

TOWN OF TOPSFIELD

SPECIAL PERMIT APPLICATION TO THE PLANNING BOARD
FOR FAMILY ACCESSORY APARTMENT



1. Applicant(s): (This application must be signed by all owners as identified in the deed attached to this application).

<u>Name</u>	<u>Address</u>
John Fitzsimmons	8 Fuller Farms Rd Topsfield
Paula Fitzsimmons	8 Fuller Farms Rd Topsfield

Deed attached

2. Property Address: 8 Fuller Farms Rd, Topsfield

3. Registry of Deeds Title Reference: Book 34096, Page 333

4. Attach list of all abutters within 300 feet of each lot line to whom notice of the application shall be given.

5. State the names and ages of all occupants of the main dwelling.

<u>Name</u>	<u>Age</u>	<u>Name</u>	<u>Age</u>
John Fitzsimmons	53		
Paula Fitzsimmons	54		
John Fitzsimmons	22		
Lia Fitzsimmons	19		

6. State the names and ages of all proposed occupants of the family accessory apartment.

<u>Name</u>	<u>Age</u>	<u>Name</u>	<u>Age</u>
Madelini Lia	84		

7. State the identity of and the family or other relationship between the owner or occupant of the main dwelling and the owner or occupant of the Family Accessory Apartment upon which this application is based.

Paula's Mother

8. State the reason for the Family Accessory Apartment. (Article VII § 7.03 of the bylaw requires that the primary purpose of the Family Accessory Apartment shall be to maximize privacy, dignity, and independent living among the occupants of the main dwelling and the Family Accessory Apartment).

Amnesty requested.

Madelini no longer drives and needs assistance to get places

9. State estimated cost of all improvements to create the Family Accessory Apartment.

None, Existing Apartment

10. State whether improvements include structural work, and if so describe them.

None

11. State the description and frequency of the personal care assistance to be provided.

None

12. State whether the occupant(s) of the Family Accessory Apartment will make any financial contribution to the applicants and if so explain in detail. (Article VII § 7.03 of the bylaw prohibits generating income as a primary purpose of the Family Accessory Apartment).

Yes
 No

If yes, state amount, frequency and explain in detail.

13. Attach scaled drawings of the floor plan of the existing main dwelling and the proposed Family Accessory Apartment including elevations if exterior modifications are proposed.

Floor plan attached
 Elevation attached

14. Attach written certification by the Board of Health that the sewage disposal system has sufficient capacity to accommodate the occupants of the Family Accessory Apartment.

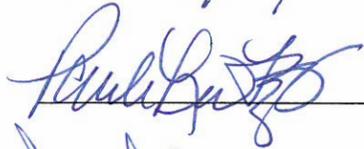
Board of Health certification attached

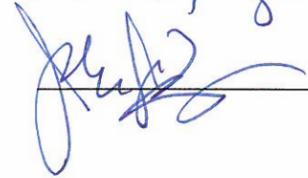
15. Identify the zoning district and present use of the subject property and the commencement date of that use.

IRA.

By signing this application, all applicants verify that all purposes, procedures and requirements as set forth in the bylaw have been fulfilled and covenant that the use of the Family Accessory Apartment shall forthwith be discontinued upon termination as provided by the bylaw.

Dated: 4/18/2016

 _____

 _____



TOWN OF TOPSFIELD
BOARD OF ASSESSORS
8 West Common Street
Topsfield, Massachusetts 01983
Telephone: (978) 887-1514 Fax: (978) 887-1502

This form must be completed for a certified abutters list.

Submission Date **Monday, March 21, 2016** Issue Date **Monday, March 28, 2016**

Department requiring list: **Zoning Board of Appeals**

300 Ft. 100 Ft. (Conservation Only) Direct Abutters

Person/Party requesting list: **Paula Fitzsimmons**

Address: **8 Fuller Farms Road, Topsfield, MA 01983**

Phone #: **978 835-5094** Email Address **PML.FITZ@gmail.com** Misc: _____

Property Owner: **John & Paula Fitzsimmons**

Assessor's Map(s) **31** Lot(s) **34** Location **8 Fuller Farms Road**

The Assessors' Office requires ten (10) working days to certify an Abutters List. This list is valid for sixty days only from date of issue.

Certified By:



Topsfield Assessors



Certification of Parties in Interest

The Board of Assessors of the Town of Topsfield do hereby certify, in accordance with the provisions of Section 10 and 11 of Chapter 808 of the Acts of 1975, that the following named persons, firms and corporations are parties in interest, as in said Section 11 defined, with respect to the premises herein above described.



TOWN OF TOPSFIELD

BOARD OF ASSESSORS

8 West Common Street
Topsfield, Massachusetts 01983
Telephone: (978) 887-1514 Fax: (978) 887-1502

This form must be completed for a certified abutters list.

Submission Date 3/21/06 Issue Date _____

Department requiring list: ?

300 Ft. 100 Ft. (Conservation Only) Direct Abutters

Person/Party requesting list: Paula Fitzsimmons

Address: 8 Fuller Farm Rd, Topsfield, MA 01983

Phone #: 978-835-5094 Email Address _____ Misc: _____

Property Owner: John & Paula Fitzsimmons ↳ PML-FITZ@gmail.com

Assessor's Map(s) _____ Lot(s) _____ Location _____

Parcel ID 31-34

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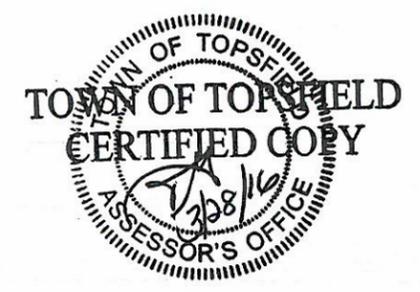
Certified By:

Topsfield Assessors

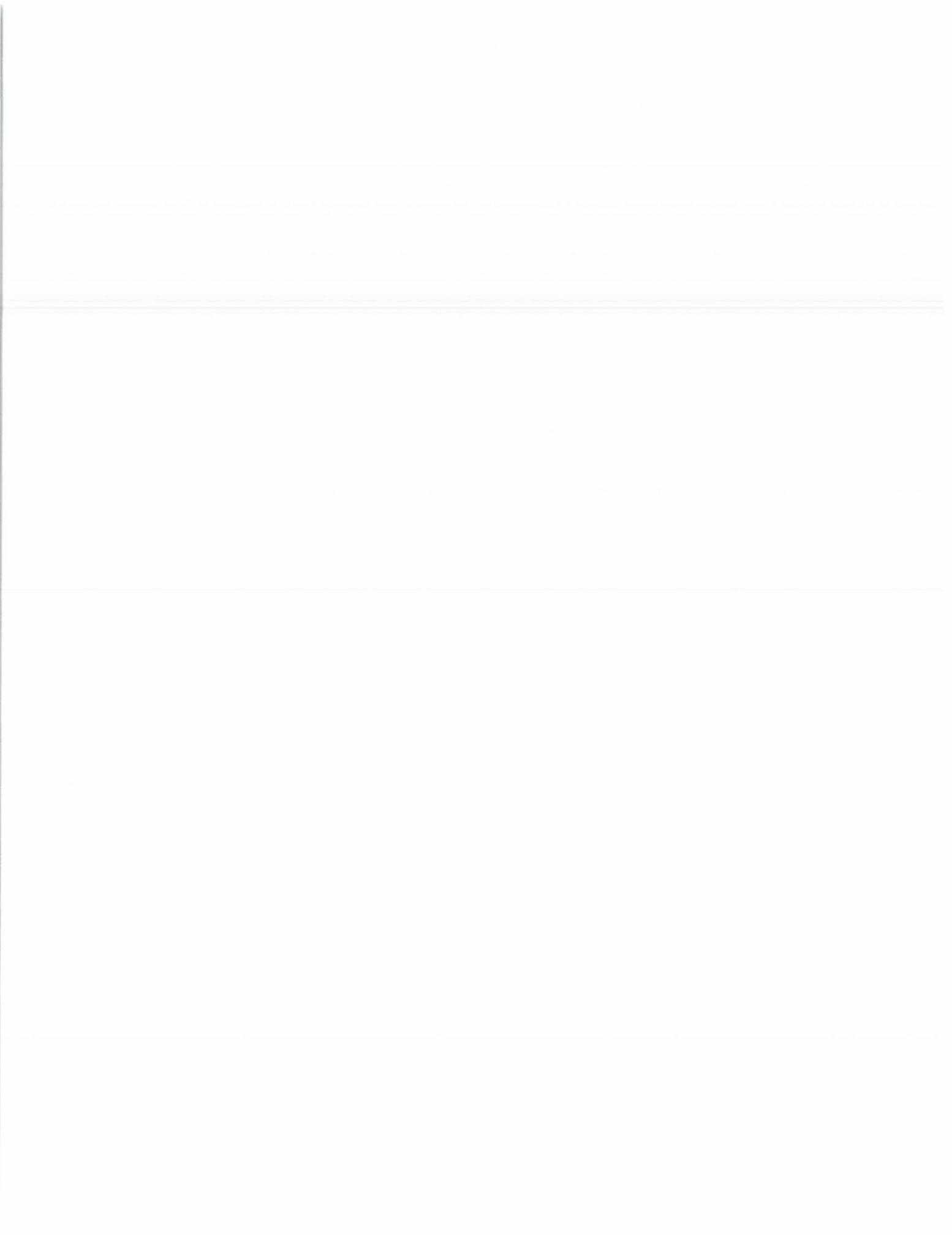
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Parcel ID - Map/Block/Lot	Location	Owner/Mailing Address
31-32	2 FULLER FARMS RD	FAY BROCK J / FAY JESSICA B 2 FULLER FARMS RD TOPSFIELD MA 01983 ✓
31-33	6 FULLER FARMS RD	WILMOT JEFFREY W / WILMOT MEGHAN L 6 FULLER FARMS RD TOPSFIELD MA 01983 ✓
31-34	8 FULLER FARMS RD	FITZSIMMONS JOHN J / FITZSIMMONS PAULA LIA 8 FULLER FARMS RD TOPSFIELD MA 01983 ✓
31-35	12 FULLER FARMS RD	FRANK DOUGLAS K / FRANK ROBIN L 12 FULLER FARMS RD TOPSFIELD MA 01983 ✓
31-36	14 FULLER FARMS RD	JAMISON PATRICIA TR / PATRICA JAMISON 2006 REV 14 FULLER FARMS RD TOPSFIELD MA 01983 ✓
31-37	15 FULLER FARMS RD	RAGALEVSKY STANLEY V / SUTLIFF EMILY L 15 FULLER FARMS RD TOPSFIELD MA 01983
31-38	9 FULLER FARMS RD	IVESTER JOHN A / IVESTER TERESA L 9 FULLER FARMS RD TOPSFIELD MA 01983
31-39	5 FULLER FARMS RD	FAHEY MICHAEL R / FAHEY KAREN L 5 FULLER FARMS RD TOPSFIELD MA 01983
31-40	1 FULLER FARMS RD	REARDON PATRICK J / REARDON MICHELLE 1 FULLER FARMS RD TOPSFIELD MA 01983
31-41	17 BOXFORD RD	DOUMAS ALEXANDER / DOUMAS RAVI BENG 17 BOXFORD RD TOPSFIELD MA 01983



8 Fuller Farms Road



TOWN OF BOXFORD
ABUTTER LIST

PARCEL #38-02-11.3 ~ LOT 3 FULLER FARM RD ~ ZBA 300'

Map/Lot	Location	Owner	Owner ²	Owner Address	Owner City/Town	Owner State	Zip Code
(38-02-11.3)	LOT 3 FULLER FARM RD	FITZSIMMONS JOHN J	FITZSIMMONS PAULA LIA	8 FULLER FARMS RD ✓	TOPSFIELD	MA	01983
(38-02-16)	176 TOPSFIELD RD	BOREK JAMES E TE	BOREK LAUREEN M	176 TOPSFIELD RD	BOXFORD	MA	01921
(38-02-17)	8 CEDAR ST	COWHIG JOHN W JT	FULLER SHERRY H	8 CEDAR ST	BOXFORD	MA	01921
(38-02-13)	9 CEDAR ST	CRAWFORD LESTER	FAY JESSICA B	9 CEDAR ST	BOXFORD	MA	01921
(38-02-11.1)	LOT 1 FULLER FARM RD	FAY BROCK J	FRANK ROBIN L	2 FULLER FARMS RD ✓	TOPSFIELD	MA	01983
(38-02-11.4)	12 FULLER FARM RD	FRANK DOUGLAS K	FRANK ROBIN L	12 FULLER FARMS RD ✓	TOPSFIELD	MA	01983
(38-02-15)	182 TOPSFIELD RD	GARLAND DONALD B TE	SALLY ANN GARLAND	182 TOPSFIELD RD	BOXFORD	MA	01921
(38-02-18)	12 CEDAR ST	GAUDET RICHARD A TE	VIRGINIA F GAUDET	12 CEDAR ST	BOXFORD	MA	01921
(38-02-11.5)	14 FULLER FARM RD	JAMISON STEPHEN B	JAMISON PATRICIA P	14 FULLER FARM RD ✓	TOPSFIELD	MA	01983
(38-02-12)	17 CEDAR ST	MCALLISTER PETER A	MCALLISTER MAUREEN R	17 CEDAR ST	BOXFORD	MA	01921
(38-02-14)	7 CEDAR ST	TURNER IV ANTHONY J	MAUREEN E TURNER	7 CEDAR ST	BOXFORD	MA	01921
(38-02-11.2)	6 FULLER FARM RD	WILMOT JEFFREY W	WILMOT MEGHAN L	6 FULLER FARMS RD ✓	TOPSFIELD	MA	01983

CERTIFIED COPY

Jan Wilson

MARCH 21, 2016



SO.ESSEX #134 Bk:34696 Pg:333
02/03/2016 09:55 AM DEED Pg 1/2
eRecorded

MASSACHUSETTS EXCISE TAX
Southern Essex District ROD
Date: 02/03/2016 09:55 AM
ID: 1109116 Doc# 20160203001340
Fee: \$4,491.60 Cons: \$985,000.00

[Space Above This Line For Recording Data]

QUITCLAIM DEED

We, **Mark S. Birchall and Margaret M. Birchall**, being married to each other, both of
Topsfield, Essex County, Massachusetts,

for consideration paid, and in the full consideration of NINE HUNDRED EIGHTY-FIVE
THOUSAND and 00/100 (\$985,000.00) Dollars, grant to **John J. Fitzsimmons and
Paula Lia Fitzsimmons**, husband and wife, as tenants by the entirety, both of 8 Fuller
Farms Road, Topsfield, MA 01983

with Quitclaim Covenants

The land together with the buildings and improvements thereon, situated partly in
Topsfield and partly in Boxford, Essex County, Massachusetts ("Premises"), shown as
Lot 3A on a plan ("Plan") entitled: "Plan of Land in Topsfield & Boxford, MA, Property
of Danforth/Carey & Co., Inc.", dated April 27, 1994, drawn by Hancock Survey
Associates, Inc., recorded with the Essex South District Registry of Deeds in Plan Book
294, Plan 40 to which plan reference is hereby made for a more particular description.

Containing 41,252 square feet of land, more or less, according to said plan.

This conveyance is made subject to the following:

Matters shown on Plan recorded with Essex South District Registry of Deeds in Plan
Book 294, Plan 40, as affected by Planning Board Certificate of Action dated October 20,
1993 and recorded with said Registry in Book 12325, Page 184.

Order of Conditions from Topsfield Conservation Commission, DEP File No. 307-187,
recorded with said Registry at Book 12325, Page 182 as affected by Order of Conditions
dated March 27, 1997 and recorded with said Registry at Book 13496, Page 200.

Declaration of Covenants and Restrictions for Real Estate of Danforth/Carey & Co., Inc.
in Boxford and Topsfield, Massachusetts, dated December 20, 1993 and recorded with
said Registry in Book 12325, Page 220.

PROPERTY ADDRESS: 8 Fuller Farms Road, Topsfield, MA 01983

Utility Easement granted to New England Telephone and Telegraph Company dated February 25, 1994, and recorded with said Registry in Book 12466, Page 317.

Utility Easement granted to Massachusetts Electric Company dated April 13, 1994 and recorded with said Registry in Book 12572, Page 533.

Subject to and together with any and all easements, conditions or restrictions of record, insofar as the same may now be in force and effect.

We, Mark S. Birchall and Margaret M. Birchall, hereby irrevocably release and terminate any and all homestead rights which we may have in the premises, however acquired, which may benefit either ourselves or any other persons entitled to the benefit of such homestead rights.

Meaning and intending to convey and hereby conveying the same premises conveyed to us by Deed of Danforth/Carey & Co., Inc. dated October 4, 1996 and recorded with Essex South District Registry of Deeds in Book 13788, Page 302 and an Amended Deed dated February 11, 1997 and recorded with said Registry in Book 13970, Page 467. See also Waiver and Release recorded herewith.

Executed as a sealed instrument this 26th day of January, 2016.

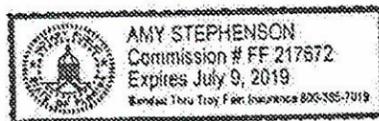
Mark S. Birchall
Mark S. Birchall

Margaret M. Birchall
Margaret M. Birchall

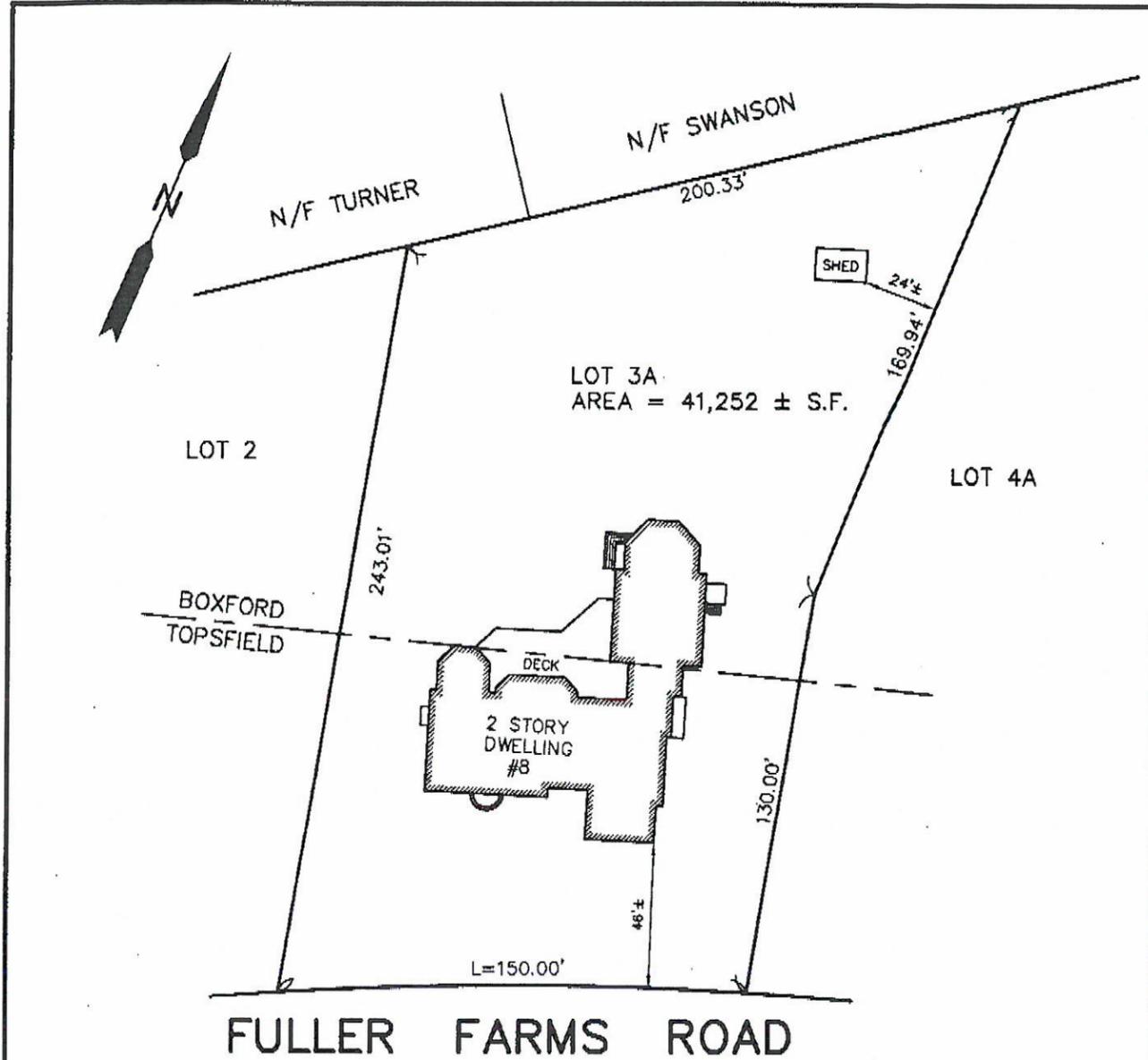
STATE OF FLORIDA

_____, ss.

On this 26th day of January, 2016, before me, the undersigned notary public, personally appeared Mark S. Birchall and Margaret M. Birchall, proved to me through satisfactory evidence of identification, which were personally known, to be the persons who signed the preceding or attached document in my presence, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of their knowledge and belief.



Amy Stephenson
Notary Public
My Commission Expires:



REFERENCE:
 DEED: REC. BK. 13788 PG. 302, REC. BK. 13970 PG. 467
 PLAN: PL. BK. 294 PL. 40
 TO: JOHN & PAULA LIA FITZSIMMONS

THIS PLOT PLAN WAS NOT MADE FROM AN INSTRUMENT SURVEY AND IS FOR THE PURPOSES OF THE BANK ONLY. UNDER NO CIRCUMSTANCES ARE OFFSETS TO BE USED FOR ESTABLISHMENT OF FENCES, WALLS, HEDGES, ETC.

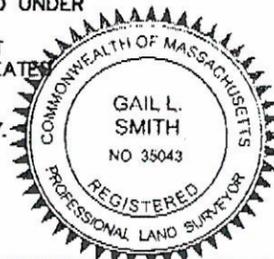
I CERTIFY THAT THE BUILDINGS SHOWN HEREON ARE LOCATED ON THE GROUND AS SHOWN AND THEY CONFORM TO THE HORIZONTAL DIMENSIONAL REGULATIONS OF THE ZONING BYLAWS OF THE TOWN OF TOPSFIELD & BOXFORD AT THE TIME OF CONSTRUCTION OR ARE PROTECTED UNDER GENERAL LAWS CHAPTER 40A SECTION 7. I ALSO CERTIFY THAT THE PREMISES SHOWN IS NOT LOCATED WITHIN A FLOOD HAZARD ZONE AS DELINEATED ON THE MAP OF COMMUNITY #250106 & 250078 TOPSFIELD & BOXFORD, MA., EFFECTIVE 7/3/2012 BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

MORTGAGE INSPECTION PLAN
 LOCATED AT
 8 FULLER FARM ROAD
 TOPSFIELD
 PREPARED FOR

PAULA LIA FITZSIMMONS
 JOHN FITZSIMMONS

SCALE 1" = 50' JANUARY 19, 2016
 NORTH SHORE SURVEY CORP.
 14 BROWN STREET
 SALEM, MA. 01970
 978-744-4800

1/19/16
 DATE *Gail L. Smith*
 PROFESSIONAL LAND SURVEYOR



4268 B



TOWN OF TOPSFIELD

Board of Health

8 West Common Street, Topsfield, Massachusetts 01983

(978) 887-1520/Fax (978) 887-1521

Website: www.topsfield-ma.gov; email: health@topsfield-ma.gov



April 19, 2016

To Whom It May Concern:

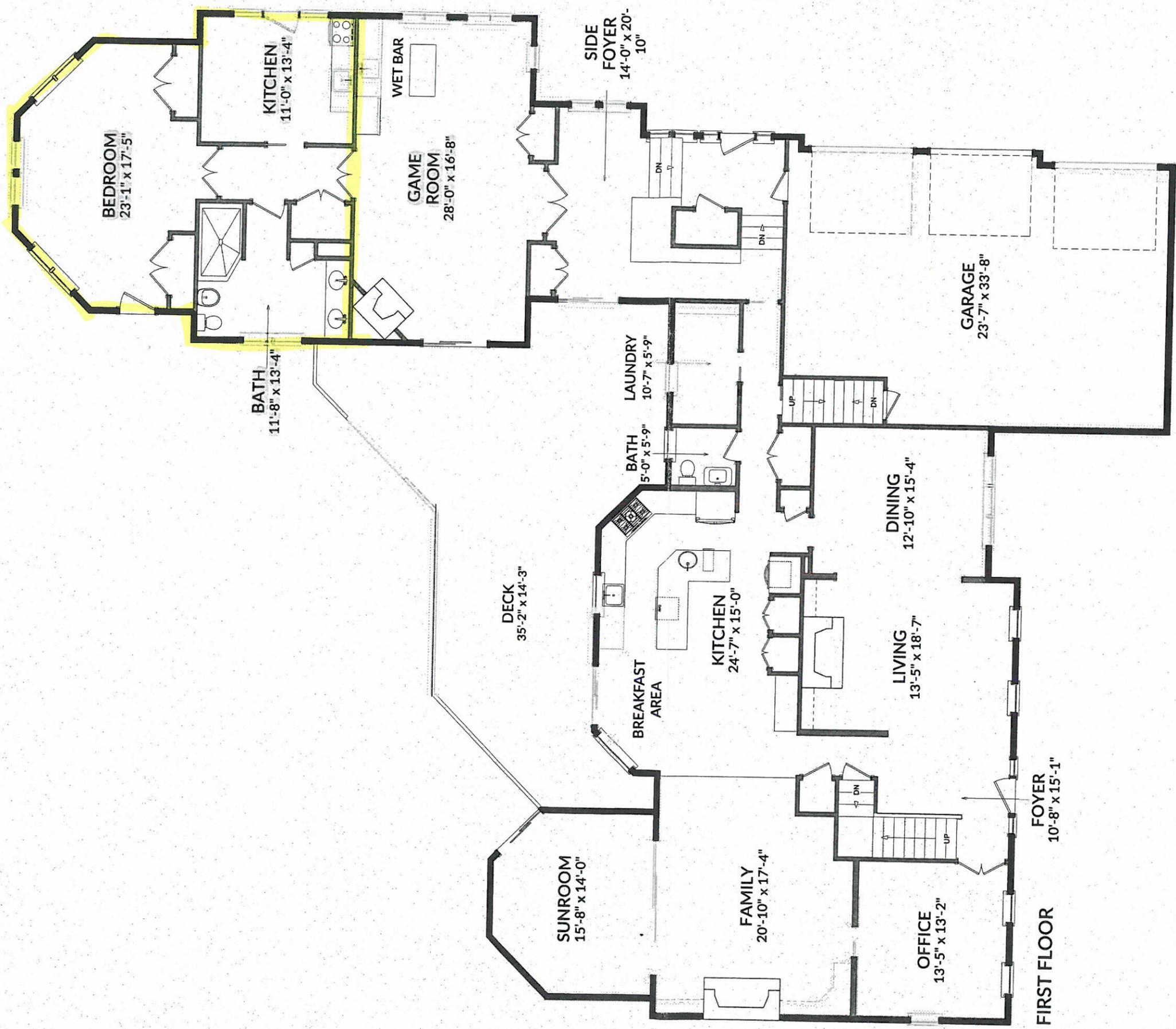
Re: 8 Fuller Farms Road

This letter is to affirm that the sewage disposal system has sufficient capacity to accommodate the occupants of the Family Accessory Apartment.

Sincerely,

John Coulon RS
Health Agent





Total Home: 5570 SF
Apartment: 727 SF

PREPARED FOR:
John and Paula
Fitzsimmons

PREPARED BY:
Property Precision
www.PropertyPrecision.com
288 Newbury St., Suite #304, Boston, MA
(617) 702-2898

8 FULLER FARMS ROAD, TOPSFIELD, MA

**PROPERTY
PRECISION**

RECEIVED

APR 19 2016

PLANNING BOARD