



Town of Arlington
Zoning Board of Appeals
51 Grove Street
Arlington, Massachusetts 02476
781-316-3396
www.arlingtonma.gov

LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **Charles Ben Potter** of Arlington, Massachusetts on October 10, 2021, a petition seeking permission to alter his property located at **16-18 Swan Place - Block Plan 011.0-0004-0024.0** Said petition would require a Special Permit and a Variance under **Section 6.1.10** of the Zoning Bylaw for the Town of Arlington.

A hearing in regards to the petition will be conducted remotely via "Zoom" **Tuesday evening November 23, 2021 at 7:30 P.M** or as soon thereafter as the petitioner may be heard. To join the meeting, please register using the following URL:

<https://town-arlington-ma-us.zoom.us/meeting/register/tZMkd-murTssGdFShvZ8W9NJD8593-JnRDPd>

for documentation relating to this petition, visit the ZBA website at www.arlington.gov/zba.

DOCKET NO 3676

Zoning Board of Appeals

Christian Klein, RA, Chair

Please direct any questions to: **ZBA@town.arlington.ma.us**

REQUEST FOR SPECIAL PERMIT

TOWN OF ARLINGTON

In the matter of the Application of Charles Ben Potter
to the Zoning Board of Appeals for the Town of Arlington:

Application for a Special Permit is herewith made, in accordance with Section 3.3 of the Zoning Bylaw of the Town of Arlington, Massachusetts, seeking relief from the following specific provisions of the Zoning Bylaw, and as described fully in the attached form, *Special Permit Criteria*:

Two single car driveways in the front of the two
family duplex at 16-18 Swan Place.

The Applicant states he/she/they is/are the owner/occupant of the land in Arlington located at 16-18 Swan Place with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows:

Asking for permit for two single car driveways.
One for each side of duplex style two family.

E-Mail: Benajah_25@hotmail.com Signed: [Signature] Date: 9/15/21
Telephone: 617-955-6378 Address: 16-18 Swan Place Arlington MA

02476

RECEIVED

SEP 15 2021

INSPECTIONAL
SERVICES

Special Permit Criteria: Per Section 3.3.3 of the Zoning Bylaw, a Special Permit shall only be granted upon the Board's determination that the benefits of the proposed project will outweigh its adverse effects. The responses provided below will inform the Board as to whether the standards for approval have been met.

A). Indicate where the requested use is listed in the Table of Use Regulations as allowed by Special Permit in the district for which the application is made or is so designated elsewhere in the Zoning Bylaw.

B). Explain why the requested use is essential or desirable to the public convenience or welfare.

This use will take two vehicles off of the street.
Specifically helpful during snow emergencies.

C). Explain why the requested use will not create undue traffic congestion, or unduly impair pedestrian safety.

This use will take cars off of the street.

D). Explain why the requested use will not overload any public water, drainage or sewer system, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.

The grass on the front yard will remain. No added
land on sewer.

E). Describe how any special regulations for the use, as may be provided in the Zoning Bylaw, including but not limited to the provisions of Section 8 are fulfilled.

The curb cut will be limited to less than 20 feet.

F). Explain why the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

Both adjoining properties have multi car off street parking.

G). Explain why the requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.

All houses in the neighborhood have multi car off street parking. This will take cars off the street day and night and during snow emergencies.

TOWN OF ARLINGTON
Dimensional and Parking Information
For Applications to the Zoning Board of Appeals

1. Property Location: 16-18 Swan Place Zoning District: _____
2. Present Use/Occupancy: Two Family No. of dwelling units 2
3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
3496 Sq. Ft.
4. Proposed Use/Occupancy: Two Family No. of dwelling units 2
5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
3496 Sq. Ft.

6. Lot size (Sq. Ft.)
7. Frontage (Ft.)
8. Floor area ratio
9. Lot Coverage (%)
10. Lot Area per Dwelling Unit (Sq. Ft.)
11. Front Yard Depth (Ft.)
12. Left Side Yard Depth (Ft.)
13. Right Side Yard Depth (Ft.)
14. Rear Yard Depth (Ft.)
15. Height (Stories)
16. Height (Ft.)
17. Landscaped Open Space (Sq. Ft.)
Refer to Section 2 in the Zoning Bylaw.
- 17A. Landscaped Open Space (% of GFA)
18. Usable Open Space (Sq. Ft.)
Refer to Section 2 in the Zoning Bylaw.
- 18A. Usable Open Space (% of GFA)
19. Number of Parking Spaces
20. Parking area setbacks (if applicable)
21. Number of Loading Spaces (if applicable)
22. Type of construction
23. Slope of proposed roof(s) (in. per ft.)

Present Conditions	Proposed Conditions	Min. or max Required by Zoning
5374		min.
53.00'		min.
		max.
28.42%		max
		min.
15'		min.
7'8"		min.
6'5"		min.
22'10"		min.
2		max.
		max.
		min.
		min.
0	2	min.
		min.
		min.
wood frame		N/A
		min.

TOWN OF ARLINGTON
 Open Space / Gross Floor Area Information
 For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 16-18 Swan Place Zoning District: _____

<u>OPEN SPACE*</u>	EXISTING	PROPOSED
Total lot area	<u>5374</u>	_____
Open Space, Usable	<u>3846</u>	_____
Open Space, Landscaped	<u>3846</u>	_____

* Refer to the Definitions in Section 2 of the Zoning Bylaw.

GROSS FLOOR AREA (GFA) †

Accessory Building	_____	_____
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	_____	_____
1 st Floor	<u>1528</u>	_____
2 nd Floor	<u>1456</u>	_____
3 rd Floor	<u>512</u>	_____
4 th Floor	_____	_____
5 th Floor	_____	_____
Attic (greater than 7'-0" in height, excluding elevator machinery, or mechanical equipment)	_____	_____
Parking garages (except as used for accessory parking or off-street loading purposes)	_____	_____
All weather habitable porches and balconies	<u>48</u>	_____
Total Gross Floor Area (GFA)	<u>5120</u>	_____

† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

REQUIRED MINIMUM OPEN SPACE AREA

Landscaped Open Space (Sq. Ft.)	<u>3846</u>	_____
Landscaped Open Space (% of GFA)	_____	_____
Usable Open Space (Sq. Ft.)	<u>3846</u>	_____
Usable Open Space (% of GFA)	_____	_____

This worksheet applies to plans dated _____ designed by _____

Reviewed with Building Inspector: _____ Date: _____

NEW ENGLAND LAND SURVEY

Professional Land Surveyors

710 MAIN STREET
N.Oxford, MA 01537

PHONE: (508) 987-0025

FAX: (508) 234-7723

REGISTRY SOUTHERN MIDDLESEX

MORTGAGE INSPECTION PLAN

NAME CHARLES POTTER

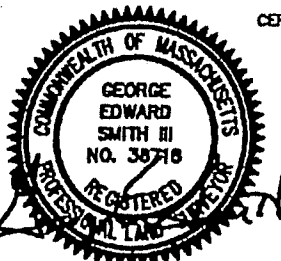
LOCATION 16-18 SWAN PLACE

ARLINGTON, MA

SCALE 1"=30' DATE 12/31/2015

15MIP14214

BASED UPON DOCUMENTATION PROVIDED, REQUIRED MEASUREMENTS WERE MADE OF THE FRONTAGE AND BUILDING(S) SHOWN ON THIS MORTGAGE INSPECTION PLAN. IN OUR JUDGEMENT ALL VISIBLE EASEMENTS ARE SHOWN AND THERE ARE NO VIOLATIONS OF ZONING REQUIREMENTS REGARDING DWELLING STRUCTURES TO PROPERTY LINE OFFSETS (UNLESS OTHERWISE NOTED IN DRAWING BELOW). NOTE: NOT DEFINED ARE ABOVE GROUND POOLS, DRIVEWAYS, OR SHEDS WITH NO FOUNDATIONS, ETC. THIS IS A MORTGAGE INSPECTION PLAN; NOT AN INSTRUMENT SURVEY. DO NOT USE TO ERECT FENCES, OTHER BOUNDARY STRUCTURES, OR TO PLANT SHRUBS. LOCATION OF THE STRUCTURE(S) SHOWN HEREON IS EITHER IN COMPLIANCE WITH LOCAL ZONING FOR PROPERTY LINE OFFSET REQUIREMENTS, OR IS EXEMPT FROM VIOLATION ENFORCEMENT ACTION UNDER MASS. G.L. TITLE VII, CHAP. 40A, SEC. 7, UNLESS OTHERWISE NOTED. THIS CERTIFICATION IS NON-TRANSFERABLE. THE ABOVE CERTIFICATIONS ARE MADE WITH THE PROVISION THAT THE INFORMATION PROVIDED IS ACCURATE AND THAT THE MEASUREMENTS USED ARE ACCURATELY LOCATED IN RELATION TO THE PROPERTY LINES.



CERTIFY TO: MORTGAGE EQUITY PARTNERS LLC ISAOA/ATIMA

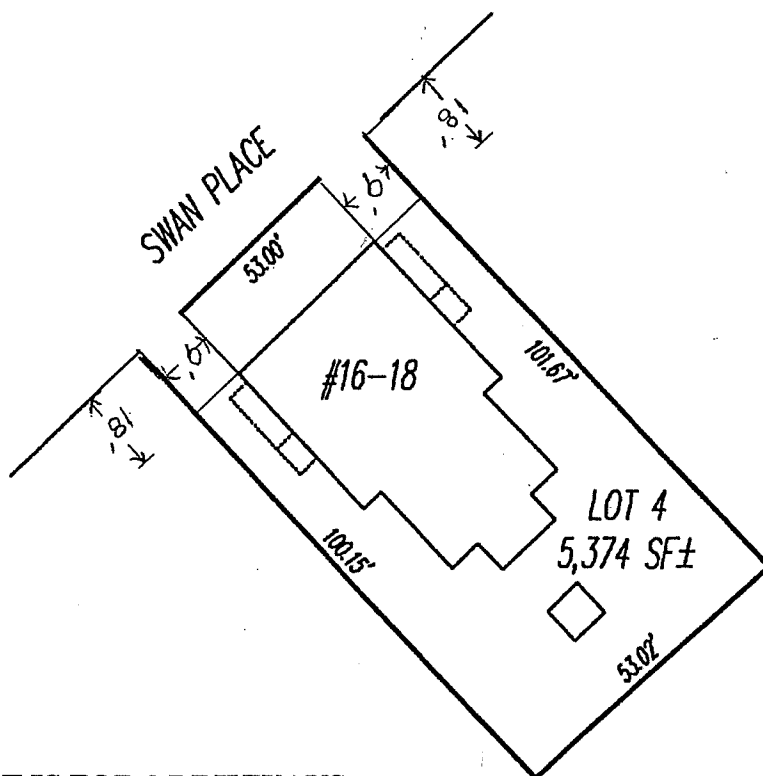
DEED REFERENCE: 50676/584

PLAN REFERENCE: 42/2

WE CERTIFY THAT THE BUILDING(S) ARE NOT WITHIN THE SPECIAL FLOOD HAZARD AREA. SEE FIRM:

25017C0417E DTD: 06/04/2010

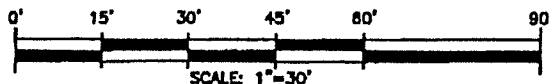
FLOOD HAZARD ZONE HAS BEEN DETERMINED BY SCALE AND IS NOT NECESSARILY ACCURATE. UNTIL DEFINITIVE PLANS ARE ISSUED BY HUD AND/OR A VERTICAL CONTROL SURVEY IS PERFORMED, PRECISE ELEVATIONS CANNOT BE DETERMINED.



THE REQUEST IS FOR 2 DRIVEWAYS

THIS WOULD REQUIRE BOTH A VARIANCE

AND A SPECIAL PERMIT

REQUESTED BY: PETER T DAMORE JR
DRAWN BY: AJO
CHECKED BY: GES
FILE: 15MIP14214

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REGISTRY SOUTHERN MIDDLESEX

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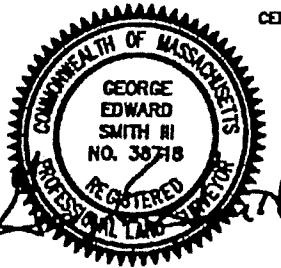
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ARLINGTON, MA

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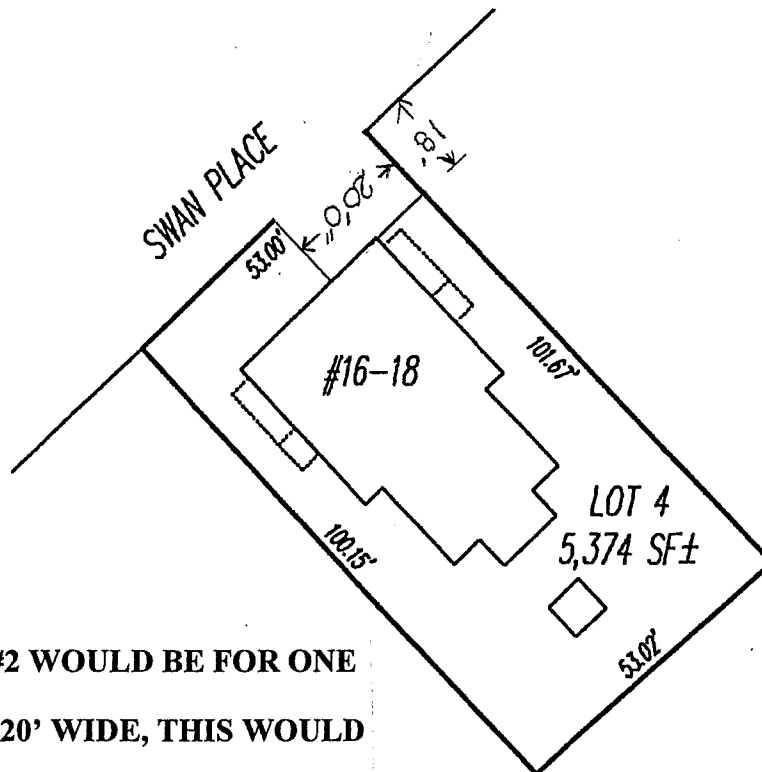
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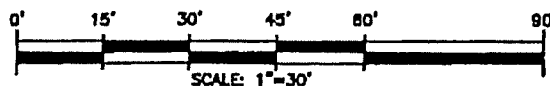
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SCENARIO #2 WOULD BE FOR ONE
DRIVEWAY 20' WIDE, THIS WOULD
REQUIRE A VARIANCE ONLY

REQUESTED BY: PETER T DAMORE JR
DRAWN BY: AJO
CHECKED BY: GES
FILE: 15MIP14214



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MORTGAGE INSPECTION PLAN

NAME CHARLES POTTER

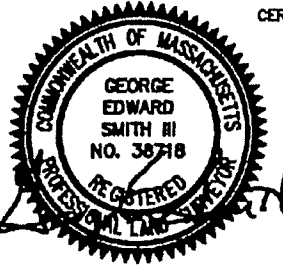
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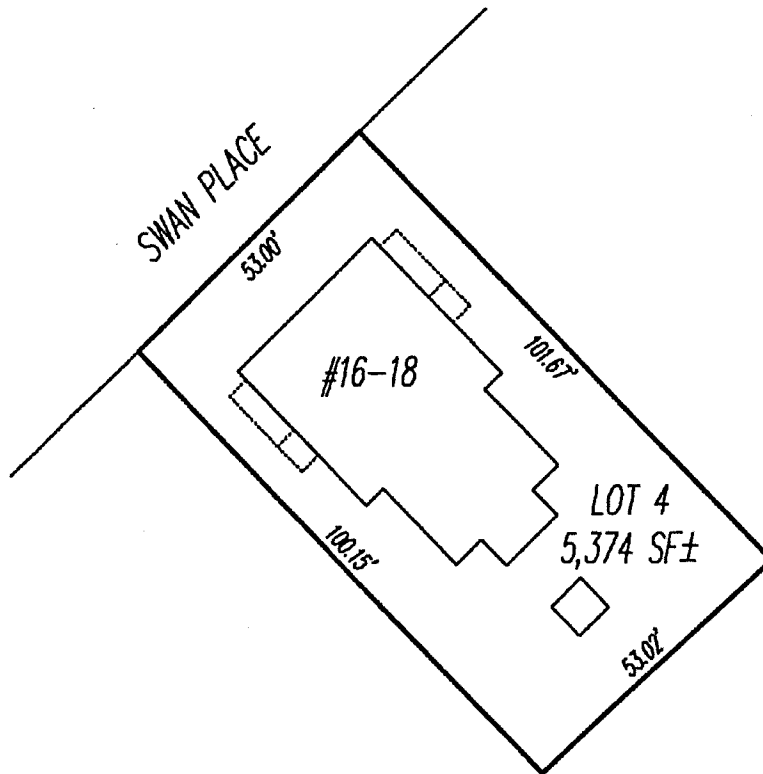
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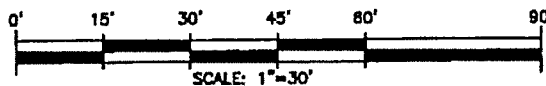
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R. B. P. Jr.

REQUESTED BY: PETER T DAMORE JR
DRAWN BY: AJD
CHECKED BY: GES
FILE: 15MIP14214



15MIP14214

From: benajah potter <benajah_25@hotmail.com>
To: "ZBA@town.arlington.ma.us" <ZBA@town.arlington.ma.us>
Date: 10/29/2021 02:16 PM
Subject: 16-18 Swan Place vegetation

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