

Town of Concord  
 Zoning Board of Appeals  
 141 Keyes Road  
 Concord, MA 01742  
 Tel: (978) 318-3295  
[www.concordma.gov](http://www.concordma.gov)  
 Rev. July 2019



# Zoning Board of Appeals Application

*Nonconforming Use and/or Structure*

Town Use Only

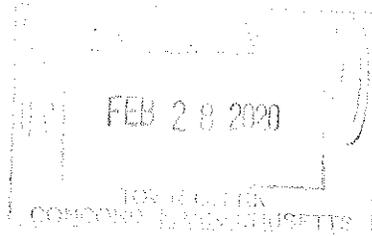
Received by Clerk of the Board:

Town Clerk Stamped Received

RECEIVED

FEB 28 2020

Town of Concord  
 Board of Appeals



Application Fee:

Hearing Date:

## 1 Application Information

This Application is for:  Special Permit  Variance  
 Appeal from a decision of the Building Inspector/Zoning Enforcement Officer

Sections of the Zoning Bylaw Applicable to Application:

6.2.1, 6.2.3, 6.2.5, 6.2.6, 6.2.7, 7.1.3, 7.1.5, 11.6 - Modification/change of use from a previously approved detached garage structure (but not yet built) as part of an approved Special Permit application on March 15, 2018. The proposed modification would add a small amount of living space to the 2nd level.

## 2 Property Information

|                           |   |
|---------------------------|---|
| Address: 45 Derby St      | Parcel ID #: 2464                       |
| Zoning District: C        | Total Land Area: 7816                   |
| Present Use: Residential  | Lot Frontage: 42.08'                    |
| Proposed Use: Residential | Deed Book & Page #: Book 70428 Page 581 |

Check all Applicable:

- |   |  |
|---|--|
| <input type="checkbox"/> Historic District                | <input type="checkbox"/> White Pond Advisory Area  |
| <input type="checkbox"/> Wetlands Conservancy District    | <input type="checkbox"/> Wireless Overlay District |
| <input type="checkbox"/> Flood Plain Conservancy District | <input type="checkbox"/> 100' Wetland Buffer Zone  |
| <input type="checkbox"/> Groundwater Conservancy District | <input type="checkbox"/> 200' River's Act Area     |

## 3 Building Inspections Division Review

|                                  |                                  |
|----------------------------------|----------------------------------|
| Total Existing Gross Floor Area: | Total Proposed Gross Floor Area: |
| MAX Floor Area Allowed:          | MAX GFA Allowed by Right:        |

To avoid project delays, this Application and all supporting documentation should be reviewed by a Concord Building Inspector prior to filing with the Town Clerk. It is the Applicant's responsibility to schedule an appointment to meet with a Building Inspector at least two weeks before the application submission deadline. Incomplete applications will not be signed by a Building Inspector.

This completed Application has been reviewed by a Concord Building Inspector.

Signature of Building Inspector: *Ray Motta*

Date: 2/26/2020

**4 Property Owner/Applicant Information**

The undersigned hereby certifies that he/she has read and examined this application, the Board of Appeals Procedures and Checklist and that the proposed project is accurately represented in this Application and supporting documentation, and hereby requests a hearing before the Board of Appeals with reference to the above application.

Property Owner(s) Name: Matthew Annese

Address: 45 Derby St, Concord MA 01742

Phone: 978 804 3641

E-Mail: MAnneseDMD@GMail.Com

Signature: *Matthew Annese*

Date: 2/18/2020

Property Owner(s) Name: Allison Annese

Address: 45 Derby St, Concord MA 01742

Phone: 978 808 6552

E-Mail: Allisonannese@gmail.com

Signature: *Allison Annese*

Date: 2/18/2020

Applicant(s) Name: Matthew Annese

Address: 45 Derby St, Concord MA 01742

Phone: 978 8043641

E-Mail: ManneseDMD@GMail.com

Signature: *Matthew Annese*

Date: 2/18/2020

Applicant is:  Owner  Tenant  Agent/Attorney  Purchaser

Applicant(s) Name: Allison Annese

Address: 45 Derby St, Concord MA 01742

Phone: 9788086552

E-Mail: AllisonanneseGmail.com

Signature: *Allison Annese*

Date: 2/18/2020

Applicant is:  Owner  Tenant  Agent/Attorney  Purchaser

## Concord Zoning Board of Appeals Application

Mathew and Allison Annese  
45 Derby Street

### Project Narrative:

We are requesting special permit approval for a change of use to a proposed detached garage structure which was approved as part of a Special Permit for 45 Derby Street in 2018. The approved project included a renovation and addition to the existing house, and a 16' x 24' detached garage structure in the rear yard, fully behind the house. The existing lot is non-conforming for Lot Area, Frontage and Lot Width in residential zone C. The existing house is non conforming for Front Yard and Side Yards. The original project received special permit approval on March 15, 1918.

Although the approved work on the main house was completed in early 2019, the detached garage was never built. Since completion of the project, the owners Mathew & Allison Annese have decided to seek approval add a small amount of living space above the proposed car. The proposed modified design would include an enclosed garage level entry & stair up to a small finished space with full bath set below a 1/2 story dormered roof structure. The proposed footprint would be 16' x 26', which is 2' deeper than the originally proposed 1-story garage structure.

The gross floor area of the proposed accessory structure is 636 SF, which is 244 SF larger than the approved 392 SF garage approved in 2018. However, due to a smaller final GFA for the originally house project (the two proposed double widow attic dormer were not built for budget reasons), the final GFA, including the proposed garage with upper finished space, remains the same 2901 SF GFA approved for Special Permit in 2018.

The proposed project gross floor area falls below the maximum FAR for the site which has increased since the 2018 special permit approval, from 2927 SF to 3076 SF as a result of the purchase of a small strip of land from the abutting property to the south.

The proposed project GFA remains the same as the approved 2018 Special Permit at 2901 SF, but as before, exceeds the maximum 50% of existing pre-2018 GFA for a non-conforming lot and structure by 18%.