

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



Zoning Board of Appeals Application

Nonconforming Use and/or Structure

Town Use Only

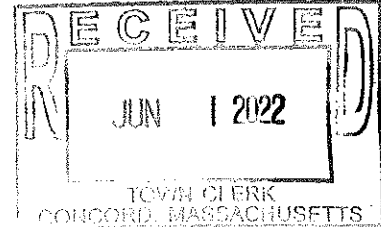
Received by Clerk of the Board:

Town Clerk Stamped Received

RECEIVED

JUN - 1 2022

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: 7.1.5 / 7.1.3 / 11.6

Proposal to extend a pre-existing non-conforming structure. The subject property contains 90.58 feet of frontage where 150 feet are required. The existing and proposed structure meet all other dimensional requirements.

2 Property Information

Address: 99 Dalton Road, Concord, MA	Parcel ID #: 4201-7
Zoning District: Residence A	Total Land Area: 40,000
Present Use: Single-Family	Lot Frontage: 90.59 Feet
Proposed Use: Single-Family	Deed Book & Page #: 61611 / 444

Check all Applicable:

- | | |
|--|--|
| <input type="checkbox"/> Historic District | <input type="checkbox"/> White Pond Advisory Area |
| <input checked="" 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 checked="" type="checkbox"/> Groundwater Conservancy District | <input type="checkbox"/> 200' River's Act Area |

3 Building Inspections Division Review

Total Existing Gross Floor Area: 2,096 Sq. Ft.	Total Proposed Gross Floor Area: 4,437 Sq. Ft.
MAX Floor Area Allowed: 10,800 (.27)	MAX GFA Allowed by Right: 3,144 Sq. Ft.

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: 5/25/22

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:

Address: Daniel A. McIntyre and Alenka M. Zeman
By: Christopher J. Alphen, Esq. Attorney For

Phone:

E-Mail:

Signature:

Date: March 30, 2022

Property Owner(s) Name:

Address:

Phone:

E-Mail:

Signature:

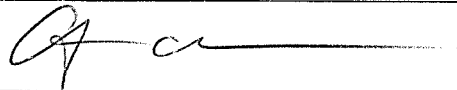
Date:

Applicant(s) Name: Christopher J. Alphen, Esq.
Blatman, Bobrowski, Haverty & Silverstein, LLC
Address: 9 Damonmill Square, Ste. 4A4, Concord, MA 01742

Phone: (978) 371-2227

E-Mail: chris@bbhlaw.net

Signature:



Date:



Applicant is: Owner Tenant Agent/Attorney Purchaser

Applicant(s) Name:

Address:

Phone:

E-Mail:

Signature:

Date:

Applicant is: Owner Tenant Agent/Attorney Purchaser

BLATMAN, BOBROWSKI, HAVERTY & SILVERSTEIN, LLC

ATTORNEYS AT LAW

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CHRISTOPHER J. ALPHEN, ESQ.
Chris@bbhslaw.net

June 1, 2022

Town of Concord
Zoning Board of Appeals
141 Keyes Road
1st Floor
Concord, MA 01742

RE: Special Permit for Expansion of Non-Conforming Structure
99 Dalton Road, Concord, Massachusetts

Dear Members of the Board:

This office represents Daniel A. McIntyre and Alenka M. Zeman of 99 Dalton Road, Concord, Massachusetts (the "Applicants") regarding their special permit application to permit renovations to the property known 99 Dalton Road, Concord, Massachusetts (the "Subject Property"). The Applicants are the owners of the Subject Property.

The Applicants seek to expand and renovate their existing single-family dwelling by most notably adding a two-story addition. The renovations include the extension of the attic to allow for additional usable space. The Subject Property is located within the Residence A Zoning District. The existing structure and proposed structure meet all setback requirements. The lot however provides 90.59 feet of frontage where 150 feet is required. The structure therefore is a pre-existing nonconforming structure

Section 7.1.5(b) of the Concord Zoning Bylaws (the "Bylaws") permits the expansion, alteration or structural change of a nonconforming single-family dwelling when there is insufficient frontage and the changes complies with all other dimensional requirements. However, when the change increases the gross floor area by more than fifty percent (50%) a special permit is required. The proposed renovations increase the gross floor area by sixty-two percent (62%).¹

Section 7.1.3. of the Concord Zoning Bylaw governs expansions, alterations, or changes to nonconforming structures. Section 7.1.3. states:

The Board may grant a special permit to reconstruct, extend, alter, or change a nonconforming structure in accordance with this section only if it determines that such reconstruction, extension, alteration, or change shall not be substantially more detrimental than the existing nonconforming structure to the neighborhood. The following types of changes to nonconforming structures may be considered by the Board: (a) Reconstructed, extended or structurally changed; (b) Altered to provide for a substantially different

¹ Total existing GFA is 2,096 square feet and the proposed GFA is 4,437 square feet.

purpose or for the same purpose in a substantially different manner or to a substantially greater extent.

The Applicants propose renovations that will include a new two-story addition with a two-car garage, a den, mudroom and laundry room area on the first floor and suite and office space on the second floor. The renovations will include the demolition of the existing garage and den. The Applicants proposes adding porches to the front, rear and side of the existing dwelling. The expansion does not create any nonconformities. The closest setback is to the east of the property and provides a 19-foot setback. The proposed addition is located in front of the property and provides a 38-foot setback from the closest abutter. The impacts of the expansion will be insignificant.

The Applicants' have a growing family and desires to remain in Concord. The Applicants require the additional living area to accommodate their family needs. The Applicant propose a well-designed renovation to their existing home which meets the characteristics of the neighborhood. The renovations will have a di minis impact on the surrounding neighborhood.

We look forward to working with the board. Thank you for your attention to these matters.

Very truly yours,

A handwritten signature in black ink, appearing to read 'C. Alphen', with a long horizontal flourish extending to the right.

Christopher J. Alphen, Esq.