

TOWN OF HINGHAM

Board of Appeals



ZONING APPLICATION CHECKLIST

FORM 1 INSTRUCTIONS

Please collect the materials indicated below, which collectively make up an application to the Board of Appeals. The complete set of documents is filed with the Town Clerk, along with the filing fee. Duplicate copies of the items specified below are also filed with the Board of Appeals at the same time as the filing is made with the Town Clerk. Incomplete filings will not be accepted for processing and scheduling. Hearings are scheduled on a first-come, first-serve basis.

REQUIRED DOCUMENTS	FILE WITH CLERK <i>Number of Copies Specified Below</i>	FILE WITH ZBA
This Checklist (Form 1)	<u>1</u>	<u>N/A</u>
Application for Hearing (Form 2)	<u>1</u>	<u>4</u>
Supporting Statements – Requested Findings Administrative Appeal (Form 2A) Variance (Form 2B) Special Permit A1 (Form 2C) Special Permit A2 (Form 2D)	<u>1</u>	<u>4</u>
Evidence of Standing to Seek Relief Deed or Certificate of Title Signed Option to Purchase Lease with Property Owner's Authorization Letter	<u>1</u>	<u>N/A</u>
Plot Plan Plan shall show scale, north arrow, lot dimensions and area, existing building and structures. Include topography, floodplain, wetlands, and other features as relevant.	<u>1</u>	<u>4</u>
Plan(s) of Proposed Site plan shall show scale, north arrow, dimensioned location of all improvements, including floor area, and elevations. Include, if applicable, physical features, off-street parking plan, landscape plan, grading, drainage, and lighting plans. Architectural plans shall include sufficient detail to demonstrate dimensions of buildings/structures, materials, and other details.	<u>1</u>	<u>4</u>
Other Applicable Information Drainage Report and/or Traffic Impact Assessment, as required Optional letters of support, photographs, etc.	<u>1</u>	<u>4</u>
Digital Copy of Application Provide all documents electronically on compact disk or submit by email to ZBA@hingham-ma.gov	<u>N/A</u>	<u>1</u>

TOWN OF HINGHAM

FORM 2



BOARD OF APPEALS
781-741-1494

PLANNING BOARD
781-741-1419

APPLICATION FOR
ZONING HEARING

Application Date 06/26/2020

The undersigned hereby petitions the Board of Appeals and/or the Planning Board for the following:

Appeal Variance Special Permit A1
 Special Permit A2 Site Plan Review Special Permit A3

Subject Property 156 East Street Zoning District R-C

Petitioner's Name Phillip Austin and Katty Dos Santos Address 156 East Street, Hingham

Name _____ Address _____

Name _____ Address _____

Brief Description of Work:

Applicant is seeking a MGL c. 40A s. 6 determination regarding it's Form A endorsement
from the Hingham Planning Board, allowing the applicant to divide the property into
two parcels, one with vacant land and one with the current single family home which is
in the Residence C district and is setback 44.8 feet from the right of way, and the required
setback is 50 feet in the Residence C District.

Applicants for an **Appeal** must complete **Form 2A**

Applicants for a **Variance** must complete **Form 2B**

Applicants for a **Special Permit A1** must complete **Form 2C**

Applicants for a **Special Permit A2** must complete **Form 2D**

Applicants for a **Special Permit A3** must complete **Form 2E**

Form 2

The undersigned is ✓ the owner of the subject property, or _____ the holder of a written option to purchase the subject property, or _____ the holder of a valid lease to the subject property. (In this last instance written authorization from the property owner must be submitted with the other application documents.)

Record title to the subject property stands in the name(s) Phillip Austin and Katty Dos Santos

Address of owner of record 156 East Street, Hingham

Title Reference:

(Unregistered land) Plymouth County Registry of Deeds, Book 48257, Page 0341

(Registered land) Land Court Certificate of Title No. _____, Book _____, Page _____

State briefly what is currently on the premises:

Premises currently contains a single family home and vacant land.

Attorney, agent, or other representative acting for petitioner:

Name Walter B. Sullivan Address 80 Washington Street, Building B Suite 7, Norwell MA 02061

Name _____ Address _____

Written evidence of agent's standing to represent petitioner may be requested.

Signed as a statement of fact under the pains and penalties of perjury, this 26 day of June, 2020.

SIGNATURE Walter B Sullivan

(Petitioner/Agent)

Print Name Walter B. Sullivan, Esq.

Address 80 Washington Street, Building B Suite 7, Norwell MA 02061

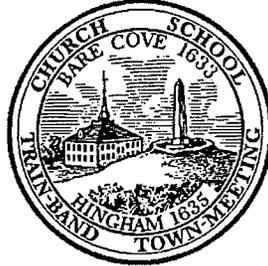
Tel. No. 781-871-6500

check all that apply:

- Property Owner(s)
- Applicant
- Owner's Agent
- Applicant's Agent

Note: Do not attempt to discuss the merits of your case with any member of the Board of Appeals and/or the Planning Board at any time after filing this application and prior to the hearing thereon.

TOWN OF HINGHAM
Board of Appeals



**SUPPORTING STATEMENT
REQUESTED FINDINGS**

**FORM 2F
M.G.L. CH. 40A §6 FINDING**

Petitioner Phillip Austin and Katty Dos Santos asks the Board of Appeals, pursuant to § III-I, C of the Zoning By-Law, to make a Finding under M.G.L. Ch. 40A § 6 that Petitioner's proposed change, extension or alteration to the property located at 156 East Street, Hingham shall not be substantially more detrimental than the existing nonconforming use (or structure) to the neighborhood.

1. Please identify the particular existing use for the land or structure:

The premises currently contain a single family home and vacant land, subject of a Form A endorsement from the Hingham Planning Board.

2. Please identify the particular respect or respects in which the existing structure or use does not conform to the requirements of the present zoning:

The front setback of the current single family home is 44.8 feet from the right of way, and in the Residence C district where the required front setback is 50 feet.

3. Please identify the particular proposed use for the land or structure and the particular proposed change, extension or alteration:

Applicant has created a second lot by dividing the lot in half as shown on Plan of Land at 156 East Street & 220 Summer Street Hingham, MA endorsed by the Planning Board on June 1, 2020, this has no impact on the current front setback of the existing single family home.

4. Please identify your reasons why the proposed change, extension or alteration will not be substantially more detrimental than the exiting nonconforming use to the neighborhood:

No impact on the neighborhood and by obtaining a MGL c. 40A s. 6 finding the existing home can be preseverd rather than demolished for a new structure.

Signature: Walter B. Sullivan

Check all that apply:

Print Name: Phillip Austin and Katty Dos Santos
c/oWalter B. Sullivan

Property Owner

Address: 80 Washington Street, Building B Suite 7,
Norwell MA 02061

Tel. No.: 781-871-6500

Owner's Agent

Email: wsullivanjr@sulsul.com

Applicant's Agent

Please attach additional sheets if space provided is insufficient.



2017 00025529

Bk: 48257 Pg: 341 Page: 1 of 4
Recorded: 03/30/2017 02:05 PM
ATTEST: John R. Buckley, Jr. Register
Plymouth County Registry of Deeds

CANCELLED

MASSACHUSETTS EXCISE TAX
Plymouth District ROD #11 001
Date: 03/30/2017 02:05 PM
Ctrl# 100794 14873 Doc# 00025529
Fee: \$3,876.00 Cons: \$850,000.00

QUITCLAIM DEED

We, Jonathan Wight and Laura J. Wight, being married to each other, of 156 East Street, Hingham, MA 02043 ("Grantor"), for consideration paid of **EIGHT HUNDRED FIFTY THOUSAND DOLLARS AND NO CENTS (\$850,000.00)**, hereby grants to Philip Austin and Katty Dos Santos, husband and wife as tenants by the entirety, of 156 East Street, Hingham, 02043 ("Grantee"),

WITH QUITCLAIM COVENANTS,

A certain parcel of land with the buildings thereon, situated in Hingham, Plymouth County, Massachusetts and bounded and described as follows:

Beginning at a point on East Street at the Southwest corner of land now or formerly of Hatchard, as shown on "Plan of land in Hingham, MA, belonging to Mary G. Edmands, May 1934, George F. Maynard, C.E.," filed June 8, 1934 with Plymouth Registry of Deeds in Plan Book 5, Page 417, thence running

NORTHWESTERLY: along East Street and Summer Street as shown on said plan by three lines measuring respectively one hundred twenty-eight and 58/100 (128.58) feet, one hundred twenty-one and 43/100 (121.43) feet, and one hundred twenty-eight and 58/100 (128.58) feet, to a stone bound at the corner of Kilby and Summer Streets as shown on said plan; thence turning and running

NORTHEASTERLY: along said Kilby Street one hundred forty-nine and 92/100 (149.92) feet to a cedar tree, as shown on said plan; thence turning and running

NORTHWESTERLY: by land now or formerly of Whittemore, as shown on said plan, one hundred thirty-eight and 32/100 (138.32) feet; thence turning and running

PROPERTY ADDRESS: 156 East Street, Hingham, MA 02043

Philip Austin ✓
156 EAST ST.

NORTHERLY: by said land of Whittemore twelve and 20/100 (12.20) feet; thence turning and running

NORTHEASTERLY: by said land of Whittemore one hundred sixty and 83/100 (160.83) feet; thence turning and running

EASTERLY: by said land of Whittemore one hundred fifty-four and 53/100 (154.53) feet; thence turning and running

SOUTHWESTERLY: one hundred ten and 44/100 (110.44) feet; thence turning and running

NORTHWESTERLY: by land now or formerly of Hatchard, one hundred twenty-three and 56/100 (123.56) feet; thence turning and running

SOUTHWESTERLY: by said land of Hatchard by two lines measuring respectively two hundred three and 60/100 (203.60) feet and one hundred forty-two and 60/100 (142.60) feet to the point of beginning.

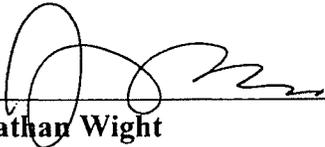
Containing 110,328 square feet of land according to said plan.

We, **Jonathan Wight and Laura J. Wight**, hereby release any rights of homestead we may have in the premises and hereby state under the pains and penalties of perjury no other persons are entitled to claim the benefit of an existing estate of homestead.

For title see deed recorded at Book 21971, Page 347.

(THE REMAINDER OF THIS PAGE WAS INTENTIONALLY LEFT BLANK)

Witness my hand and seal this 3 day of March, 2017.



Jonathan Wight

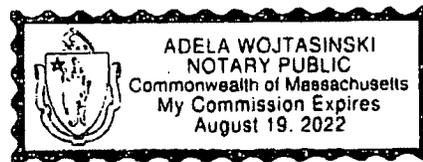
COMMONWEALTH OF MASSACHUSETTS

County of Plymouth

On this 3 day of March, 2017, before me, the undersigned Notary Public, personally appeared **Jonathan Wight**, proved to me through satisfactory evidence of identification, which was MDC, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she/he signed it voluntarily for its stated purpose.

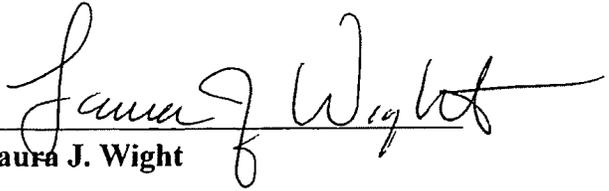


Notary Public:
My Commission Expires:



8-19-22

Witness my hand and seal this 3 day of March, 2017.



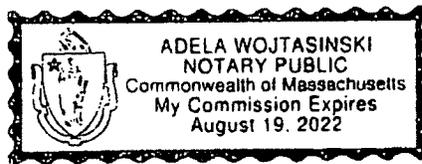
Laura J. Wight

COMMONWEALTH OF MASSACHUSETTS

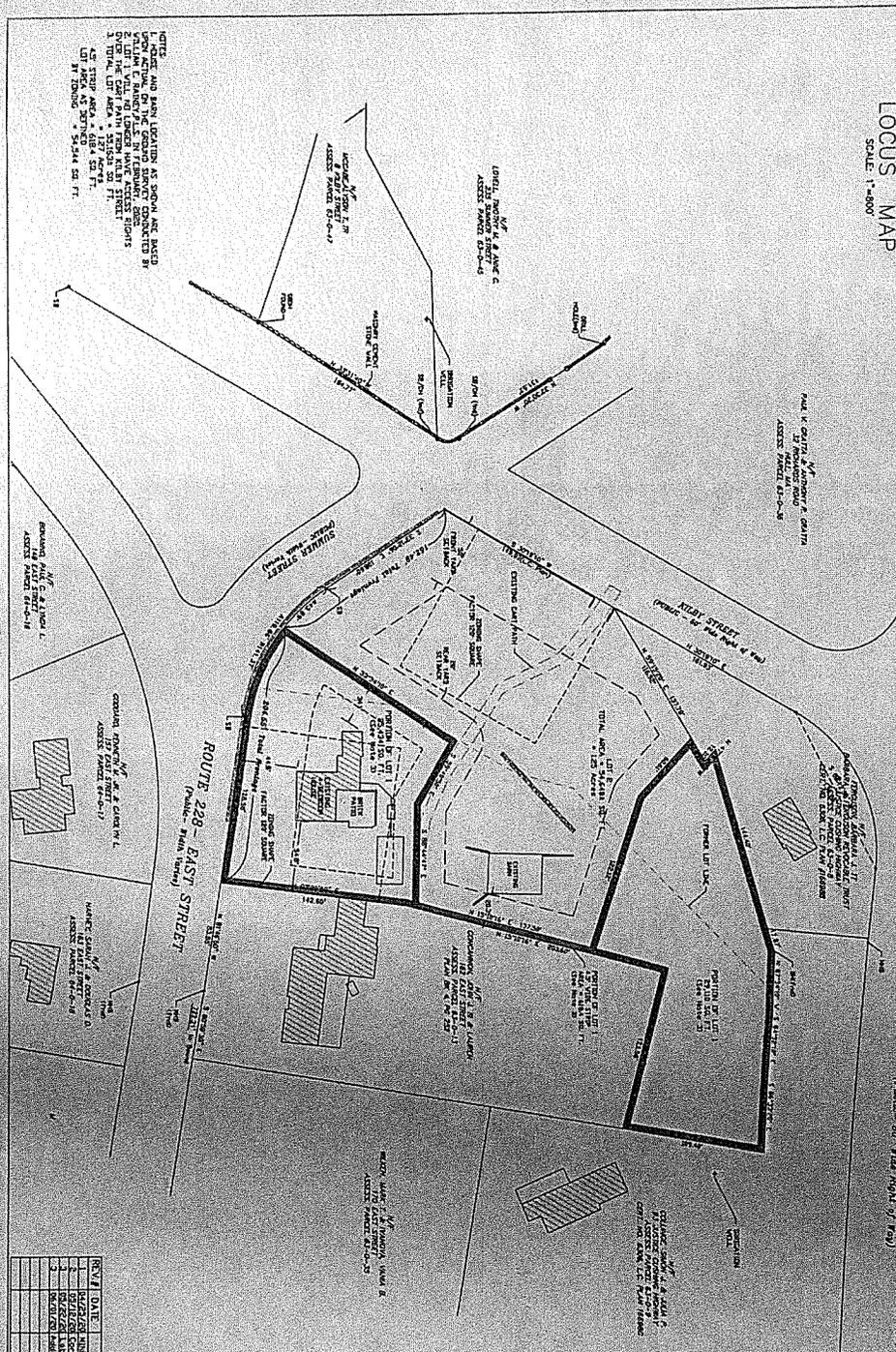
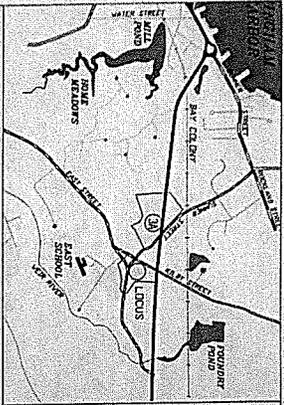
County of Plymouth

On this 3 day of March, 2017, before me, the undersigned Notary Public, personally appeared **Laura J. Wight**, proved to me through satisfactory evidence of identification, which was MRL, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she/he signed it voluntarily for its stated purpose.

Notary Public:
My Commission Expires:



8-19-22



NOTES:
 1. ALL DISTRICT AND BARRI LOCATIONS AS SHOWN ARE BASED ON THE LATEST AVAILABLE AERIAL PHOTOGRAPHS.
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ZONING
 SINGLE-RES. C DISTRICT
 LOT AREA 40,000 S.F.
 LOT FRONTAGE 190 FT.
 FRONT SET-BACK 20 FT.
 SIDE SET-BACK 10 FT.
 LOT WIDTH 120 FT.

NO./1	DATE	DESCRIPTION
1	1/22/20	PRELIMINARY PLAN
2	1/22/20	REVISIONS TO PRELIMINARY PLAN
3	1/22/20	FINAL PLAN

SCALE: 1" = 40'
 DATE: FEBRUARY 20, 2020
 PLAN OF LAND
 AT
 156 EAST STREET &
 220 SUMMER STREET
 HINGHAM, MA.

JAMES ENGINEERING, INC.
 1265 GREAT ROCK ROAD
 HINGHAM, MA 02043
 TEL: 781-546-1234
 EMAIL: james@jameseng.com
 SCALE IN FEET
 0 40 80 120

OWNER & APPLICANT
 PHILIP AUSTIN & SANTOS KATY 005
 156 EAST STREET
 HINGHAM, MA 02043
 DEED REFERENCE BR 48877, PG 341
 PLAN BR 5, PG 417

JAMES ENGINEERING, INC.
 PLANNING BOARD

PLANNING BOARD APPROVAL NUMBER
 DATE: June 1, 2020

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF CHAPTER 23A OF THE REGISTERS OF DEEDS.

FOR RECEIPT USE ONLY