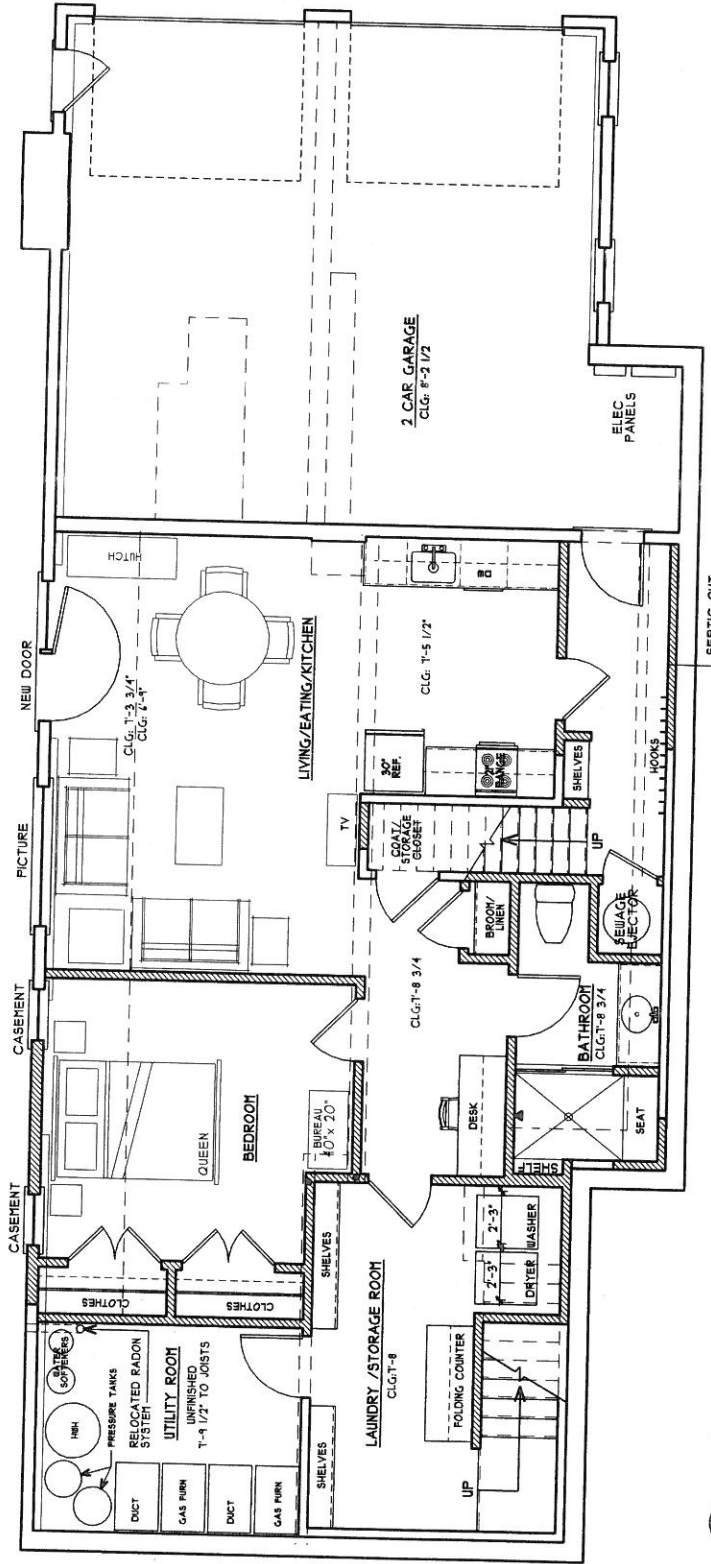
FRUSCIONE RESIDENCE
8 STARR CIRCLE
WESTFORD, MASSACHUSETTS

NASHAWTUC
ARCHITECTS INC.
Concord, MA 01742

scale: 3/16"=1'-0"
date: 01/22/14
project no: 21438
drawn by: LMBA
checked by: HBC



©2014 NASHAWTUC ARCHITECTS, INC.



EXISTING STRUCTURE LIVING AREA = 2136 SF
33% OF 2136 SF = 904 SF MAX. ALLOWED GROSS LIVING AREA
PROPOSED GROSS LIVING AREA = 151 SF

LOWER LEVEL PLAN

NOTES:
 1.) BUILDING LOCATION AND OFFSETS SHOWN ARE SPECIFICALLY FOR ZONING DETERMINATION ONLY AND NOT TO BE USED TO ESTABLISH PROPERTY LINES.

REFERENCE:

1) PLAN ENTITLED 'DEFINITIVE SUBDIVISION PLAN OF LANDS PREPARED BY VISNIENSKI ENGINEERING ASSOC. INC. DATED: MAY 12, 1969

| FIELD BOOK | PAGE | DISC | CALC |
|------------|------|---------------|------|
| LT-4 | 77 | V-136 '88246' | FCC |

CERTIFICATION:
 BASED ON AN INSPECTION PERFORMED IN ACCORDANCE WITH THE TECHNICAL STANDARDS FOR MORTGAGE LOAN INSPECTIONS AS ADOPTED BY THE MASSACHUSETTS ASSOCIATION OF LAND SURVEYORS AND CIVIL ENGINEERS INC.
 A. FOUNDATION CONFORMS TO THE DIMENSIONAL REQUIREMENTS OF THE ZONING BY-LAWS OF THE TOWN OF WESTFORD.
 B. BUILDING IS NOT IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON THE FEDERAL FLOOD INSURANCE RATE MAPS Z-1225-02.



David J. Deak
 10/22/90

Inspect
 DJD
 Draft
 KCC
 Check

CERTIFIED PLOT PLAN
 SCALE: 1"=50' DATE: OCTOBER 22, 1990

LOT 5 STARR CIRCLE
 WESTFORD, MA

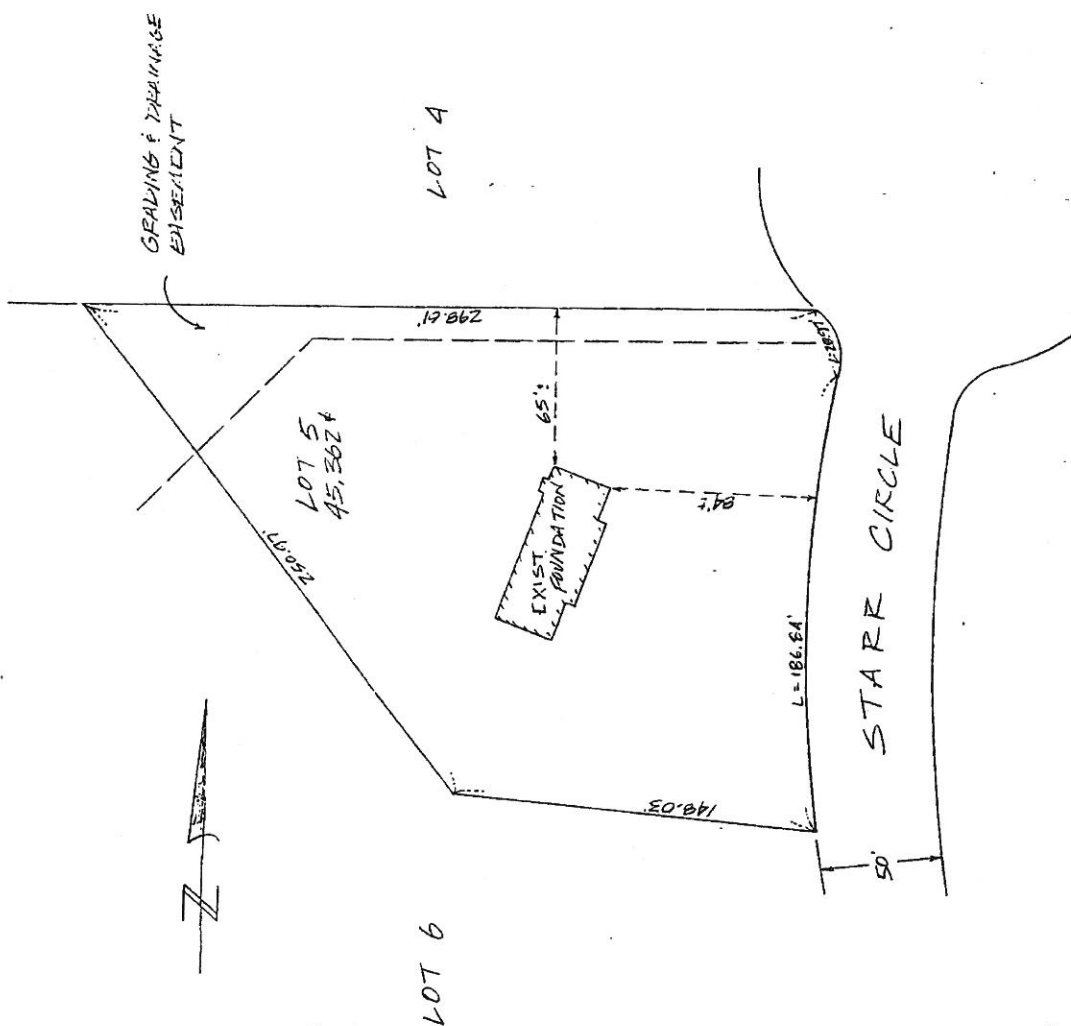
Prepared for: BIRCH HILL REALTY TRUST
 15 KYLEMORE DRIVE
 WESTFORD, MA

Inspection Date
 10-18-90

Job No.
 90-515

Dwg. No.
 1162

LANDTECH
 Consultants, Inc.
 Civil Engineers, Land Surveyors, Project Management
 7 Doris Drive, Suite 6B No. Chelmsford, MA 01863
 (508) 251-8838



NASHAWTUC ARCHITECTS, INC.

| EXPLANATION | AMOUNT |
|-------------|--------|
| | |
| | |
| | |
| | |
| | |

PAY AMOUNT OF

Two hundred

DOLLARS

\$ 200.00

| DATE | TO THE ORDER OF | GROSS | DESCRIPTION | CHECK NUMBER |
|---------|------------------|-------|-------------|--------------|
| 7/24/14 | TOWN of Westford | | | 6618 |

MIDDLESEX SAVINGS BANK
CONCORD, MA 01742

14

[Signature]
AUTHORIZED SIGNATURE



Security Features on Back

~~RECEIVED~~

~~RECEIVED~~