

PUBLIC MEETING NOTICE
ZONING BOARD OF APPEALS
TOWN OF CHARLTON, MASSACHUSETTS

In accordance with the Zoning By-Laws you are hereby being notified of a Public Hearing on: May 11, 2021

PLEASE TAKE NOTICE:

That Ryan & Rebecca DesRoches, petitioner for the property located at 3 Sunset Drive, Charlton, MA, Assessors Map 12A, Lot 61, Block D has applied to the **Zoning Board of Appeals** for a Special Permit/Variance of the Town of Charlton Zoning Ordinance.

Presently located on the premises is a house and well, is located in the area zoned R-40.

The petitioner seeks to place a pre-built shed on the property inside of the setbacks.

The petitioner is seeking the following relief: **a Special Permit/Variance:** §200-3.2D.

A meeting will be held on this variance/special permit at the Town of Charlton – Municipal building at the office of the Zoning Board of Appeals on May 11, 2021 7:00 p.m. In the event that the town is still closed the meeting will be held: on a virtual Zoom platform <https://us02web.zoom.us/j/84450589880> Call in: 1-646-558-8656 Meeting ID: 844 5058 9880 meeting on May 11, 2021 at 7:00 p.m. The public meeting will allow you to be heard relative to the approval of this application.

Frank Lombardi
ZONING BOARD OF APPEALS

TOWN CLERK

APR 14 2021

CHARLTON MASS
APR 14 '21 PM 1:54

EXHIBIT "A"

**TOWN OF CHARLTON
ZONING BOARD OF APPEALS PETITION**

The undersigned respectfully petitions the Zoning Board of Appeals for the following:

(Choose appropriate request(s) and fill in accordingly)

1. **VARIANCES**

Check for relief

A. Dimensional Variance

1. Gross Dimensional Variance

Square Footage of proposed relief

Square Feet

2. Variance from Side Yard setback

Measurement of proposed relief

10 0
Feet Inches

3. Variance from Frontage requirement

Measurement of proposed relief

Feet Inches

4. Variance from Rear Yard setback

Measurement of proposed relief

10 0
Feet Inches

5. Variance from Front Yard setback

Measurement of proposed relief

—
Feet Inches

B. Other Variance

1. What provision of the Zoning Board Bylaw do you want a variance from?

200 - 3.2

ALL APPLICANTS: PLEASE COMPLETE QUESTIONS 1 THRU 6

In requesting the above special permit(s), variance(s), appeal, amendment, extension, the undersigned states as follows: (*delete inapplicable terms)

1. That he/she is the owner(s), lessee(s), optionee(s) of certain premises situated at 3 SUNSET Drive Charlton, Massachusetts.

That the record title stands in the name of RYAN + REBECCA DESROCHES, whose address(es) is/are 3 SUNSET Drive, by deed duly recorded in the Worcester District Registry of Deeds, Book(s) 61684, Page(s) 81, Assessors Map 12A Lot D Block 61.

2. The property is situated in a district classified under the Town of Charlton Zoning Bylaw as R-40.

3. Presently located on the property is House / well.

4. The petitioner seeks to Place Pre-Built Shed ON PROPERTY INSIDE OF SETBACKS - Re: 200-3.2

(Describe what you want to do on the property).

5. Such a use is prohibited under the Town of Charlton Zoning Bylaw under 200-3.2

(insert Article, Section(s) and paragraph numbers of the Zoning Bylaw which prohibits the proposed use of the property).

Because Placement OF Shed TOO Close TO Property Line ON ONE Side AND ALSO Lane IN Rear OF Property

(Explain how the proposed use violates the Zoning Bylaw).

6. WHEREOF, the petitioner asks that this Board grant the special permit(s), variance(s), appeal(s), amendment(s), extension(s), as requested above. (*delete inapplicable terms).

By: Ryan D. Roche
(Signature)

Ryan Des Roches
(Name)

3 SUNSET Drive
(Address)

WATER SKIER 19 @ Yahoo.com
(e-mail)

508-944-9793
(Telephone)

4/6/2021
(Date)

**REQUESTS FOR FINDINGS OF FACT IN SUPPORT OF PETITION FOR
A VARIANCE, SPECIAL PERMIT AND/OR APPEALS**

- ❖ **ALL APPLICANTS:** PLEASE COMPLETE QUESTIONS 1 THRU 5 THEN FOLLOW INSTRUCTIONS AT BOTTOM OF PAGE.

The Charlton Zoning Board of Appeals having conducted a public hearing and reviewed all the submitted evidence finds that:

FINDINGS:

1. The petitioner(s), Ryan + Rebecca DesRoches, whose address is 3 Sunset Drive, Charlton MA, is/are the owner(s), lessee(s), optionee(s) [*delete inapplicable terms] of certain land situated at 3 Sunset Drive in the Town of Charlton and more particularly described in a deed recorded with the Worcester District Registry of Deeds, Book 61684, Page 81.
(If the petitioner is not the owner, complete the following):
The owner of said land is Ryan + Rebecca DesRoches, whose address is 3 Sunset Drive, Charlton MA
2. Said land is situated in a district classified under the Town of Charlton Zoning Bylaw as: ~~200-3.2~~ R-40
3. Presently located on the premises is House / well
4. The petitioner(s) desire(s) to use said premises as follows:
Place Pre-Built Shed on Rear of Property
Within Setbacks
5. (If applicable) The petitioner(s) duly applied for a building permit to use said site for said purpose but was/were refused for non-compliance with the Zoning Bylaw.

FOR A VARIANCE COMPLETE QUESTIONS 6 THRU 10 ON PAGE 6 ONLY

FOR A SPECIAL PERMIT COMPLETE QUESTIONS 11 THRU 23 ON PAGES 7, 8, & 9 ONLY.

FINDINGS OF FACT FOR A VARIANCE ONLY

6. A literal enforcement of the provisions of the Zoning Bylaw would involve substantial hardship, financial or otherwise, to the petitioner(s) for the following reasons:

ONLY level Ground in Rest of Property.
Pre-existing Power line would need to
be dug up and Moved.

7. Said substantial hardship is owing to circumstances relating to the soil condition, shape or topography of such land or structures for the following reasons:

The yard Slopes down to water until it
flattens out Roughly 15-18 feet from the
Waterfront. We chose this flat area to
prevent the need to Dig to level the Ground.

8. Said substantial hardship especially affect said land or structures, but does not affect generally the zoning district in which it is located, for the following reasons:

The Shed will have NO foundation, so needs to
be placed on flat ground for safety reasons. otherwise
a new location would need to be dug out and
leveled with possible other environmental impacts.

9. Desirable relief may be granted without detriment to the public good for the following reasons:

No Movement of earth Required. Electrical
line already in location. NOT impeding
Neighbors View.

10. Desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of the Town of Charlton Zoning Bylaw, for the following reasons:

No digging or Threat of additional erosion.

❖ **STOP HERE FOR VARIANCE APPLICATIONS**

Town of Charlton
Abutters List

Subject Parcel ID: 12A-D-61

Subject Property Location: 3 SUNSET DR - 300 FT

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
12-A-3	GLEN ECHO LAKE	TOWN OF CHARLTON - LAKES		37 MAIN ST	CHARLTON	MA	01507
12A-B-13	22 BROOKSIDE RD	BULLOCK TINA M		PO BOX 553	CHARLTON	MA	01507
12A-C-1	8 SUNSET DR	COMEAU DEIRDRE A (10/20)	COMEAU JAMES K T/E	8 SUNSET DR	CHARLTON	MA	01507
12A-D-54	19 SUNSET DR	THE SUNSET DRIVE 2011 REALTY	HEWITT JOHN E TRUSTEE	19 SUNSET DR	CHARLTON	MA	01507
12A-D-59	11 SUNSET DR	BULLOCK REBECCA M (3/21)	11 SUNSET DRIVE REALTY	11 SUNSET DR	CHARLTON	MA	01507
12A-D-60	7 SUNSET DR	COMEAU DEIRDRE A (4/19)	DESROCHES REBECCA L (8 SUNSET DR	CHARLTON	MA	01507
12A-D-61	3 SUNSET DR	DESROCHES RYAN J (12/19)	SCHUR ALLISON L T/E	3 SUNSET DR	CHARLTON	MA	01507
12A-D-62	1 SUNSET DR	SCHUR STEPHEN A (1/13)	SCHUR ALLISON L T/E	1 SUNSET DR	CHARLTON	MA	01507
17A-A-1	91 LAKEVIEW DR	PELLETIER GREGORY W (4/10)	RONDEAU KERRIANNE L J	91 LAKEVIEW DR	CHARLTON	MA	01507
17A-A-2	95 LAKEVIEW DR	ODONNELL TINA M (5/15)		95 LAKEVIEW DR	CHARLTON	MA	01507
17A-A-3	85 LAKEVIEW DR	MCDERMOTT AMANDA (9/18)		85 LAKEVIEW DR	CHARLTON	MA	01507
17A-A-4	83 LAKEVIEW DR	HOHLER ROBERT A (1/21)	HOHLER ELIZABETH A T/E	83 LAKE VIEW DR	CHARLTON	MA	01507
17A-A-6	77 LAKEVIEW DR	JOAN J DIRLAM LIVING TRUST	DIRLAM JOAN J TRUSTEE	P.O. BOX 416	SOUTHBRIDGE	MA	01550-0416
17A-A-7	73 LAKEVIEW DR	HEAPHY SHAWN (6/07)	HEAPHY SHERYL L T/E	73 LAKEVIEW DR	CHARLTON	MA	01507
17A-A-8	65 LAKEVIEW DR	VOAS JASON W (8/18)	VOAS JENNIFER L T/E	37 FEDERAL HILL RD	OXFORD	MA	01540
17A-B-1	LAKEVIEW DR	JOAN J DIRLAM LIVING TRUST	DIRLAM JOAN J TRUSTEE	P.O. BOX 416	SOUTHBRIDGE	MA	01550-0416
17A-B-10	94 LAKEVIEW DR	SULLIVAN KAMBY (6/05)		94 LAKEVIEW DR	CHARLTON	MA	01507
17A-B-17	8 HIGHLAND AVE	BLANCHARD DAVID P (1/18)		8 HIGHLAND AVE	CHARLTON	MA	01507
17A-B-18	HIGHLAND AVE	BLANCHARD DAVID P (1/18)		8 HIGHLAND AVE	CHARLTON	MA	01507
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17A-B-8	LAKEVIEW DR	SMALTZ DAVID (9/03)	SMALTZ KIM T/E	90 LAKEVIEW DR	CHARLTON	MA	01507
17A-B-9	LAKEVIEW DR	DRISCOLL JERIMIAH J 1/2 INT.	LAZO S. 1/2 INT.	70 JENNISON ST.	SOUTHBRIDGE	MA	01550

Parcel Count: 25

End of Report

CERTIFIED

APR 07 2021

Charlton Board of Assessors
[Signature]

Town of Chardon Board of Assessors Chardon, Mass.



Legend

- Town Boundary
- Federal Road
- State Road
- Town Road
- Other Property Line
- Drainage
- Other
- Unincorporated
- Waters
- Marsh
- Other
- Forest
- Pasture
- Residential
- Commercial
- Industrial
- Vacant
- Agriculture
- Other

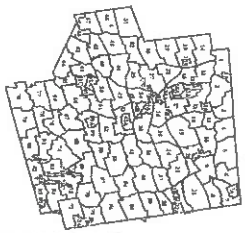
200 100 0 100 200
1 inch = 100 feet
Peak

PARCEL HISTORY
Parcel No. 12A
Owner: 12A
Assessed: 2020

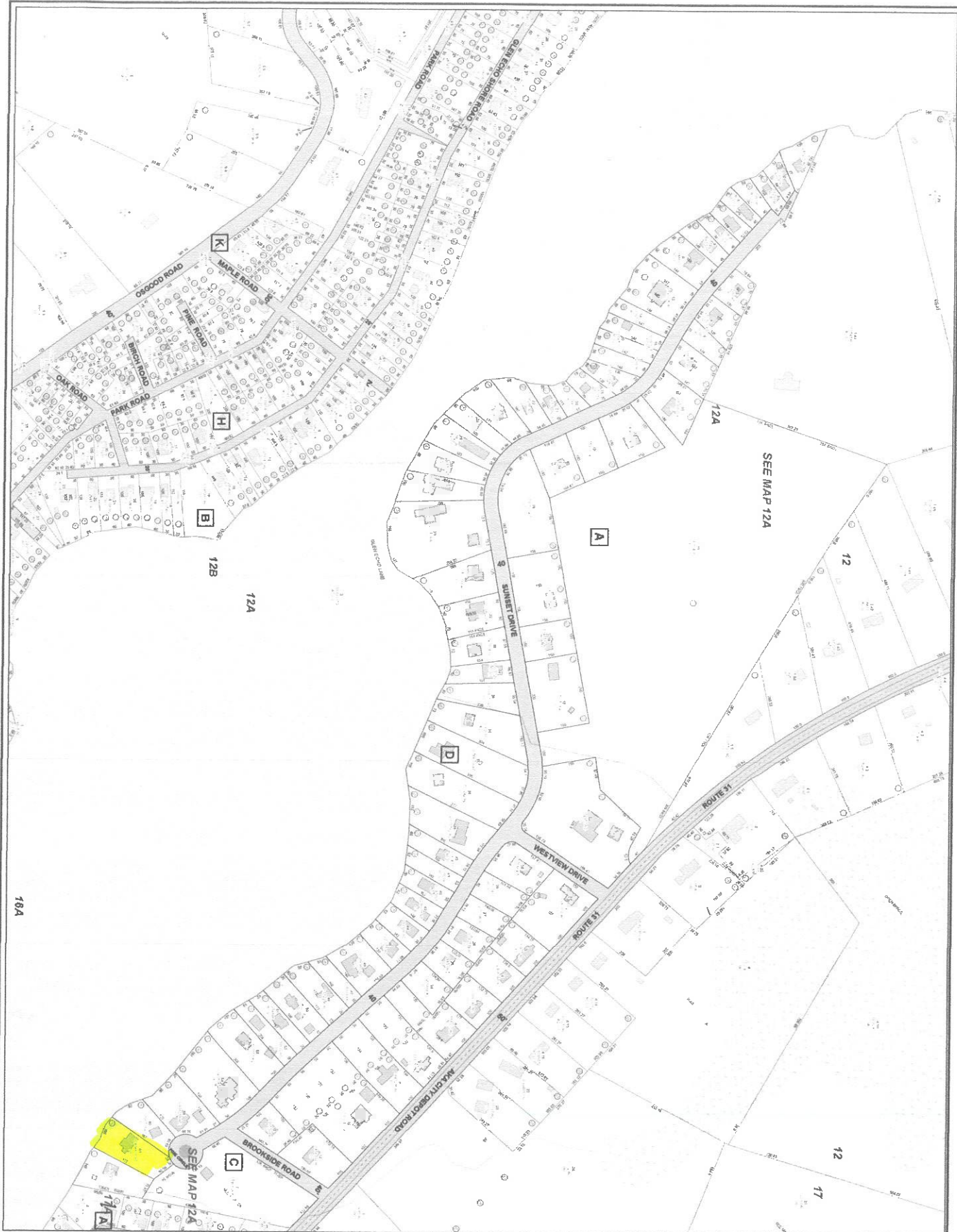
Parcel No.	Assessed
12A	2020

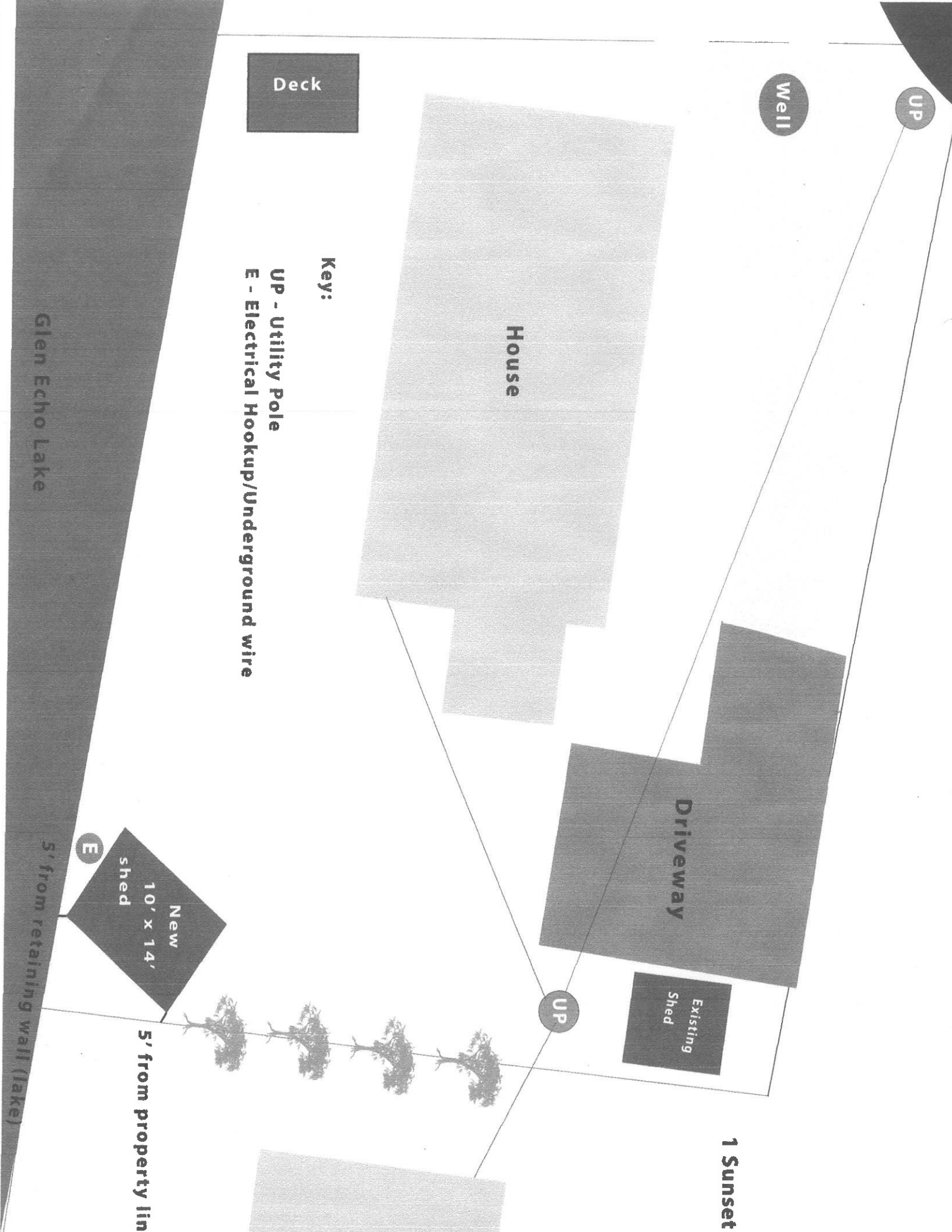
Universal Bk.
One Mountain Street, Suite 200
Weston, MA 02158
508-726-7777

JANUARY
2020



Map No. 12A





Deck

Well

UP

House

Key:

UP - Utility Pole

E - Electrical Hookup/Underground wire

Driveway

Existing Shed

UP

New
10' x 14'
shed

E

1 Sunset

5' from property line

5' from retaining wall (lake)

Glen Echo Lake



Town of Charlton

www.townofcharlton.net

37 MAIN STREET
CHARLTON, MA 01507
508-248-2241

DEPARTMENT of BUILDING
INSPECTIONAL SERVICES

Building.ZEO@townofcharlton.net

April 15, 2021

Ryan & Rebecca Desroches
3 Sunset Drive
Charlton, MA 01507

Re: 3 Sunset Drive
Charlton, MA 01507
Assessors Map 12A, Block D, Lot 61

I am writing in response to your preliminary Application for a Building Permit to construct a shed at 3 Sunset Drive, Charlton, MA 01507, Assessors Map 12A, Block D, Lot 61. **At this time I must deny the Building Permit**, as the proposed structure, as shown, does not meet the required setbacks per the Town of Charlton Zoning Bylaw § 200-3.2.

The required water side set back in this case is thirty (30) feet and your proposed plan shows five (5) feet, on the south side the required set back is fifteen (15) feet you show five (5) feet.

You may seek a variance from the Zoning Board of Appeals or redesign the building to comply with current zoning requirements.

To obtain a variance from the Zoning Board of Appeals, the applicant must obtain and submit the proper paperwork **showing a hardship** to that board and have the board render a decision to grant the variance.

This decision is based on the information available and presented to me, including that the lot is not owned with any abutting parcels.

If you disagree with this decision, relief may be sought from the Zoning Board of Appeals within thirty days of this opinion.

The town of Charlton Zoning Bylaw and General Bylaw are available from the Town Clerk or at www.townofcharlton.net.

This decision does not constitute approval of any other board or commission; you should obtain a Town of Charlton Permitting Guidebook and use that as a baseline for other boards or commissions that may be involved in the project process.

Respectfully,

Curtis Meskus
Building Commissioner / Zoning Enforcement Officer

Curtis Meskus – Building Commissioner/Zoning Enforcement Officer
William LePage – Local Inspector
Peter Starkus – Plumbing & Gas Inspector
Joseph Ostrowski – Inspector of Wires
Lisa Choiniere – Administrative Assistant

Town of Charlton
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Parcel Count: 25

End of Report

CERTIFIED

APR 07 2021

Charlton Board of Assessors
Smaltz