

Variance Application Narrative

200 Bartlett Street, Northborough, Massachusetts

Explain what you want to do or construct and state which provision(s) of the Zoning Bylaw requires you to obtain a variance and/or special permit to do it

The applicant, R. J. Devereaux Corp. (the “Applicant”) proposes to use two buildings and a portion of a parcel in the industrial zoning district at 200 Bartlett Street (the “Property”) as a contractor’s yard. The Property is 6.7 acres (+/-) in size and presently has an automotive repair business in a third building. The automotive repair use was allowed by a variance granted in 2007. The Applicant has obtained a zoning interpretation from the Inspector of Buildings. The Applicant intends to repair and service vehicles it uses for its contracting business on the property, and so a variance for this accessory use is required because the accessory use is prohibited in Groundwater Protection Overlay District (“GPOD”) Area 1. See Zoning Bylaw Section 7-07-10-D-(2)-(a)-[7]. If the Board grants the use variance, the Applicant will seek a special permit and other relief to use the Property as a contractor’s yard.

The Property is located in two different GPOD areas, Area 1 and Area 3. The Applicant proposes to carry out small engine repair and large and small vehicle maintenance in a renovated building located in GPOD Area 3 away from wetland resource areas. This accessory use is not prohibited in GPOD Area 3. See Zoning Bylaw Section 7-07-10-D-(2)-(b). However, vehicles to be repaired and serviced may be parked temporarily in GPOD Area 1 and/or travel over GPOD Area 1 to enter the building where they will be repaired or serviced.

The parcel has some existing contamination from a former industrial use and has septic systems in need of replacement. The Applicant proposes to continue the ongoing remediation in accordance with MassDEP requirements replace and relocate the septic systems in accordance with Northborough and MassDEP requirements. The Property also has wetlands that limit the area of the property that can be improved. The Applicant proposes to place all new improvements (hardscape and stormwater controls) outside of buffer to the wetlands on the Property and design the improvements to prevent impacts to wetlands and/or the groundwater. The Applicant will store some construction materials such as sand and gravel on site, but will cover these materials and install the necessary stormwater controls to assure that there is no impact on the groundwater. The Applicant proposes to renovate the existing buildings for its use and remove a small building. All oils and potentially hazardous materials will be stored securely inside the maintenance building in a manner that will prevent impacts to groundwater in the event of a spill or fire. Landscaping and other improvements will be made to the portion of the Property fronting on Bartlett Street to screen the Applicant’s operations.

- (1) specifically describe the soil conditions, shape, or topography that distinguish it from other lots.**

The lot shape is relatively conventional and is not distinguishable from other lots. The site is also relatively flat, generally sloping slowly away from Bartlett Street toward the wetland resource areas and for this reason the topography is not distinguishable from other lots. The wetland soil conditions on the Property are unique and distinguish this lot from surrounding lots for several reasons. The wetlands extend a significant distance into the Property leaving dry area to the east and west. Certain soils on the Property are contaminated and contain septic systems in need of repair or replacement. The zoning in the GPOD that limits the use has a purpose of protecting the groundwater and any wetland resource area that recharges the groundwater resource. See Zoning Bylaw Section 7-07-10-A. The surrounding properties do not share these same soil conditions.

(2) describe the hardship caused by the soil conditions, shape, or topography.

The Applicant can use the Property as a contractor's yard with a special permit. The soil conditions on the Property cause a hardship because the portion of the site dedicated to this primary use is limited by the wetlands, contamination, and septic issues. Parking vehicles and conducting minor repair and service of vehicles when needed is an essential part of the contractor's yard use. The Applicant needs to be able to make emergency repairs of its own vehicles in order to meet the time-sensitive requirements of its obligations to its clients. The Applicant also seeks to avoid significant costs and hardship that would arise from needing to service all vehicles and conduct minor vehicle repair off site. The inability to make any minor repairs or service any vehicles would complicate use of the property as a contractor's yard and possibly render it unworkable. The Applicant has moved the offending use out of GPOD Area 1, except for movement and parking of vehicles to be serviced and repaired, and into a building located in GPOD Area 3.

(3) describe facts in support of the relief sought and show how it will not be detrimental to the public good.

The Applicant has a goal of remediating the site and reducing the likelihood that existing contamination will enter the wetland system and impact the water resources at issue. The most developed area of the Property is the area within GPOD Area 1, and the existing use there, automotive repair, is the same use the Applicant seeks relief for. However, the Applicant will not repair or service vehicles in GPOD Area 1. The activity will instead be located inside a building located in GPOD Area 3 where it is not prohibited. All oils, chemicals, and like materials that could impact the groundwater will be securely stored inside that building. All vehicle service and repair will be solely for vehicles used by the Applicant for its contracting business.

The Applicant proposes to raze a small existing building and renovate two other existing buildings on the site. Existing hardscape will be repaired and more hardscape will be added in order to control and contain stormwater and prevent any contamination that may occur from vehicle service and repair from entering the groundwater. The stormwater controls will also prevent impacts on the groundwater from parked vehicles and materials stored on site. The repairs to and renovations of the existing buildings, and introduction of landscaping, improved

pavement, and improved stormwater and runoff controls will protect the groundwater, will not be detrimental to any public water supply, and will greatly improve the existing conditions.

(4) describe how the relief sought will not nullify or derogate from the intent or purpose of the zoning bylaw.

The Applicant is working with a parcel that is split between two areas of the GPOD, and requires relief because the zoning code prohibits the use in one of these areas. The use the Applicant needs relief for will occur inside a building located in GPOD Area 3 where it is not prohibited. All oils and hazardous materials, including those associated with auto repair and service will be securely stored in that building. In locating the use in GPOD Area 3, the Applicant seeks to adhere to the intent and purpose of the zoning bylaw will improve existing conditions and not be detrimental to the water supply. The Applicant will control stormwater and runoff and treat it on site to assure that there are no impacts on the groundwater.

2007 Variance



2008 00018078

Bk: 42447 Pg: 321

Page: 1 of 3 02/22/2008 11:55 AM WD



Town of Northborough

Andrew T. Dowd

TOWN CLERK

63 Main Street

Northborough, Massachusetts 01532-1994

(508) 393-5001 Office (508) 393-6996 Fax

E-mail: adowd@town.northborough.ma.us

Website: Town.Northborough.MA.US

ZONING BOARD OF APPEALS
CERTIFICATION
(20 DAYS HAVE ELAPSED)
CASE NO. (07-10)

I, Andrew Dowd, Town Clerk of the Town of Northborough, Massachusetts, hereby certify as follows:

1. The original Zoning Board of Appeals Application for **200 Bartlett Street** thereof was filed with me as said Town Clerk on **July 16, 2007**.
2. The Northborough Zoning Board of Appeals decision dated: **September 11, 2007** relative to an application for **Kevin Lamy for a Variance AT 200 Bartlett Street, NORTHBOROUGH** was filed with the Town Clerk's Office on **September 11, 2007, at 6:00 pm**.
3. **Twenty (20) days have elapsed** since filing the Zoning Board of Appeals Decision with the Town Clerk; and
4. **NO APPEAL THEREFROM HAS BEEN FILED.**

Witness my Hand and the TOWN SEAL of Northborough this **20 day of February 2008 at 9:15 AM.**

A true copy attest:

Andrew Dowd, Town Clerk



TOWN OF NORTHBOROUGH

Zoning Board of Appeals

63 Main Street
Northborough, Massachusetts 01532
508-393-5019 ~ 508-393-6996 Fax

2007 SEP 11 PM 6:00
RECEIVED
NORTHBOROUGH TOWN CLERK
[Signature]

DECISION

ZBA CASE NO. 07-10

PROPERTY LOCATION: 200 Bartlett Street

PETITIONER: Kevin Lamy

PROPERTY OWNER: James M. Ducey & John P. Shea, Trustees of the Bartlett Street Realty Trust

RECORDED WITH WORCESTER REGISTRY OF DEEDS: Book 13894, Page 0046

This document is the DECISION of the Northborough Zoning Board of Appeals on the petition of Kevin Lamy for a VARIANCE to allow use of an automotive repair business on the property located at 200 Bartlett Street, Assessors' Map 66, Parcel 7.

APPLICATION

1. On July 16, 2007 the Applicant filed with the Town Clerk an Application for Hearing before the Zoning Board of Appeals for the purpose of obtaining a VARIANCE from the Zoning Bylaw.
2. Notice of the public hearing was duly published in "THE WORCESTER TELEGRAM & GAZETTE" on August 13, 2007 and August 20, 2007 and was mailed to abutters and other parties in interest on August 10, 2007.

EXHIBITS

Submitted for the Board's deliberation were the following exhibits:

1. Application for Hearing before the Zoning Board of Appeals; and
2. Copy of portion of an unidentified Assessors map with Bartlett Street notation

HEARING

The Applicant, Kevin Lamy, and his representative, Attorney Aldo Cipriano, presented the Application at a duly noticed public hearing of the Board on August 28, 2007 in the Northborough Town Hall Selectmen's Meeting Room. Voting board members Richard Rand, Richard Kane and Mark Rutan, and non-voting members Sandra Landau, Dan Ginsberg and Gerry Benson were present throughout the proceedings.

The Applicant is seeking a Variance to allow use of an automotive repair business as needed per Section 7-24-040 of the Northborough Zoning Bylaw. The applicant intends to move his established automotive repair business, Lamy Automotive, to the subject premises for routine consumer repairs and maintenance of motor vehicles. He will not relocate his service station business to the site. The automotive repair service proposed will continue traditional consumer services to town residents who are the established customer base. The Applicant will use the existing structure on the premises for his automotive repair business. In addition, he will use the existing 4-foot by 8-foot sign frame for his signage. The site is set off the main access way and the lot is irregularly shaped with little rear yard area. Site visibility from the street is poor. The Applicant expects no more than thirty (30) cars to enter and exit the site per day, which will have very

little impact on existing traffic conditions on Bartlett Street. The Applicant will file for a special permit for relief from Groundwater Overlay Protection District regulations if he is granted a variance to allow the use in this location.

No abutters were present. No objections were filed.

The hearing was closed on August 28, 2007.

FINDINGS OF FACT

1. The subject property is located in the Industrial District A and is in Areas 1 and 3 of the Groundwater Protection Overlay District.
2. The automotive repair business is not an allowed use in Industrial District A.
3. The lot is contiguous to other parcels with industrial and commercial uses and the proposed use will not impact residences in the area.
4. The proposed use will encourage the most appropriate use of the property as a business site providing motor vehicle maintenance and repair services.
5. A literal enforcement of the application of the Zoning Bylaw would involve substantial hardship to the applicant.
6. The zoning relief sought by the Applicant may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the bylaw.

DECISION

1. After due consideration of the Application, the Board voted unanimously to **GRANT** the **VARIANCE** to allow the use of an automotive repair business on the premises located at 200 Bartlett Street, as per Section 7-24-040 of the Northborough Zoning Bylaw.
2. If the rights authorized by this Variance are not exercised within one year from the time of granting, it shall lapse in accordance with the provisions of Massachusetts General Laws, Ch. 40A, Sec. 10.
3. This Variance shall not take effect until a copy of the decision bearing the certificate of the Town Clerk is recorded with the Worcester District Registry of Deeds in accordance with the provisions of Massachusetts General Laws, Ch. 40A, Sec. 11 and 15 stating that "twenty (20) days have elapsed after the decision has been filed in the office of the Town Clerk and no appeal has been filed, or if such appeal has been filed it has been dismissed or denied."
4. Appeals, if any from this decision shall be made pursuant to Massachusetts General Laws, Ch. 40A, Sec. 17 and shall be filed within twenty (20) days after the date of filing of this decision in the office of the Town Clerk.

TOWN OF NORTHBOROUGH, MASSACHUSETTS
ZONING BOARD OF APPEALS



 RICHARD RAND, CHAIRMAN

2008 Special Permit



TOWN OF NORTHBOROUGH Zoning Board of Appeals

Town Hall Offices • 63 Main Street • Northborough, MA 01532 • 508-393-5019 • 508-393-6996 Fax

DECISION



Bk: 42802 Pg: 358

Page: 1 of 4 05/07/2008 12:33 PM WD

2008-07-11 10:00

ZBA CASE NO. 08-04

PROPERTY LOCATION: 200 Bartlett Street

PETITIONER: Kevin Lamy

PROPERTY OWNER: James M. Ducey & John P. Shea, Trustees of the Bartlett Street Realty Trust

RECORDED WITH WORCESTER REGISTRY OF DEEDS: Book 13894, Page 0046

This document is the DECISION of the Northborough Zoning Board of Appeals on the petition of Kevin Lamy for a Special Permit under Section 7-28-040, Groundwater Protection Overlay District, to allow use of an automotive repair business on the property located at 200 Bartlett Street, Assessors' Map 66, Parcel 7.

APPLICATION

1. On February 27, 2008 the Applicant filed with the Town Clerk an Application for Hearing before the Zoning Board of Appeals for the purpose of obtaining a SPECIAL PERMIT under Section 7-28-040, Groundwater Protection Overlay District, from the Zoning Bylaw.
2. Notice of the public hearing was duly published in "THE WORCESTER TELEGRAM & GAZETTE" on March 10, 2008 and March 17, 2008 and was mailed to abutters and other parties in interest on February 28, 2008.

EXHIBITS

Submitted for the Board's deliberation were the following exhibits:

1. Application for Hearing before the Zoning Board of Appeals;
2. Two plan sheets entitled as follows: Sheet 1 - "Proposed Drainage Improvements" and Sheet 2 - Construction Details, Drainage Improvements", 200 Bartlett Street, dated February 15, 2008, signed and stamped by Stephen E. Poole, Civil Registered Professional Engineer;
3. A list of materials entitled "Exhibit B", Application of Kevin Lamy (Lamy Automotive) and
4. A letter to the Zoning Board of Appeals from the Groundwater Advisory Committee, dated March 25, 2008, re: 200 Bartlett Street, Map 66, Parcel 7.

HEARING

The Applicant, Kevin Lamy, and his representative, Attorney Aldo Cipriano, presented the Application at a duly noticed public hearing of the Board on March 25, 2008 in the Northborough Town Hall Selectmen's Meeting Room. Voting board members Richard Rand, Richard Kane and Mark Rutan, and non-voting members Sandra Landau, Dan Ginsberg and Gerry Benson were present throughout the proceedings.

The Applicant is seeking a Special Permit to allow use of an automotive repair business in Groundwater Protection Overlay District Areas 1 and 3, under Section 7-28-040 of the Northborough Zoning Bylaw. The Applicant will be leasing the existing building off Bartlett Street. A variance was granted last year for the use, under ZBA Case No. 07-10. The business will continue with traditional consumer services to town residents. New drainage facilities proposed will be constructed as per the plan submitted and dated February 15, 2008. Impervious cover on the site will not

Handwritten initials "Y" and "OD" in a circle.

change. Runoff will be draining to the back of the site and a hydrocarbon filter will pull out any contaminants from the water. A waste oil furnace with an attached double-walled tank will be used to heat the building. The Applicant met with the Town Engineer regarding groundwater issues for the site. In a letter to the Zoning Board of Appeals from Fred Litchfield, Town Engineer, dated March 25, 2008, the Groundwater Advisory Committee stated they found the plans and application in conformance with Section 7-28-040 of the Zoning Bylaw and recommended approval. Mr. Cipriano stated all comments from the Groundwater Advisory Committee in their March 25, 2008 letter would be addressed.

Mr. Cipriano stated the business is one in a cluster of similar uses in the area and will not be detrimental to anyone in the neighborhood or to other uses in the area. It is appropriate for auto repair uses and, subject to conditions, would be in line with the purpose and intent of the zoning bylaw.

No abutters were present and the Board did not receive any letters in opposition to the project.

The hearing was closed on March 25, 2008.

FINDINGS OF FACT

1. The subject property is located in the Industrial District A and is in Areas 1 and 3 of the Groundwater Protection Overlay District.
2. A Variance for the automotive repair business use in the Industrial District A was issued to the Applicant under ZBA Case No. 07-10. A Special Permit is required for the use in Groundwater Protection Overlay District Areas 1 and 3.
3. The existing impervious cover on the lot will not change and, therefore, will meet the requirement that impervious cover shall not be increased by more than fifteen (15) percent
4. A list of hazardous waste to be used and stored on the site was submitted with the Application.
5. The proposed use will not adversely affect the quality or the yield of an existing or potential water supply.
6. The proposed use will not impair ambient groundwater quality or reduce existing recharge capacity beyond that allowed per Section 7-28 of the Northborough Zoning Bylaw.
7. The proposed use meets, and will not derogate from, the purpose and intent of the Groundwater Protection Overlay, Section 7-28 of the Northborough Zoning Bylaw.

DECISION

1. On March 25, 2008, after due consideration of the Application, the Board voted unanimously to **GRANT the Special Permit under Section 7-28, Groundwater Protection Overlay District**, to allow the use of an automotive repair business on the premises located at 200 Bartlett Street with the following conditions from the Town Engineer's letter to the Zoning Board of Appeals on behalf of the Groundwater Advisory Committee, dated March 25, 2008:
 - a. The proposed impervious cover is not changing and appears to meet the requirement of not exceeding the existing impervious cover by more than 15%. However, a calculation sheet for the entire site should be submitted for future reference indicating the exact amount of impervious area, which may be accomplished at the time the as-built plan is submitted.
 - b. The applicant does not indicate the type of proposed heat and, if oil is to be used, the location of any tanks should be shown on the plan.
 - c. The plan should show the location and type of containment for the chemicals listed in the application. Some information has been submitted, however the plan is not drawn to scale and

again this could be accomplished at the time the as-built plan is submitted as the type of containment appears to be appropriate.

- d. An as-built site plan shall be submitted to the Town Engineer for approval prior to the issuance of a certificate of occupancy. The as-built plan shall include, at a minimum, and as applicable to the project, elevation of all pipe inverts and outlets, pipe sizes, materials, slopes; all other drainage structures; limits of clearing, grading and fill; all structures, pavement; contours; and all dates of fieldwork. Upon approval by the Town Engineer one (1) Mylar and three (3) paper copies of the as-built plan shall be submitted in addition to an electronic copy compatible with the Town's GIS system.
 - e. An operation and maintenance plan for the drainage system should be submitted and approved by the Town Engineer prior to the issuance of any building permit. The O&M plan shall include a log of all inspection and maintenance performed on the drainage system and a copy of all records shall be forwarded to the Town Engineer on an annual basis.
2. If the rights authorized by this SPECIAL PERMIT are not exercised within two years from the time of granting, it shall lapse in accordance with the provisions of Massachusetts General Laws, Ch. 40A, Sec. 10.
 3. This Special Permit shall not take effect until a copy of the decision bearing the certificate of the Town Clerk is recorded with the Worcester District Registry of Deeds in accordance with the provisions of Massachusetts General Laws, Ch. 40A, Sec. 11 and 15 stating that "twenty (20) days have elapsed after the decision has been filed in the office of the Town Clerk and no appeal has been filed, or if such appeal has been filed it has been dismissed or denied."
 4. Appeals, if any from this decision shall be made pursuant to Massachusetts General Laws, Ch. 40A, Sec. 17 and shall be filed within twenty (20) days after the date of filing of this decision in the office of the Town Clerk.

TOWN OF NORTHBOROUGH, MASSACHUSETTS
ZONING BOARD OF APPEALS



RICHARD RAND, CHAIRMAN



Town of Northborough

Andrew T. Dowd

TOWN CLERK

63 Main Street

Northborough, Massachusetts 01532-1994

(508) 393-5001 Office (508) 393-6996 Fax

E-mail: adowd@town.northborough.ma.us

Website: Town.Northborough.MA.US

ZONING BOARD OF APPEALS
CERTIFICATION
(20 DAYS HAVE ELAPSED)
CASE NO. 08-04

I, Teresa K. Kelly, Assistant Town Clerk of the Town of Northborough, Massachusetts, hereby certify as follows:

1. The original Zoning Board of Appeals Application for **200 Bartlett Street** thereof was filed with me as said Town Clerk on **February 27, 2008**.
2. The Northborough Zoning Board of Appeals decision dated: **April 7, 2008** relative to an application for **Kevin Lamy for a Special Permit at 200 Bartlett Street, NORTHBOROUGH** was filed with the Town Clerk's Office on **April 7, 2008 at 1:58 pm**.
3. **Twenty (20) days have elapsed** since filing the Zoning Board of Appeals Decision with the Town Clerk; and
4. **NO APPEAL THEREFROM HAS BEEN FILED.**

Witness my Hand and the TOWN SEAL of Northborough this **29th day of April 2008 at 2:30 pm**.

A true copy attest: *Teresa K. Kelly*
Teresa K. Kelly, Assistant Town Clerk

Zoning Interpretation
Request and Response



Town of Northborough

Building Department

63 Main Street
Northborough, MA 01532-1994
Office (508) 393-5010
Fax (508) 393-3130

April 12, 2021

Paula Devereaux

RE: 200 Bartlett Street, map parcel 66-7 zoning district I GPOD #1&3
Northborough, MA 01532

Greetings:

You have submitted a Request for zoning information at the address listed above.

The property at 200 Bartlett Street consists of 3 main buildings (there are other smaller buildings on the lot). The southernmost building is an auto repair business and is properly permitted. It is not a part of your zoning interpretation request, as you propose to occupy the 2 buildings closest to Bartlett Street. Your zoning interpretation form states that the proposed occupant is a contracting company whose main clients are the Utilities and that this new occupant performs underground contracting work. It's also stated that all repair work will occur within these buildings, and that no toxic or otherwise hazardous materials will be stored, applied, or otherwise used beyond normal house hold amounts. There will be no storage or sale of any oils or fuels, and that the new owner will upgrade the septic system, and modernize the existing structures.

The largest building at the northwest corner proposes: *One forklift to be stored inside the building/ 5-20 employees – when undertaking training (1-2 times per week) up to 20 people. Existing building to be used for office and training use.*

The building in the northeast corner proposes: *10-20 trailers including landscape box style, sign board, small shoring box trailers, equipment trailers, and water tank trailers; 3-5 large dump trucks, 1-2 small dump trucks; 2-3 backhoes/hoe rams; 2-3 bobcats; 1-2 vacuum excavation trucks; 1 ramp tow truck. Utility and pick-up trucks driven by employees (not stored overnight).*

Interior use would include forklift; storage and parts inventory; small engine repair along with small hand tool repair and maintenance; small and large vehicle maintenance; preventive maintenance and repair; all waste oil and fluids will be professionally managed and subject to town inspection. All work to be done inside existing building. With respect to employees: 7-15.

The use described is that of a contractors yard with associated offices, truck parking, and vehicle maintenance.

*Contractors yards in the industrial Zoning District requires a Special Permit from the Special Permit Granting Authority (Planning Board) 7-05-030 Table 1, Part B. This is for the overall use of a contractors yard in an Industrial Zoning District.

*The property lies within the Groundwater Protection Overlay District #1 & #3. Special permits are required from the Planning Board for this use in a Groundwater protection overlay district.

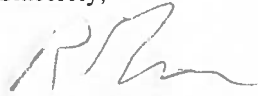
*The proposed use includes automotive (truck) service and repair shops. This is a prohibited use in a groundwater overlay district #1. Therefore, a variance from the Zoning Board of Appeals will be required (7-07-010D(2)(a)[7]. The ZBA will need to hear the application for a variance before any special permits are discussed.

*Prior to the ZBA/Planning Board hearings, a favorable determination from the Groundwater Advisory Committee is required. Please contact Fred Litchfield, Town Engineer for details.

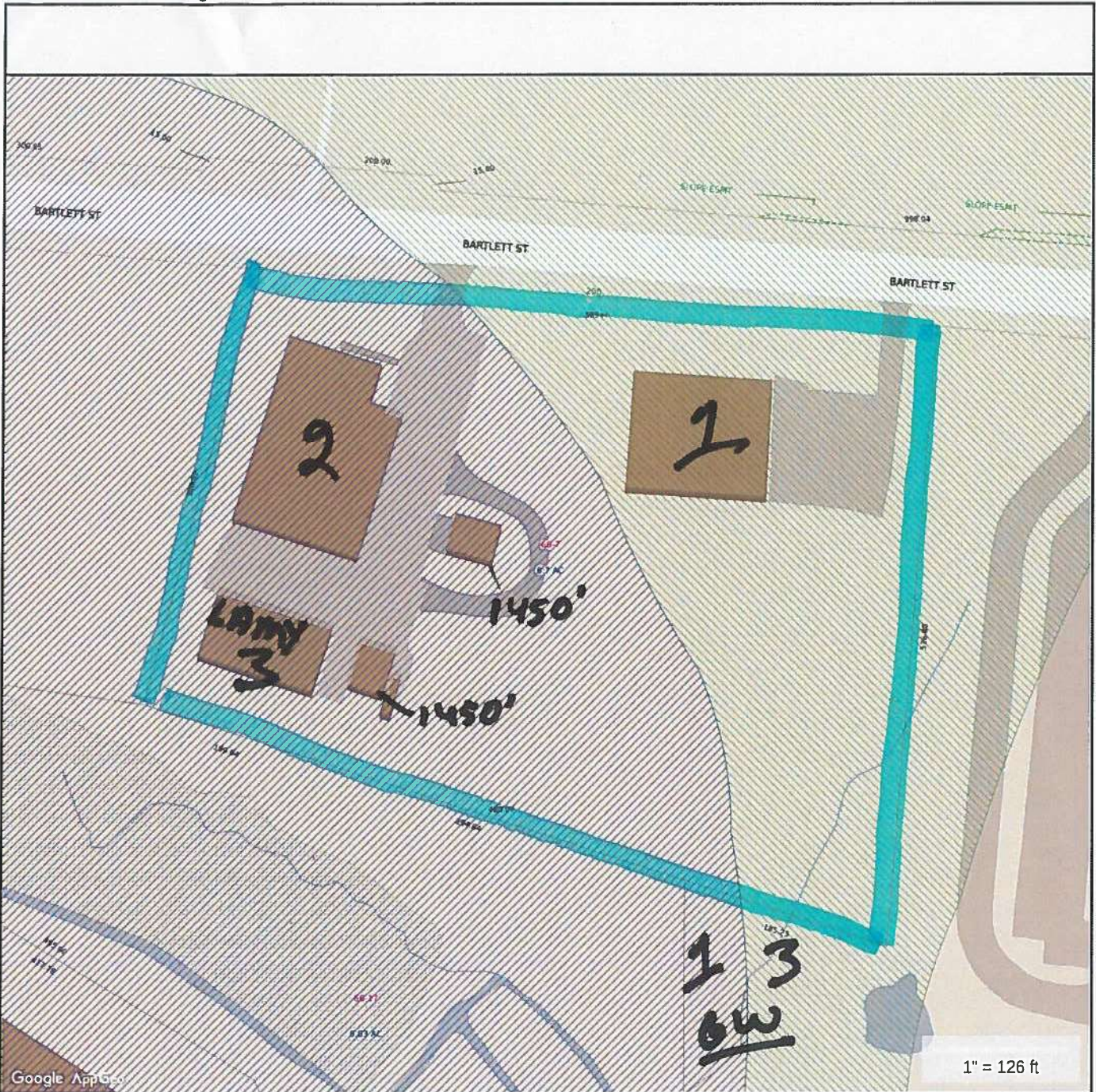
*The Northborough Conservation Commission will have some items to discuss. Please contact Mia McDonald in the Conservation department for further instruction.

I have included the Town Planner, Town Engineer, and Town Conservation Agent for further comment.

Sincerely,

A handwritten signature in black ink, appearing to read 'RF', is written above the typed name.

Robert Frederico, CBO
Building Inspector
Zoning Enforcement Officer



GW 1, 3
I



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Town of Northborough, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated Jan 28, 2020
Data updated Jan 28, 2020



TOWN OF NORTHBOROUGH Building Department
Town Hall Offices • 63 Main Street • Northborough, MA 01532 • 508-393-5010 • Fax 508-393-3130

ZONING INTERPRETATION REQUEST FORM

Property Address: 200 Bartlett Street, Northborough, MA 01532

Does the Property Have: Public Water: Yes X No Public Sewer: Yes No X

Current Use: Lamy Automotive/ not sure of use of other 2 buildings on Property- those buildings are currently vacant

Proposed Use: Lamy Automotive to remain/ New owner will use the other 2 buildings for office; storage; training facility for employees; equipment maintenance and repair (interior); no toxic or hazardous materials will be kept in excess of household use; no waste disposal on-site; no sales or storage of fuel oil and/or gasoline; new owner will install new septic system and modernize the existing structures - no structural additions are planned at this time. New owner is family-run 50-year old company that does underground utility work for gas companies such as Eversource and National Grid.

Applicant Name: Paula Devereaux, Esq. Phone Number: 781-248-7813

Email Address: pdevereaux@pierceatwood.com

For Official Use Only

Map & Parcel: 66-7 Property Zoning District: I Floodplain, wetlands
Groundwater Protection Overlay District: Area 1 X Area 2 Area 3 X N/A
Lot Area Required Have 291852 Street Frontage Required Have
Setbacks Required Have Bylaw Citation for Proposed Use:

Comments:

Is the proposed use allowed in the Zoning District: Yes By PB X By ZBA X No
Does the use require a GPOD Special Permit: Yes X No N/A Conservation required: Yes X No
Special permit required: Yes X No N/A Special Permit w/ Site Plan Approval: Yes X No
Earthwork permit required: Yes No Design Review required(7-03-060): Yes No X
Minor Site Plan Approval required: Yes No X Historical/Scenic/Stone Wall required: Yes No X

Signature: Robert J. Frederico
Inspector of Buildings/Zoning Enforcement Officer

Date: 4-12-21

This Zoning Interpretation is for informational purposes only. This Zoning Interpretation does not give permission to construct, alter, demolish or change the use of a property. This interpretation may require a variance and/or special permit which is granted by either the Zoning Board of Appeals (ZBA)/Planning Board (PB) or both.

Current Deed

MASSACHUSETTS QUITCLAIM DEED

I, James Ducey, of 1327 Old Worcester Road, Framingham, Middlesex County, Massachusetts, being married, for consideration paid of less than one hundred dollars (\$100) grant to James M. Ducey, of 1518 Washington Avenue, Houston, Harris County, Texas, and John P. Shea, of 31 Paul Street, Auburn, Worcester County, Massachusetts, as Trustees of the Bartlett Street Realty Trust (mailing address: c/o CASTLEGATE TRUST CORP., 205 Walnut Street, Framingham, Middlesex County, Massachusetts), executed contemporaneously herewith, WITH QUITCLAIM COVENANTS, the land in Northboro, Worcester County, Massachusetts, bounded and described as follows:

A certain parcel of land situated on the southerly side of Bartlett Street, a Worcester County Highway, in the Town of Northboro, County of Worcester, bounded and described as follows:

Beginning at a point on the southerly line of Bartlett Street at the northwesterly corner of the herein described premises and at the northeasterly corner of land now or formerly of F.H. French Co., Inc. said point being distant S 84 degrees 43' 15" E 754.95' from the easterly terminus of a curve that connects the southerly line of Bartlett Street with the easterly line of Lyman Street;

THENCE S 84 degrees 43' 15" E by said Bartlett Street 586.50' to a point on a stone wall at the northwesterly corner of land now or formerly of Peter J. Kanavos, Trustee;

THENCE, S 4 degrees 37' 10" by the line of a stone wall 536.79' to a corner of stone walls;

THENCE, N 72 degrees 41' 05" W by the line of a stone wall 480.07' to a point at an angle in said wall;

THENCE N 69 degrees 02' 20" W by the line of a stone wall 199.04' to a corner of stone walls at the southeasterly corner of land now or formerly of the aforementioned F.H. French Co., Inc., the last three courses being by land now or formerly of Peter J. Kanavos, Trustee;

THENCE N 15 degrees 25' 15" E by the line of a stone wall and by the easterly line of land, now or formerly of F.H. French Co., Inc. 388.92' to the point of beginning.

Containing by calculation 6.708 acres of land.

For my title see Deed from James Ducey, Jr. and Rosarie A. Ducey to me dated June 12, 1985, and recorded with the Worcester County Registry of Deeds at Book 8755, Page 71.

Witness my hand and seal this 26 day of Dec, 1991.

 (L.S.)
James Ducey

Premises: Bartlett Street, Northboro, MA

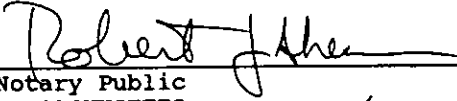
JAN 15 1992 RECORDED 9AM

COMMONWEALTH OF MASSACHUSETTS)

COUNTY OF MIDDLESEX)

SS:

On this 26TH day of DECEMBER, 1991, before me, a Notary Public of the said Commonwealth, personally appeared JAMES DUCEY, to me known to be the same person described in and who executed the foregoing Instrument and acknowledged the same as his free and voluntary act and deed.


Notary Public
MASSACHUSETTS
My Commission Expires: 14 OCT 94

ATTEST: WORC., Anthony J. Vigliotti, Register

Certified Abutters List



Town of Northborough
Office of the Board of Assessors

NORTHBOROUGH

AUG 11 2021

63 Main Street, Massachusetts 01532-1994
Mon, Wed, Thurs 8-4 / Tuesday 8-7 / Friday 7-12
508-393-5005 phone, 508-393-6996 fax

BOARD OF ASSESSORS

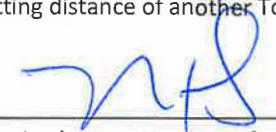
Certified Abutters List Request Please allow 10 business days.

DATE of REQUEST	<u>August 10, 2021</u>	PROPERTY ADDRESS(es)	<u>200 Bartlett Street</u>
REQUESTING COMPANY	<u>Pierce Atwood LLP</u>	MAP/PARCEL(s)	<u>Map 66, Parcel 7</u>
CONTACT PERSON	<u>Paula Devereaux</u>	OWNER(s)	<u>Bartlett Street Realty Trust, James Ducey Jr. and John Shea Tstees</u>
PHONE	<u>617-488-8186</u>	OWNER MAILING ADDRESS(es)	<u>c/o Jason Ducey, 290 Durfee Street, Southbridge, MA 01550</u>
EMAIL	<u>pdevereaux@pierceatwood.com</u>		

REQUESTING BOARD	APPLICABLE REGULATIONS	ABUTTERS / DISTANCE	#LABEL SETS	FEE
<input type="checkbox"/> Planning Board – Scenic Road	Town Code Chapter 2-52-050	Owners within 100' of property	3 sets	\$15
<input type="checkbox"/> Planning Board – Site Plan	Planning Board Rules & Regulations Section 7.2 D(5)	Owners within 300' of property	3 sets	\$15
<input type="checkbox"/> Planning Board – Special Permit	MGL Chapter 40A Section 11	Owners within 300' of property	3 sets	\$15
<input type="checkbox"/> Planning Board – Subdivisions	MGL Chapter 41 Section 81T	Owners within 300' of property	3 sets	\$15
<input checked="" type="checkbox"/> ZBA – Zoning Board of Appeals	MGL Chapter 40A Section 11	Owners within 300' of property	3 sets	\$15
<input type="checkbox"/> Conservation Commission	MGL Chapter 131, Section 40, MA Wetlands Protection Act, & the Northborough Wetlands Protection Bylaw	100' of property, unless otherwise stated	1 set	\$10
<input type="checkbox"/> Board of Health	Dependent on project	Owners within 100' of property	3 sets	\$15
<input type="checkbox"/> Board of Selectman: Fuel Storage	MGL Chapter 148, Section 13	Abutting owners & directly opposite	3 sets	\$15
<input type="checkbox"/> Board of Selectman: Liquor License	MGL Chapter 138, Section 15A	Abutting owners, & any school, church, or hospital within 500' of property	2 sets	\$25
<input type="checkbox"/> Board of Selectman: Pole Petition	MGL Chapter 166, Section 22	Abutting owners & directly opposite	1 set	\$15
<input type="checkbox"/> Board of Selectmen: Street Acceptance		Owners with driveways on the street	1 set	\$10
<input type="checkbox"/> DPW – Dept of Public Works	Dependent on project	Dependent on project: ____ feet	?	\$10+
<input type="checkbox"/> Engineering: Earth Works	Northborough Town Bylaws: Part 2 - General Legislation, Chapter 2-28, Earth Removal	Owners within 100' of property	1 set	\$10
<input type="checkbox"/> Other: _____				

To the Requesting Board/s: We certify that, from our Real Estate Property Lists, the following persons attached hereto appear as owners of all abutting property, as specified by the appropriate regulation (including, but not limited to, owners of land directly opposite said proposed activity on any public or private street or way, or across a body of water), as amended to the best of our knowledge and belief. If the property is within abutting distance of another Town, please contact their Assessors Office for another abutters list.

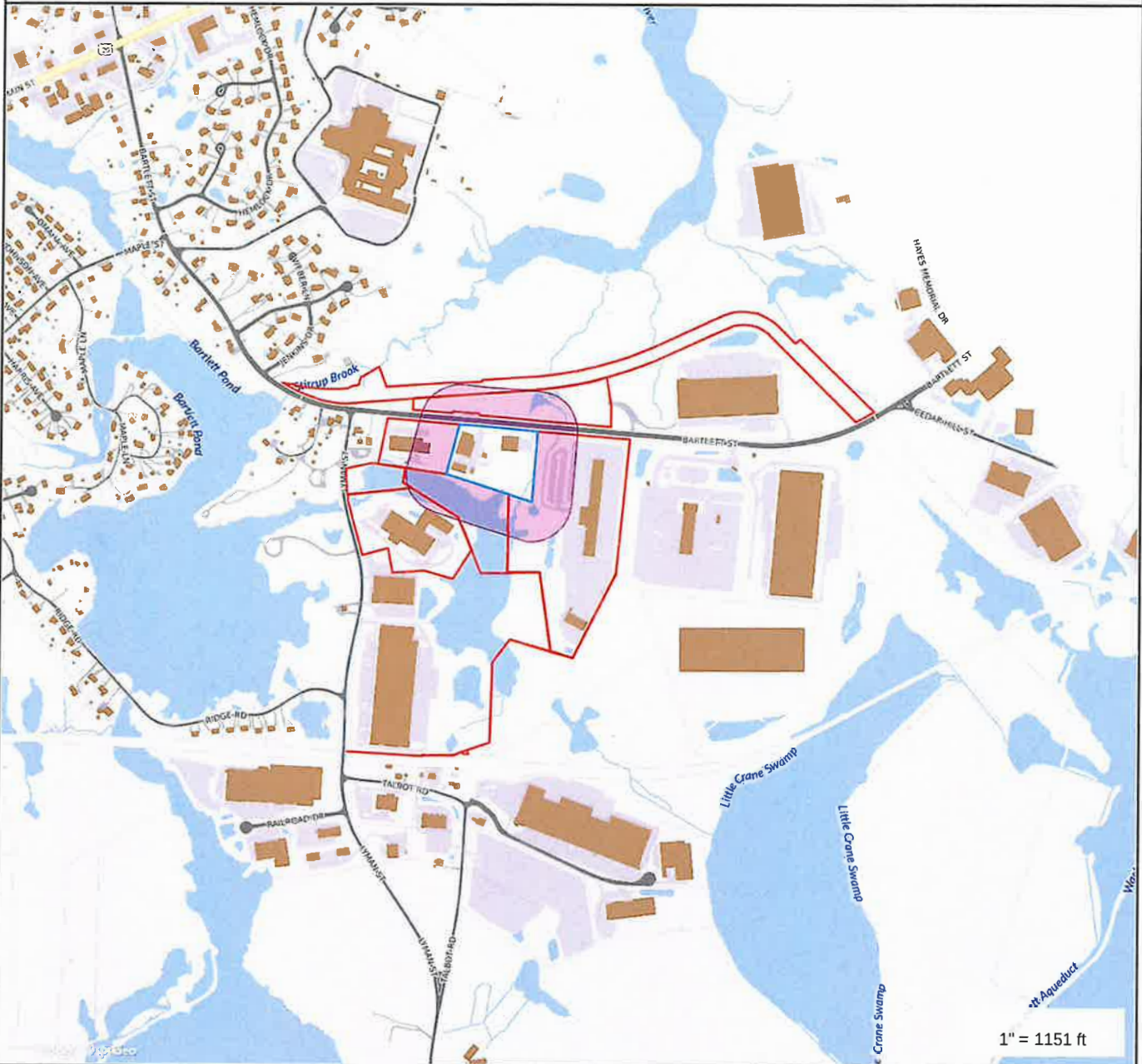
DATE of CERTIFICATION 8/11/2021


Julie Brownlee/Megan Hennessy for the Board of Assessors
jbrownlee@town.northborough.ma.us ; mhennessy@town.northborough.ma.us

200 Bartlett Street - 300' Abutters
August 11, 2021

ID	Address Number	Street Name	Owner Name	Owner Name 2	Owner Address 1	Owner Address 2	Owner City	Owner State	Owner Zip
066.0-0016-0000.0	0	BARTLETT STREET	NORTHBOROUGH LAND REALTY TRUST	GUTIERREZ ARTURO J & CATALDO J	200 WHEELER ROAD		BURLINGTON	MA	01803
066.0-0017-0000.0	0	BARTLETT STREET	NORTHBOROUGH LAND REALTY TRUST	GUTIERREZ ARTURO J & CATALDO J Trustees	200 WHEELER ROAD		BURLINGTON	MA	01803
051.0-0001-0000.0	0	BARTLETT STREET	COMMONWEALTH OF MASS/DCR	AQUEDUCT	251 CAUSEWAY STREET 8th Floor		BOSTON	MA	02114-2104
066.0-0008-0000.0	170	BARTLETT STREET	FUNNLORE REALTY TRUST		170 BARTLETT STREET		NORTHBOROUGH	MA	01532
066.0-0007-0000.0	200	BARTLETT STREET	DUCEY JAMES JR & SHEA JOHN Trustees	BARTLETT ST REALTY TRUST	290 DURFEE STREET	c/o JASON DUCEY	SOUTHBRIDGE	MA	01550
066.0-0015-0000.0	210	BARTLETT STREET	NBORO REALTY LLC	c/o A DUJIE PYLE INC	PO BOX 564		WEST CHESTER	PA	19381-0564
066.0-0011-0000.0	29	LYMAN STREET	BLACK IRON TRUST	GOW IAN A Trustee	146 BOSTON ROAD		SOUTHBOROUGH	MA	01772-1622
066.0-0012-0000.0	35	LYMAN STREET	35 LYMAN LLC	c/o PARSONS COMMERCIAL GROUP	1881 WORCESTER ROAD STE 200		FRAMINGHAM	MA	01701

BARTLETT 200 - 300' ZBA MAP



Property Information

Property ID 066.0-0007-0000.0
Location 200 BARTLETT STREET
Owner DUCEY JAMES JR & SHEA JOHN Trustees



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Town of Northborough, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated Jan 28, 2020
Data updated Jan 28, 2020

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.