

2014 SEP 17 PM 2 01

# Planning Board Application for Special Permit & Site Plan Review

RECEIVED  
TOWN CLERK  
TOPSFIELD, MA

## Form A

Before you file this application, it is necessary that you be familiar with the requirements for filing plans and other materials in support of this application as specified in the Topsfield Zoning Bylaws, scenic road Bylaw, Stormwater & Erosion Control Bylaw and the respective Planning Board Rules and Procedures that are available from the Town Clerk and Community development Coordinator as well as the Town website at [www.topsfield-ma.gov](http://www.topsfield-ma.gov).

Incomplete applications will not be considered unless waivers are previously obtained from the Planning Board.

### SPECIAL PERMIT FEES:

Business Park Use Permits	\$200.00	
Elderly Housing Special Permits	\$1000.00	(New construction EHD see Site Plan Review fees listed below)
Common Drive	\$100.00	per lot
Accessory Apartment	\$100.00	
Groundwater Protection District		
Wind Energy Conversion System – Small Scale	\$200.00	
Ground Mounted Solar Photovoltaic Installations	\$200.00	
Scenic Road		
Stonewall Removal	\$75.00	
Tree Removal	\$75.00	
Stormwater & Erosion Control	\$100.00 plus .0030 times the total square footage of the area to be altered by the project; see exemptions under regulations	

### SITE PLAN REVIEW:

#### 1). Coverage Fee

\$100/5,000 sq. ft. or any portion thereof of new/alterd lot disturbance (the total square footage of all new/alterd building footprints, plus all paved surfaces, septic installations and stormwater management systems).

\_\_\_\_\_ sq. ft. ÷ 5,000 sq. ft. x \$100 = \_\_\_\_\_ area of new/alterd coverage

#### 2). Gross Floor Area Fee

\$200/5,000 square feet or any portion thereof of new/alterd Gross Floor Area (gross floor area – the total square footage of all new floor area on all levels of all new or existing buildings).

\_\_\_\_\_ sq. ft. ÷ 5,000 sq. ft. x \$200 = \_\_\_\_\_ area of new/alterd gross floor area

Coverage Fee	\$ _____
Gross Floor Area Fee	\$ _____
Total Site Plan Review Fee	\$ _____

NATURE OF APPLICATION:

- Petition for Special Permit pursuant to Article \_\_\_\_, Section \_\_\_\_ of the Zoning Bylaw.
- Petition for Finding pursuant to Article \_\_\_\_, Section \_\_\_\_ of the Bylaw.
- Petition for Site Plan Review pursuant to Article IX of the Zoning Bylaw (and the Guidelines and Performance Standards for Activities Subject to the Provisions of Article IX of the Topsfield Zoning Bylaw; and Supplement Form C for submitted requirements and formats).
- Petition for a Scenic Road Permit pursuant to Chapter LV.
- Petition for a Stormwater & Erosion Control Permit pursuant Chapter LI.

DESCRIPTION OF APPLICANT:

- a. Name Michael McNiff
- b. Address 39 Old Planters Rd. Beverly, MA
- c. Phone Number 978 590 9062
- d. Interest in Premises (e.g., owner, tenant, prospective purchaser, etc.) (on file)  
(Attach copy of lease and/or letter of authorization from owner, if applicable)

DESCRIPTION OF PREMISES:

- a. Assessor's Map 58, Lot(s) 16, Zoning District CR
- b. Location of Premises (number and street) Lot #1 142 High St Topsfield MA
- c. Name and address of legal owner (if different from Applicant) Rosamond V. Finocchio, Trustee
- d. Deed to the Premises recorded at (if known):  
 Essex South District Registry of Deeds, Book 28317 Page 150  
 Essex South Registry District of the Land Court, Certificate Number \_\_\_\_\_
- e. Prior zoning decisions affecting the Premises (if any):  
Date of Decision \_\_\_\_\_ Name of Applicant \_\_\_\_\_  
Nature of Decision \_\_\_\_\_
- f. Present use of the Premises VACANT Land
- g. Present structures conform to current Zoning Bylaw.  Yes  No. If no, in what respect does it not conform. VACANT, NEW house to conform

PROPOSAL (attach additional sheets if necessary):

- a. General Description:  
CONSTRUCT single family home on vacant land.

b. If proposal is for construction or alteration of an existing structure, please state:

	FRONT	REAR	SIDE(S)
1. Setbacks required per bylaw	_____	_____	_____
2. Existing setbacks	_____	_____	_____
3. Setbacks proposed	_____	_____	_____

	FRONTAGE	AREA
4. Frontage and area required by bylaw	_____	_____
5. Existing frontage (s) and area	_____	_____
6. Frontage (s) and area proposed	_____	_____

	FEET	STORIES
7. Existing Height	_____	_____
8. Height proposed	_____	_____

c. Other town, state or federal permits or licenses required, if any:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**NECESSARY ACCOMPANYING DATA:**

It is required that every application be accompanied by appropriate supporting data. Failure to submit appropriate and complete data could result in delay and/or denial of application for zoning relief. Place a check next to the applicable accompanying supporting data:

**Variance of Special Permit Applications:**

(See Planning Board Rules and Procedures Section III)

All required supporting data attached  Yes  No

**Site Plan Review Applications:**

(See Town of Topsfield Zoning Bylaw, Article IX, Section 9.05. See also Guidelines and Performance Standards for Activities Subject to the Provisions of Article IX of the Topsfield Zoning Bylaw)

All required supporting data attached  Yes  No

**Comprehensive Permit Applications:**

(See G.L.c. 40B, Sections 20-23)

All required supporting data attached  Yes  No

**Appeals from decisions of Building Inspector or Others:**

(See Planning Board Rules and Procedures, Section III (1) (e))

All required supporting data attached  Yes  No

If all required supporting data is not attached, why not:

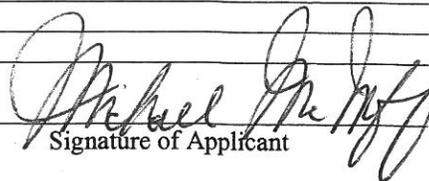
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date

9/10/14



Signature of Applicant

**APPLICATION FORM**  
**STORMWATER AND EROSION CONTROL PERMIT**

To: The Topsfield Planning Board, Town Hall, Topsfield, MA 01983

The undersigned hereby applies for a Stormwater and Erosion Control Permit and herewith submits six (6) copies of a completed application package for a Stormwater Management Permit (SMP) and an electronic application in PDF format on a CD or DVD disc for approval.

The applicant certifies to the truth of the following facts as part of his application.

1. Name of Applicant: Michael McNiff, Trustee  
Address: 30 Old Planters Road  
Beverly, Mass.  
Telephone Number: 978-590-9062  
E-mail Address: Michaelmcniff@Comcast.net
2. Name of Engineer or Surveyor Peter J. Ogren  
Address Hayes Engineering, Inc.  
603 Salem Street  
Wakefield, Mass. 01880  
Telephone Number: 781-246-2800  
E-mail Address: pogren@hayeseng.com
3. Deed to property is dated Jan. 21, 2009 and is recorded in Essex South District Registry, Book 28317 Page 150.
4. Location of Property for which permit is requested:  
Address 142 High Street Lot 1  
Topsfield, Mass. 01983  
Zoning District C R
5. Attach hereto a copy of the deed.
6. The exact names in which title to the property is held and the present addresses of persons named are: (If married, give spouse's name.)  
Rosamond V. Finocchio Trustee of Kiwi Realty Trust  
2 Perkins Row  
Topsfield, Mass. 01983

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7. A complete list of persons with their addresses known to have mortgages, attachments, encumbrances, or liens of any kind upon the property is as follows:

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8. If the property is in the name of a trust, the complete and correct name of the trust, date of the trust declaration, book and page where it is recorded and names and addresses of all trustees are as follows:

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9. If the property is in the name of a corporation, the complete and correct name of the corporation, the name and corporate capacity of all officers authorized to sign deeds and other instruments pertaining to real estate are as follows:

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10. Description of the project for which a Stormwater and Erosion Control Permit is requested. Include total square footage of land to be altered/cleared.

Single family house with septic system, water service, bit.concrete  
driveway and associated grading with 7,312 s.f. of alteration.

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Signature of Applicant *Michael McHugh*

Date of Submission 9/14/14

Town Clerk Signature \_\_\_\_\_

2009

PD-8

DEED

2009021100418 Bk:28317 Pg:150  
02/11/2009 02:09 DEED Pg 1/1

I, Rosamond Finocchio (a/k/a Rosamond V. Finocchio), an individual, of Topsfield, Essex County, Massachusetts,

for the consideration paid in the amount of \$1.00

grant to Rosamond V. Finocchio as Trustee of the KIWI REALTY TRUST, a declaration of trust dated January 27, 2009, and recorded herewith, with a mailing address of 2 Perkins Row, Topsfield, MA 01983,

with QUITCLAIM COVENANTS

a certain parcel of land situated in the Town of Topsfield, County of Essex and Commonwealth of Massachusetts, together with the buildings thereon, and shown as Lot #2 of "Plan of Land in Topsfield owned by Alice L. Walsh, John W. Parsons, Surveyor, Lynn, Mass., dated July 15, 1970, and recorded in Essex Registry of Deeds, South District, Salem, Mass., on September 12, 1970, in Plan Book 117, Plan 35", and bounded and described as follows:

- NORTHERLY: by Lot #3 as shown on said Plan, Two Hundred Ninety-one and 29/100 (291.29) feet;
- NORTHEASTERLY: by said Lot #3 as shown on said Plan, Four Hundred Forty (440) feet;
- SOUTHEASTERLY: by Lot #1 as shown on said Plan, Two Hundred Fifty (250) feet;
- SOUTHWESTERLY: by Perkins Row as shown on said Plan, Three Hundred Eighty-four and 28/100 (384.28) feet;
- WESTERLY: by High Street as shown on said Plan, Two Hundred Fifty-three and 79/100 (253.79) feet.

Containing 3.5 acres of land, more or less, according to said Plan.

For title see deed dated December 20, 1985, and recorded with said Essex South Registry of Deeds in Book 8052, Page 130. Joseph A. Finocchio died on May 12, 2007. See Essex Probate docket #07P-1903EP1.

WITNESS my hand and seal this 27<sup>th</sup> day of January, 2009.

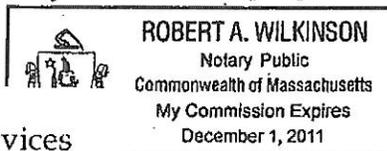
*Rosamond Finocchio*  
Rosamond Finocchio

Commonwealth of Massachusetts

Middlesex, ss

January 27, 2009

On this 27<sup>th</sup> day of January, 2009, before me, the undersigned notary public, personally appeared Rosamond Finocchio (a/k/a Rosamond V. Finocchio), proved to me through satisfactory evidence of identification, which was photo identification, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.



*Robert A. Wilkinson*  
Robert A. Wilkinson  
Notary Public  
My commission expires: 12/1/11

New England Trust Services  
607 North Avenue Ste G-1  
Wakefield, MA 01880-1301

Property Address: 2 Perkins Row, Topsfield, MA 01983

**TOWN OF TOPSFIELD, MA  
PLANNING BOARD**

Application Supplement Form B

Attach to this form a copy of the Assessor's map (scale 1" equals 200') showing the property and all other properties and roadways within 300 feet of any portion of the property. Also, show the lot number and lot owner's name on each lot within the 300'.

List below the lot owner names and mailing addresses as shown in the Assessors' records, beginning with the property of the Applicant (locus).

Applicant's Name, Mailing Address: Michael McIVIFF, Trustee  
39 Old Planters Rd. Beverly, MA  
Telephone No. 978-590-9062

Locus: Lot #1 (142 High St. TOPSFIELD, MASS  
(out of 58-16-2 Perkins Row)

Map	Block	Location	Owner	(If different from location) Mailing Address
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SEE ATTACHED LIST

\* Those within 300' of locus -

If needed, attach additional sheets.

Assessor's Certification

To the Topsfield Planning Board:

This is to certify that, at the time of the last assessment for taxation made by the Town of Topsfield, the names and mailing addresses of the parties assessed as owners of land within 300' of the parcel of land shown in the attached sketch were as listed.

Authorized Signature Assessors' Office Pauline M. Evans  
Date of Verification 9-17-14

MAP TITLE



GEOGRAPHIC INFORMATION SYSTEM

VISION APPRAISAL TECHNOLOGY



ABUTTERS' LIST WITHIN 300' FOR NEW PARCEL OUT OF 58-16 2PERKINS ROW FOR PLANNING BOARD  
TOPSFIELD, MA

Map	Block	Lot	Location	Owner/CHR(39)    s Name	Co grantee-s Name	Mailing Address	City	St Zip
90	37		3 BEECH FT	PARCH DEVELOPMENT LLC	8 CHRISTIAN WAY	ANDOVER	MA	01810
457	4	1	207 BOSTON ST	ESSEY AGRICULTURAL SOCIETY	FAIRBOURNS	TOPSFIELD	MA	01983
47	4	2	207 BOSTON ST	ESSEY AGRICULTURAL SOCIETY	PO BOX 134	TOPSFIELD	MA	01983
50	5		9 CAITLIN LN	OKELLY DEANE P	9 CAITLIN LN	TOPSFIELD	MA	01983
50	8		19 CAITLIN LN	FRANEY PHYLLIS R	19 CAITLIN LN	TOPSFIELD	MA	01983
50	6		10 CAITLIN LN	ROGER J HALE-REVGARDE TR	10 CAITLIN LN	TOPSFIELD	MA	01983
50	7		11 CAITLIN LN	ITO EMIKO	11 CAITLIN LN	TOPSFIELD	MA	01983
49	71		185 CENTRAL ST	KOHMA FATIMA	185 CENTRAL ST	TOPSFIELD	MA	01983
49	70		187 CENTRAL ST	D'AGOSTINO ERIC	189 CENTRAL ST	TOPSFIELD	MA	01983
49	69		189 CENTRAL ST	D'AGOSTINO ERIC	189 CENTRAL ST	TOPSFIELD	MA	01983
58	15		197 CENTRAL ST	CHAMPLAIN TODD D	197 CENTRAL ST	TOPSFIELD	MA	01983
50	1		198 CENTRAL ST	TOP HOUSE INC	198 CENTRAL ST	TOPSFIELD	MA	01983
58	14		201 CENTRAL ST	UMENHOFER CALLIE-ANN TRUSTEE	FLYNN FAMILY IRREVOCABLE INCOME ONL	TOPSFIELD	MA	01983
58	13		205 CENTRAL ST	JEFFERYS PAUL J	205 CENTRAL ST	TOPSFIELD	MA	01983
60	36		11 EVERGREEN LN	NICHOLSON SEB	11 EVERGREEN LN	TOPSFIELD	MA	01983
50	35		15 EVERGREEN LN	MAJOR KRISTIN LATTI	15 EVERGREEN LN	TOPSFIELD	MA	01983
50	31		18 EVERGREEN LN	GROVELAND DEVELOPMENT CORP	90 BOX 128	TOPSFIELD	MA	01983
50	34		19 EVERGREEN LN	ANNIS LUCILLE A	20 HICKORY LN	TOPSFIELD	MA	01983
50	32		22 EVERGREEN LN	MELPO LEANNE	22 EVERGREEN LN	TOPSFIELD	MA	01983
50	33		24 EVERGREEN LN	CATALDO KENNETH J	24 EVERGREEN LN	TOPSFIELD	MA	01983
58	39		5 HICKORY LN	MEETING MAY CORPORATION	C/O VITALE CATERING CO 19 MARBLE LN	TOPSFIELD	MA	01983
48	57		123 HIGH ST	TOPS ASSOCIATES LIMITED PARTNRS	80 GLEN SQ	TOPSFIELD	MA	02129
50	3		137 HIGH ST	ARLINGTON FUNDING SERVICES INC	25-35 RAILROAD SQ STE 502	HAVERHILL	MA	01832
50	4		138 HIGH ST	TOWN OF TOPSFIELD	145 RAILROAD SQUARE	HAVERHILL	MA	01832
50	2		139 HIGH ST	SANTORO CYNTHIS L	18 WEST COMMON ST	TOPSFIELD	MA	01983
58	12		153 HIGH ST	TVETER MICHAEL K	163 HIGH ST	TOPSFIELD	MA	01983
58	11		157 HIGH ST	CUNNINGHAM THOMAS	157 HIGH ST	TOPSFIELD	MA	01983
58	10		161 HIGH ST	CARDELLO PETER	161 HIGH ST	TOPSFIELD	MA	01983
58	9		163 HIGH ST	ORLANDO MARK C TR	163 HIGH ST	TOPSFIELD	MA	01983
58	8		165 HIGH ST	D'AGOSTINO JOHN P	165 HIGH ST	TOPSFIELD	MA	01983
50	6		167 HIGH ST	ESSEX-ROCKWELL SOCIETY	PO BOX 134	TOPSFIELD	MA	01983
58	5		173 HIGH ST	RICKERTON ROBERT P & ROSA BENAVIDES	18 WARREN PARK	HADE PARK	MA	02136
58	4		177 HIGH ST	LESSA MARIA C	177 HIGH ST	TOPSFIELD	MA	01983
58	40		178 HIGH ST	WASS HEBERT F & DOROTHY T TRS	178 HIGH STREET TR	TOPSFIELD	MA	01983
58	3		179 HIGH ST	D'AGOSTINO J P & PAUL G BOIVIN	JANE C/O JOHN PHILIP D'AGOSTINO	TOPSFIELD	MA	01983
58	41		180 HIGH ST	ROBINSON CRAIG F	165 HIGH ST	TOPSFIELD	MA	01983
58	42		182 HIGH ST	PALMER ROSEMARY S	180 HIGH ST	TOPSFIELD	MA	01983
58	43		184 HIGH ST	GILFORD JAMES H	182 HIGH ST	TOPSFIELD	MA	01983
58	44		186 HIGH ST	DELLISOLA STEPHEN M	184 HIGH ST	TOPSFIELD	MA	01983
58	2		189 HIGH ST	MASS BAY TRANSPORTATION AUSH	186 HIGH ST	TOPSFIELD	MA	01983
58	1		195 HIGH ST	COMMONWEALTH OF MASS	C/O TRANSIT REALTY ASSOCIATES LLC 77 FRANKLIN ST 9TH FL	BOSTON	MA	02110
58	45		4 JUNIPER LN	ROMEYANT MARGARET MCGLOVY	DEPT OF FISHERIES, WILDLIFE	BOSTON	MA	02202
58	46		6 JUNIPER LN	WILKIE THOMAS P	4 JUNIPER LN	TOPSFIELD	MA	01983
58	47		10 JUNIPER LN	BUNKER MEREDITH F	6 JUNIPER LN	TOPSFIELD	MA	01983
58	48		14 JUNIPER LN	RYAN RICHARD PAUL	10 JUNIPER LN	TOPSFIELD	MA	01983
58	47		14 JUNIPER LN	RYAN LISA ANN BERNACKY	14 JUNIPER LN	TOPSFIELD	MA	01983
58	74		1 MARPLE LN	DEBNEY KELLY A	1 MARPLE LN	TOPSFIELD	MA	01983

ABUTTERS' LIST WITHIN 300' FOR NEW PARCEL OUT OF 58-16 2PERKINS ROW FOR PLANNING BOARD  
TOPSFIELD, MA

Map	Block	Lot	Location	Owner    CHR(39)    s Name	Co grantee-s Name	Mailing Address	City	St Zip
49	72		5 MAPLE LN	LUCAS FRANK	LUCAS CARLA	5 MAPLE LN	TOPSFIELD	MA 01983
49	72		7 MAPLE LN	MARSHALL GENE A JR	MARSHALL KERRI A	7 MAPLE LN	TOPSFIELD	MA 01983
49	79		29 MAPLE ST	TOWN OF TOPSFIELD		6 WEST COMMON ST	TOPSFIELD	MA 01983
49	78		47 MAPLE ST	SKORY ROBERT J	SKORY LINDA S	47 MAPLE ST	TOPSFIELD	MA 01983
49	77		51 MAPLE ST	BURNS BRIAN G	BURNS ELIZABETH M RUIS	51 MAPLE ST	TOPSFIELD	MA 01983
49	76		53 MAPLE ST	ENGLISH PATRICIA A		53 MAPLE ST	TOPSFIELD	MA 01983
49	75		55 MAPLE ST	YOUNG PATRICIA A		55 MAPLE ST	TOPSFIELD	MA 01983
65	22		5 MORNINGSLIDE DR	FUND LINDA S		5 MORNINGSLIDE DR	TOPSFIELD	MA 01983
65	21		9 MORNINGSLIDE DR	KLUGHNIK JORGE		PO BOX 14779330	STOUX FALLS	SD 57186
65	20		11 MORNINGSLIDE DR	KOUBANIG NIKOS G	KOUBANIG BEBENE	11 MORNINGSLIDE DR	TOPSFIELD	MA 01983
65	19		15 MORNINGSLIDE DR	GILLEN MARY ANN		P.O. BOX 17	TOPSFIELD	MA 01983
65	13		29 MORNINGSLIDE DR	ESSEX COUNTY GREENBELT	ASSOCIATION INC	62 EASTERN AVE	ESSEX	MA 01929
58	39	*	1 PERKINS ROW	BRADY P. CHRISTOPHER	BRADY P. CATHERINE	1 PERKINS ROW	TOPSFIELD	MA 01983
58	16	*	2 PERKINS ROW	FINOCCHIO ROSAMOND V TR	KIWI REALTY TR	2 PERKINS ROW	TOPSFIELD	MA 01983
58	38	*	7 PERKINS ROW	FRIDHAM JOHN W JR	FRIDHAM JILL A	7 PERKINS ROW	TOPSFIELD	MA 01983
58	37	*	11 PERKINS ROW	LEARNED JOHN F	LEARNED RUTH E	11 PERKINS ROW	TOPSFIELD	MA 01983
58	36	*	13 PERKINS ROW	SULLIVAN F RUSSELL III TR	SULLIVAN FAMILY IRRV INCOME ONLY TR	13 PERKINS ROW	TOPSFIELD	MA 01983
58	17	*	14 PERKINS ROW	SANGER MICHAEL	SANGER CAROLYN	14 PERKINS ROW	TOPSFIELD	MA 01983
58	35	*	17 PERKINS ROW	BAGLEY DAVID H		17 PERKINS ROW	TOPSFIELD	MA 01983
58	34		21 PERKINS ROW	FLAGG WILLARD JR & DOROTHY TRS	21 PERKINS ROW NOMINEE TR	21 PERKINS ROW	TOPSFIELD	MA 01983
58	33		23 PERKINS ROW	CARLSON KATHERINE E	JEAN BERNARD R A	23 PERKINS ROW	TOPSFIELD	MA 01983
58	18		24 PERKINS ROW	SANGER DANA F		14 PERKINS ROW	TOPSFIELD	MA 01983
58	32		27 PERKINS ROW	FOLEY SERGE T	FOLEY JENNIFER J	27 PERKINS ROW	TOPSFIELD	MA 01983
58	30		29 PERKINS ROW	SHERWOOD KEITH H	SHERWOOD KIM M	29 PERKINS ROW	TOPSFIELD	MA 01983