

TOWN OF PHILLIPSTON

Zoning Board of Appeals 50 The Common Phillipston, MA 01331 Phone: 978-249-6828

Fax: 978-249-3356 selectman@phillipston-ma.gov

Submit to the Town Clerk with all required documentation and \$500 application fee.

Date Received: 10-09-2024

Application #: 10-24

Application for Zoning Board of Appeals Hearing

-Each matter will require a separate application and a separate \$500 fee-

 Special Permit. Please note applications for special permits may more of the following as determined by the Zoning Board of Appear Planning Board, Conservation Commission. Recommendations in reviews will be completed within 35 days of receipt of application application and the Zoning Board of Appeals. Variance. Please note approval of variances must involve substar otherwise, without nullifying or substantially derogating from the information and the Zoning Board of Variances must involve substantially derogating from the information and the Zoning Board of Appeal 	als: Board of Health, nade as a result of these and forwarded to the ntial hardship, financial or intent of the Zoning Bylaws.
Name: Pault · Bassell	
Name: Paul T. Bassell Mailing Address: 19 Log Calan Rd Ashbumhan	01430
Location of Property for Hearing:	
Applicant is: ☐ Owner ☑ Authorized Agent ☐ Licensee ☐ Prospective Purchaser Nature of Appeal (Please be specific, attach another sheet if necessary)	

Signed: Title:Owner	e noted
Title: Owner	
Date: 9/28/24	

Received from application the sum of \$500 to be applied to the cost of the appeals process.

If application is approved by the Zoning Board of Appeals, please return to the Building Department with the decision letter from the Zoning Board of Appeals and application for the building permit.



TOWN OF PHILLIPSTON

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Zoning Appeal Procedures and Documents

Comi	plete	Vour	annl	ication	package:
111		7041	UPPL	1961191	DUCKUEG.

Complete your application package:
Completed application seeking a special permit and/or variance. Each matter will require a separate application.
Denial letter from Inspector of Buildings
Site plan showing the location of all existing structures, the well and septic system (tank and leech field) and an endorsement from the Board of Health
All pertinent information regarding the Conservation Commission is required
Property lines with measurements pertaining to the project
☐ Map, parcel and lot numbers #6390 2 LoT 27 ☐ 5 sets of the application package
\$500 for filing each application/matter. Please note that the Board may use a consultant or peer review, which may result in an additional charge of up to , \$2,500 or more.
☑ One copy of abutters list from the Board of Assessors
Bring all the above documents as a package to the Town Clerk
lext steps:
☐ Receive a time and date stamp
☐ The Clerk will forward the packet to the Zoning Board of Appeals
The Zoning Board of Appeals has 65 days to hold a hearing from the date of
the stamped endorsement
The legal notice will appear in the newspaper at least 14 days prior to the hearing
After the hearing is held and the 20-day wait period has passed, you need to get a "Statement of No Appeal" from the Town Clerk

Please return this document and application when all boxes have been checked off.

 $\ \square$ Submit the decision letter to the Building Department to receive your permit.

☐ Go to the Registry of Deeds to record the decision. Please check the fee required from the Worcester Registry of Deeds for the recording.



TOWN OF PHILLIPSTON Inspector of Buildings 50 The Common Phillipston, MA 01331

Phone: (978)249-1736 Fax: (978)249-3356 Email: <u>building@phillipston-MA.gov</u>

October 2, 2024

Amy Cai 17 Old Barre Road Phillipston, MA 01331

Your application to rebuild the camp at the above address has been denied for the following reasons:

 Expanding the structure more than 25% is not allowed under Sec 13 Non-conforming Building and Uses of the Town of Phillipston Zoning By-Laws

Please contact me if you have any questions.

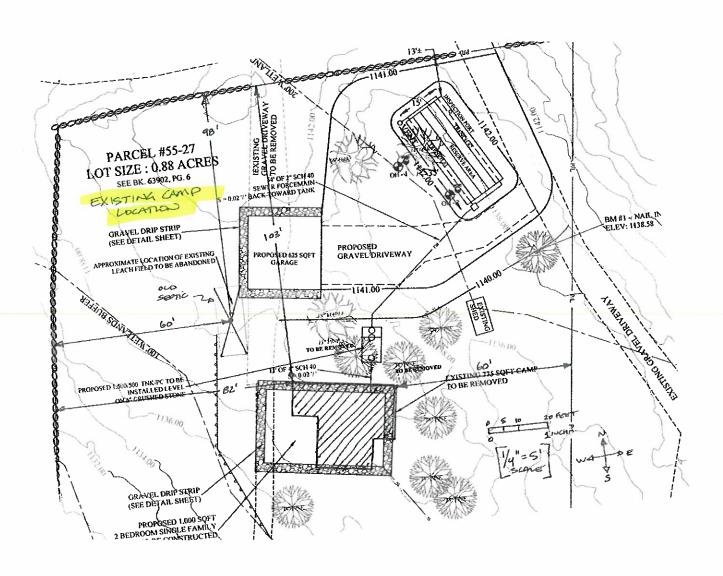
Sincerely,

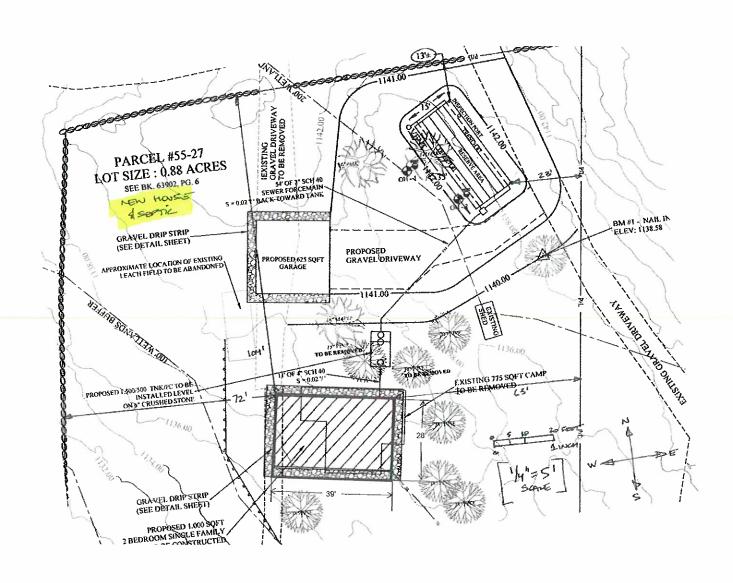
Philip J. Harris

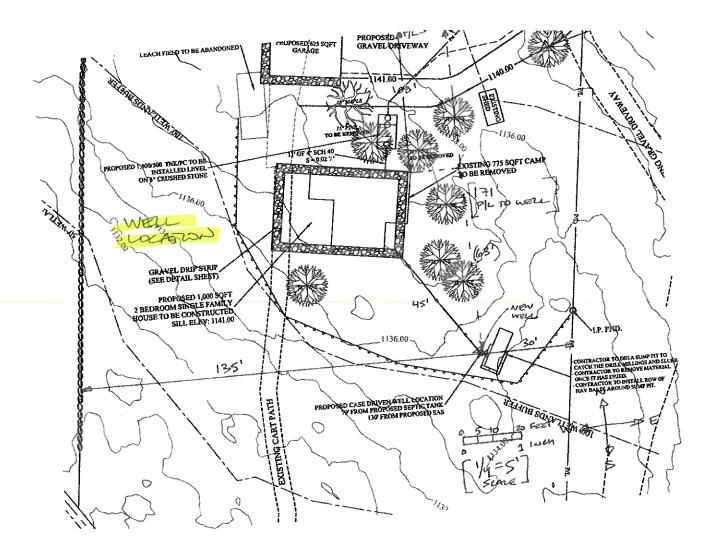
Philip J. Harris Building Commissioner

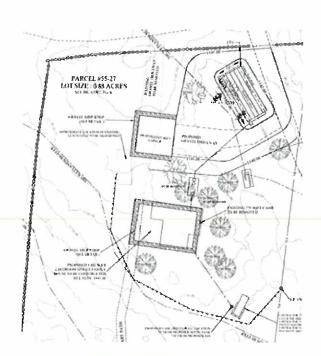
Email: pbassett19@comcast.net

app:#10-24		
AMY CAI NEWTON, MA 02465	9/28/24	116 53-13/110 MA 1960
PAYTOTHE TOWN of Phi order of hundred	illipeton	S JOD
Bank of America ACH R/T 011000138	Wealth Manageme	osts onto
17 old Sarre Rd	15347111111	MA CONTRACTOR CONTRACT





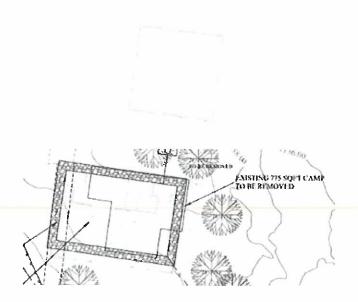




Mass DCR Variance Site Plan



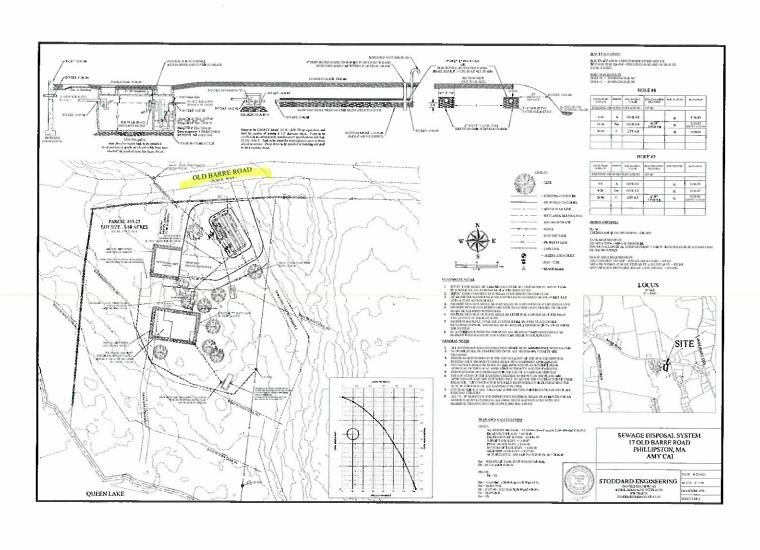
Proposed Approximate Building Plan

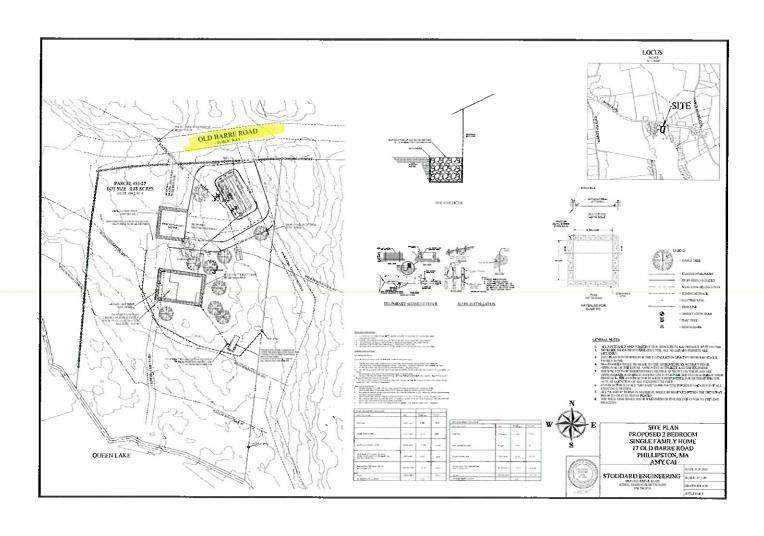


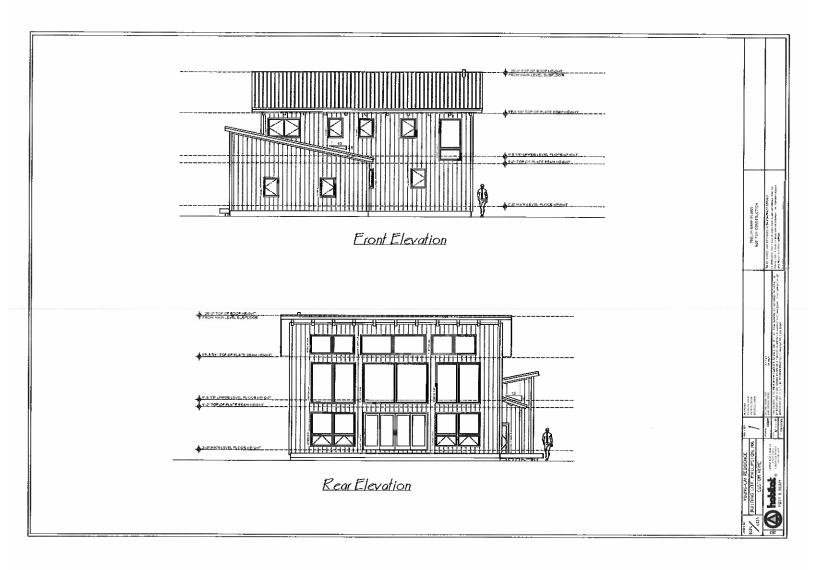


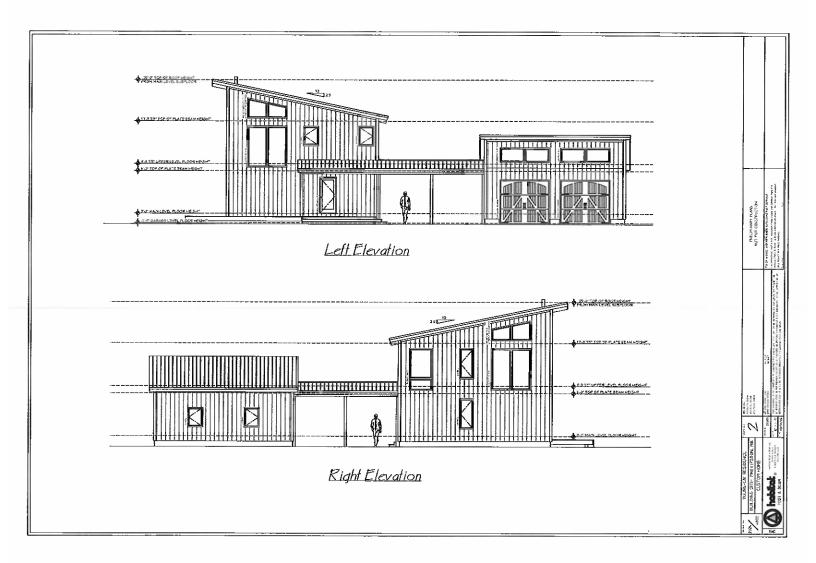
Existing 775ft² Camp

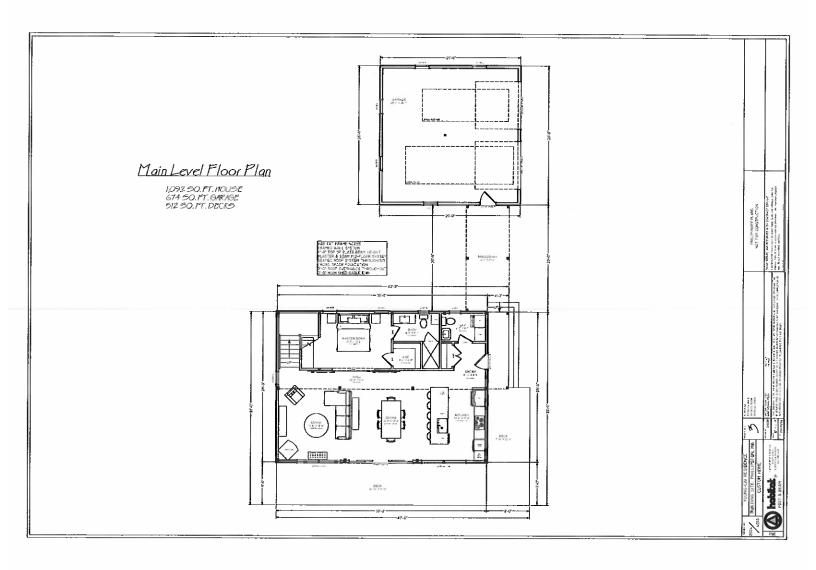
9/19/2024 Proposed Building Plan

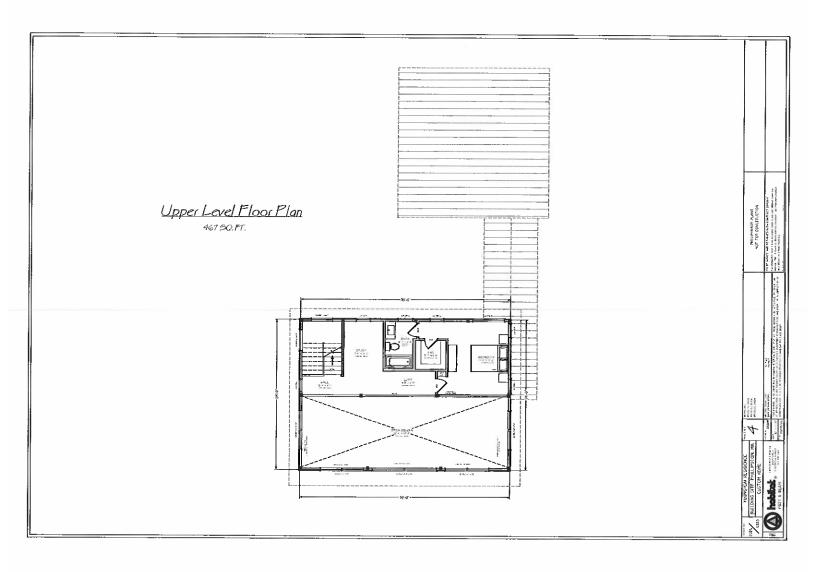












Town of Phillipston, MA



Parcel	Informati	on
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Parcel ID: 55-27 Vision ID: 1365 Owner: CAI AMY

Co-Owner:

Mailing Address: 207-209 RIVER ST

NEWTON, MA 02465

Map: 55

Lot: 27

Use Description: Waterfront

Zone: RC

Land Area in Acres: 0.88

Sale History

Book/Page: 63902/6

Sale Date: 12/4/2020 12:00:00 AM

Assessed Value

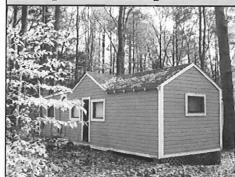
Land: \$298,700

Buildings: \$82,300

Extra Bldg Features: \$300 Outbuildings: \$100

Total: \$381,400

Building Details: Building # 1



Model: Residential

Living Area: 566 Appr. Year Built: 1989

> Style: Camp Stories: 1

Occupancy: 1 No. Total Rooms: 3

No. Bedrooms: 1 No. Baths: 0

No. Half Baths: 1

Int Wall Desc 1: Minim/Masonry

Int Wall Desc 2:

Ext Wall Desc 1: Wood on Sheath

Ext Wall Desc 2:

Roof Cover: Asph/F Gls/Cmp

Roof Structure: Gable/Hip Heat Type: None

Heat Fuel: Coal or Wood

Town of Phillipston, MA



Parcel Information

Parcel ID: 55-27 Vision ID: 1365

Owner: CAI AMY

Co-Owner:

Mailing Address: 207-209 RIVER ST

NEWTON, MA 02465

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Assessed Value

Book/Page: 63902/6

Sale Date: 12/4/2020 12:00:00 AM

Land: \$298,700

Buildings: \$82,300

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Total: \$381,400

Building Details: Building #1



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Roof Structure: Gable/Hip Heat Type: None

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Town of Phillipston, MA



Parcel Information

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Co-Owner:

Mailing Address: 207-209 RIVER ST

NEWTON, MA 02465

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iaings: \$100

Total: \$381,400

Building Details: Building #1



Model: Residential

Living Area: 566

Appr. Year Built: 1989 Style: Camp

Stories: 1

Occupancy: 1

No. Total Rooms: 3

No. Bedrooms: 1 No. Baths: 0

No. Half Baths: 1

Int Wall Desc 1: Minim/Masonry

Int Wall Desc 2:

Ext Wall Desc 1: Wood on Sheath

Ext Wall Desc 2:

Roof Cover: Asph/F Gls/Cmp

Roof Structure: Gable/Hip Heat Type: None

Heat Fuel: Coal or Wood

Town of Phillipston, MA



Parcel ID: 55-27 Vision ID: 1365 Owner: CALAMY

Co-Owner:

Mailing Address: 207-209 RIVER ST

NEWTON, MA 02465

Map: 55

Lot: 27

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Land Area in Acres: 0.88

Sale History **Assessed Value**

Book/Page: 63902/6

Sale Date: 12/4/2020 12:00:00 AM

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Total: \$381,400

Building Details: Building #1



Model: Residential

Living Area: 566 Appr. Year Built: 1989

Stories: 1 Occupancy: 1

No. Total Rooms: 3 No. Bedrooms: 1

Style: Camp

No. Baths: 0 No. Half Baths: 1

Int Wall Desc 1: Minim/Masonry

Int Wall Desc 2:

Ext Wall Desc 1: Wood on Sheath

Ext Wall Desc 2:

Roof Cover: Asph/F Gls/Cmp Roof Structure: Gable/Hip

Heat Type: None

Heat Fuel: Coal or Wood



Pursuant to the: Massachusetts Watershed Protection Act Chapter 36 of the Acts of 1992 M.G.L. ch. 92A1/2 313 CMR 11.00

Summary of Decision: Variance Approved with Conditions

TO:

Amy Cai

Chris Stoddard

Name of Owner

Name of Applicant

207-209 River Street Newton, MA 02465

1863 Old Keene Road Athol, MA 01331

Address

Address

FROM: Department of Conservation and Recreation, Division of Water Supply Protection,

Quabbin/Ware Section

DATE OF ISSUANCE: 11/3/2022

REGARDING:

17 Old Barre Road, Phillipston, MA 01331

Property Address/Location



Town Assessor's Sheet Number: 55 Lot Number: 27 Recorded at the Worcester District Registry of Deeds

Book Number: 63902 Page Number: 6 or Certificate of Title Number:

Initial intake date:

10/7/2022

Submission date (Complete Application):

10/7/2022

Date of Public Hearing:

10/31/2022

Date of close of Public Hearing:

10/31/2022

Remove a one-bedroom camp and construct a two-bedroom single family dwelling, a detached two car garage, upgraded septic system and new drinking well.

Description of Proposed Structure, Use and/or Activity

PLANS/INFORMATION FILED:

Site Plan September 25, 2022
Plan Title Date of Plan

Christopher J. Stoddard

Signed and Stamped by

Sewage Disposal System September 25, 2022

Plan Title Date of Plan

Christopher J. Stoddard

Signed and Stamped by



- FINDING -

The Division of Water Supply Protection of The Department of Conservation and Recreation (the Division) has reviewed the application for Variance referenced by the file number above, and has held a public hearing on the application. Based on the information in the application and presented at the hearing, the Division makes the following Variance Decision:

1. Areas of Jurisdiction on this Property

Primary Protection Zone		¥*	
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0-200 feet from the Bank of a Tributary or Surface Waters in the Wachusett Reservoir, Ware River, or Quabbin Reservoir Watershed [313 CMR 11.04(1)(b)]

Secondary Protection Zone

- 200-400 feet from the Bank of a Tributary or Surface Waters in the Wachusett Reservoir, Ware River, or Quabbin Reservoir Watershed [313 CMR 11.04(1)(c)]
- Bordering Vegetated Wetland [313 CMR 11.04(1)(e)]

2. Reason for Variance Request

- Alteration within 200 feet of the Bank of a Tributary or Surface Waters [313 CMR 11.04(3)(a)2]
- The construction of any dwelling which exceeds a density of two bedrooms per acre or any use which may generate more than 220 gallons of sanitary sewage per acre per day [313 CMR 11.04(3)2p]

3. Variance Decision

Grant of Variance. The Division finds that the Variance requested can be granted without substantial detriment to the public good and without impairment to the quality of water in the watershed because the house is proposed in the same footprint as the existing house, the septic system will be upgraded with the leach field removed from the Primary Protection Zone, and a gravel driveway will be removed and allowed to revegetate.



Massachusetts Watershed Protection Act

Variance Decision QA2022-035

- A. Approved Activities within the Primary Protection Zone

 Removal of the one-bedroom camp and construction of the two-bedroom single family dwelling, two car garage, septic tank, and drinking well.
- B. Approved Activities within the Secondary Protection Zone Installation of the new leach field.
- C. Approved Mitigation Methods for this Project Approved mitigation methods - Erosion controls.
- D. Activities Not Allowed by this Decision

 Any activity not shown on the approved plans.
- E. GENERAL CONDITIONS

 This grant is subject to the conditions listed herein, which are necessary to protect water quality in the Watershed.
 - This Decision and the following conditions are based on an Application for Variance received complete on 10/7/2022 and the accompanying plans, as noted on page two, on file with DCR-DWSP Quabbin/Ware Section, Environmental Planning Office, 485 Ware Rd., Belchertown, MA 01007 (herein referred to as "this office").
 - Any changes, revisions or alterations to approved plans must be submitted to this office
 prior to the commencement of any work on this site. The Division shall review those
 changes and make a finding whether an amendment to this Decision or a new filing for
 a Variance would be required.
 - 3. The Division shall have the right to enter and inspect the property, (per 313 CMR 11.11(4)) at reasonable times, for compliance with this Decision, the Act and the Watershed Protection Regulations (313 CMR 11.00).
 - 4. This Decision shall apply to any successor in interest or successor in control of the property.
 - 5. In case of emergencies, problems or the need to discuss site conditions with the Division, the contact telephone number is (413) 323-6921.
 - 6. This Decision will expire three years from the date of issuance. No activity may be conducted after that time period without re-issuance of the Variance Decision.



BEFORE THE START OF ANY ACTIVITY:

7. All sedimentation and erosion control measures shall be installed prior to construction.

DURING CONSTRUCTION:

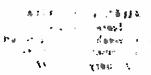
8. During and after construction there shall be no sedimentation to wetlands or water bodies from discharge pipes or surface water runoff leaving the site.

AFTER CONSTRUCTION:

- 9. Erosion control devices shall remain in place until all disturbed surfaces have been stabilized with final vegetative cover or the Division has authorized their removal.
- 10. No additional work is allowed between the erosion control line and the waters edge.

This Decision applies to the structure, use or activity only as it has been represented in the Application for Variance. If the structure, use or activity changes notice should be made to the Division so that the revised information can be reviewed.

This Decision does not relieve the Applicant of the responsibility of complying with all other applicable Federal, State or local laws and regulations including the General Rules and Regulations for the Protection of Watersheds and the Watershed System (313 CMR 11.09).





TOWN OF PHILLIPSTON Office of the Assessors 50 The Common Phillipston, Massachusetts 01331 Phone/Fax (978) 249-1732 assessors@phillipston-ma.gov

Assessors: David Manty, Chairman Luanne Royer, Clerk Earl Sweat, Member

October 9, 2024

To:

Paul Bassett

Re:

Abutters' List – 17 Old Barre Road, Phillipston

Owner: Amy Cai

Attached is a Certified Abutters' List which represents owners of parcels within 300' of the property line of the subject property. Subject property is known as 17 Old Barre Road, Phillipston, MA 01331, Map 55 Parcel 27. Owner of record as of this date is Amy Cai of 207-209 River Street, Newton and deed recorded in Worcester County Registry of Deeds Book 63902 Page 6.

This Certified Abutters' List is as set forth in the records of the Board of Assessors in the Town of Phillipston, MA as of this date October 9, 2024.

Maureen Cote

Assessors' Office



Subject Property:

Parcel Number: CAMA Number:

55-27 55-27

Property Address: 17 OLD BARRE RD

Mailing Address: CAI AMY

207-209 RIVER ST

NEWTON, MA 02465

Abutters:

Parcel Number:

18-10A 18-10A

CAMA Number: Property Address:

BARRE RD

Parcel Number: CAMA Number: 18-2A 18-2A

Property Address:

175 BARRE RD

Parcel Number: CAMA Number: 18-3 18-3

Property Address: BARRE RD

Parcel Number:

55-23 55-23

CAMA Number:

Property Address: 9 OLD BARRE RD

Parcel Number:

55-24 55-24

CAMA Number: Property Address: BARRE RD

Parcel Number: CAMA Number:

55-25 55-25

Property Address:

Parcel Number: CAMA Number: 55-26 55-26

15 OLD BARRE RD

Property Address: OLD BARRE RD

Parcel Number:

55-28 55-28

CAMA Number:

Property Address: 19 OLD BARRE RD

Parcel Number:

Parcel Number:

CAMA Number:

55-29 55-29

CAMA Number:

Property Address: 21 OLD BARRE RD

Property Address: 1 EAST RD

55-32 55-32 Mailing Address:

DEGON RICHARD & REBECCA 45 RILEY SWITCH RD

PHILLIPSTON, MA 01331

Mailing Address:

CORMIER ROGER & DONNA

175 BARRE RD

PHILLIPSTON, MA 01331

Mailing Address:

DAVIDSON PATRICK TRUSTEE PDD

INVESTMENT TRUST 137 WARREN STREET **UPTON, MA 01568**

Mailing Address:

WILLIAM M SCHMICK LAUREL M

SCHMICK

9 OLD BARRE RD

PHILLIPSTON, MA 01331

Mailing Address: COMM OF MASS

OLD & NEW BARRE RDS

PHILLIPSTON, MA 01331

Mailing Address:

WALANT DAVID B & KAREN B

15 OLD BARRE RD PHILLIPSTON, MA 01331

Mailing Address:

WALANT DAVID B & KAREN B

15 OLD BARRE RD

PHILLIPSTON, MA 01331

Mailing Address:

JOHN F COLBY STEPHANIE R COLBY

19 OLD BARRE RD

PHILLIPSTON, MA 01331

Mailing Address: CILO JASON CHARLTON AMANDA LEA

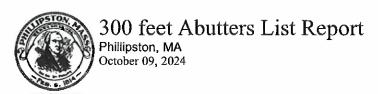
737 GREENWICH STREET

NEW YORK, NY 10014

Mailing Address: PARKER PAULA

4185 HYLING DRIVE

JENSEN BEACH, FL 34957



Parcel Number: 55-33 Mailing Address: INHABITANTS OF PHILLIPSTON

CAMA Number: 50 COMMON 55-33

Property Address: EAST RD PHILLIPSTON, MA 01331

Parcel Number: 55-34 Mailing Address: RUDY THEODORE D & LAURA M

CAMA Number: 55-34 33 LAUREL WOODS Property Address: 3 EAST RD TOWNSEND, MA 01469

Parcel Number: 55-35 THEODORE D RUDY LAURA M RUDY Mailing Address:

CAMA Number: 55-35 817AMARYLLIS LN Property Address: 5 EAST RD VENICE, FL 34292

Parcel Number: 55-36 Mailing Address: THEODORE D RUDY LAURA M RUDY

CAMA Number: 55-36 33 LAUREL WOODS

Property Address: EAST RD WEST TOWNSEND, MA 01474

Parcel Number: 55-36A **GATAUTIS RICHARD** Mailing Address:

CAMA Number:

55-36A 7 KING RD

Property Address: KING RD PHILLIPSTON, MA 01331

Parcel Number: 55-37 Mailing Address: **GRAUTSKI JAMES & NANCY**

CAMA Number: 55-37 54 BIRCHCROFT RD Property Address: 12 KING RD LEOMINSTER, MA 01453

Parcel Number: 55-38 INHABITANTS OF PHILLIPSTON Mailing Address:

CAMA Number: 55-38 50 COMMON

Property Address: MYRTLE RD PHILLIPSTON, MA 01331

Parcel Number: 55-41 Mailing Address: HALEY TIMOTHY HALEY SYLVIA

CAMA Number: 55-41 5 MYRTLE RD

Property Address: 5 MYRTLE RD PHILLIPSTON, MA 01331

Parcel Number: 55-53 Mailing Address: **GATAUTIS RICHARD P**

CAMA Number: 55-53 7 KING RD

Property Address: 7 KING RD PHILLIPSTON, MA 01331

Parcel Number: 55-55 Mailing Address: **ULMER TYRONE G SR & CYNTHIA**

CAMA Number: 55-55 TRUSTEES THE ULMER LIVING TRUST Property Address: 1 FITCH RD

344 NE ORCHARD STREET PORT SAINT LUCIE, FL 34983

Parcel Number: 55-56 Mailing Address: MCLAUGHLIN SHANNON K TRUSTEE

CAMA Number: 55-56 MCLAUGHLIN IRREV FAMILY TRUST

Property Address: 3 FITCH RD 195 14TH AVENUE

HOLTSVILLE, NY 11742

Parcel Number: 55-60 Mailing Address: THEROUX ROBERT E AND CAROL J.

CAMA Number: 55-60 TRS OF THE 2019 THER

9 BRIGHTSIDE DRIVE HUDSON, NH 03051

Property Address: 5 VALLEY RD



Parcel Number: **CAMA Number:** 55-62

Property Address: OLD BARRE RD

55-62

Mailing Address:

GATAUTIS RICHARD

7 KING ROAD

PHILLIPSTON, MA 01331

Parcel Number: CAMA Number: 55-74

55-74

Property Address: AUSTIN RD

Mailing Address: INHABITANTS OF PHILLIPSTON

50 COMMON

PHILLIPSTON, MA 01331

