



**Town of Grafton  
Zoning Board of Appeals  
30 Providence Road  
Grafton, MA. 01519**

**508-839-5335 x 1154 - Fax: 508-839-4602  
E-mail: [koshivosk@graffton-ma.gov](mailto:koshivosk@graffton-ma.gov)  
Website: [www.graffton-ma.gov](http://www.graffton-ma.gov)**

**Zoning Board of Appeals**

**New Case Notice**

Case Number #

2018 / 846

The Grafton Board of Appeals has received a petition from **JAMES E. TASHJIAN, ATTORNEY**  
for **35 WESSON STREET** requesting that the Zoning Board of Appeals grant a

**Variance**

to allow: **CONSTRUCTION OF SINGLE FAMILY DWELLING ON A PARCEL OF LAND CONTAINING A  
TOTAL OF 40,000 SQ. FEET OF WHICH 12,662.1 SQ. FEET ARE DESIGNATED AS "BORDERING  
VEGETATED WETLAND AREA" BOOK: 56694 PAGE: 203**

Map: 30 Lot: 2.C Block: 000

The Board will conduct a Public Hearing on \_\_\_\_\_ at 7:00 PM in Conference  
Room A, at the Municipal Center, 30 Providence Road, Grafton, MA 01519 to consider this request.

**ZONING BOARD OF APPEALS**

**William Yeomans, Chairman  
William McCusker, Vice Chairman  
Kay Reed, Clerk  
Elias Hanna, Member #1  
Karl Chapin, Member #2  
Megan Perrotta, Alternate #1  
Marianne Desrosiers, Alternate #2**

TASHJIAN SIMSARIAN LLP  
COUNSELORS AT LAW  
370 MAIN STREET  
WORCESTER, MASSACHUSETTS 01608-1763

JAMES E. TASHJIAN  
EDWARD D. SIMSARIAN

TELEPHONE (508) 756-1578  
FACSIMILE (508) 756-1153

BERGE C. TASHJIAN  
(1937-1995)

HAND DELIVERED

June 1, 2018

Ms. Katrina Koshivos  
Secretary, Zoning Board of Appeals  
30 Providence Road  
Grafton, MA 01519

RECEIVED  
JUN 07 2018  
Zoning Board of Appeals

Re: Petitioners: Carolyn C. Anderson, Thomas F. Casey & Susan M. Casey  
Property address: 35 Wesson Street, Grafton, MA

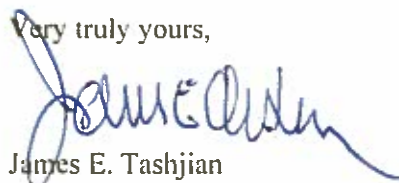
Dear Ms. Koshivos:

Enclosed are the following:

1. Petition for Variance;
2. Copy of portion of Town of Grafton tax map showing property and immediate abutting properties;
3. Certified plot plan showing the parcel and location of proposed building and existing wetlands;
4. Listing of names and address of abutters and owners within 300 feet of property lines obtained from Board of Assessor's;
5. Certificate of Good Standing from Treasurer/Collector's office; and
6. Check payable to the Town of Grafton for \$165.00.

Please let me know if you require anything further and otherwise please process the enclosed.

Very truly yours,



James E. Tashjian

JET/ab  
Enclosures

PETITION TO THE ZONING BOARD OF APPEALS  
TOWN OF GRAFTON, MASSACHUSETTS

RECEIVED TOWN CLERK  
GRAFTON, MA  
2018 JUN - 1 PM 12:41

10

DATE: June 1, 2018

I/We hereby petition your Board to conduct a public hearing and consider the granting of relief from under hardship resulting from literal enforcement of the protective Zoning Bylaw, by exercising your power to:

(Mark one)

- Review refusal of Selectman or others to grant a permit
- Grant a **VARIANCE** from the terms of the Zoning Bylaw, SECTION 3.3.1.
- Grant a **SPECIAL PERMIT** for a specific use which is subject to the approval of your Board.

FOR LAND/BUILDINGS AT 35 Wesson Street

**TO ALLOW:** Construction of a single family dwelling on a parcel of land containing a total of 40,000 sq. ft. of which 12,662.1 sq. ft. are designated as "bordering vegetated wetland area."

The basis for the variance request is included in the attached to this Petition.

RECEIVED

JUN 01 2018

Zoning Board of Appeals

Please complete this entire section:

Location of property: \_\_\_\_\_ Tax Plan # 30 Plot # 2C  
 Zoning District in which the property is located: R40  
 Title of Property in name of: <sup>1</sup>Carolyn C. Anderson, <sup>2</sup>Thomas F. Casey, & <sup>3</sup>Susan M. Casey  
 Whose address is: <sup>1</sup>129 Singletary Ave Sutton, MA 01590 <sup>2</sup>19 Manchester Place Natick, MA 01760 <sup>3</sup>969 West Main Rd. Middletown, RI 02842  
 Deed recorded in Book # 56694, Page # 203  
 Plan Book # 906, Plan # 105  
 Signature of Petitioner: James E. Tashjian  
 Print Name James E. Tashjian, Attorney for property owners  
 Address of Petitioner: 370 Main St., Suite 1035, Worcester, MA 01608  
 Phone Number of Petitioner: 508-756-1578

ATTACHMENT TO  
PETITION TO THE ZONING BOARD OF APPEALS  
TOWN OF GRAFTON, MASSACHUSETTS

Property Owners: Carolyn C. Anderson, Thomas F. Casey and Susan M. Casey  
Location: 35 Wesson Street, Grafton  
Date of Petition: May 29, 2018

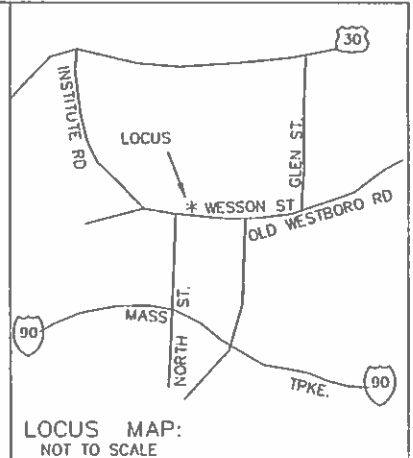
It is respectfully submitted that the following bases exist for the granting of a variance in connection with the Petition.

I. A hardship exists upon the land. It includes an area of bordering vegetated wetland containing 12,662.1 sq. ft. of land. Under existing by-law requirements this land area is to be calculated at 25% of its actual land area. This results in a calculated area of 3,165 sq. ft. added to the remaining land area of 27,338 sq. ft. a total for zoning purposes exists of 30,503 sq. ft.

II. This condition is incidental to this property and is not generally affecting other parcels within the zoning district. Additionally, it has been created substantially due to activity upland of this parcel situated to the east of it. It appears that property easterly of this property was filled during 1990 and earlier resulting in an increase in flowage across the petitioners' property. This matter is addressed in minutes of the Grafton Conservation Commission. That activity had substantial and detrimental impact on the property of the petitioners'.

III. A variance may be granted by this Board without substantial detriment to the public good because it will permit the construction of one single family dwelling on a lot whose size is consistent with that required in the zoning district in which it is situated, except for the unique and unusually wetland condition referred to above. The parcel is generally consistent with the size and dimensions of the immediately adjacent parcel and is otherwise consistent with the zoning requirements of the Town.

IV The variance will not substantially derogate from the intent and purpose of the bylaw because of the unusual and unique condition which was caused to be developed by improper activity on a property upstream of the petitioners' property.



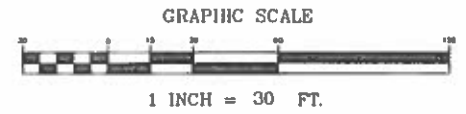
ASSESSORS REFERENCE:  
MAP 30 PARCEL 2A

DEED REFERENCE:  
DEED BOOK 11097 PG. 105

PLAN REFERENCE:  
PL BK. 415 PL. 29

ZONING CLASSIFICATION:  
RESIDENTIAL (R-40)

40,000 MIN. SF  
140' FRONTAGE  
30' FRONT YARD  
15' SIDE & REAR YARD



**PLAN OF LAND  
IN  
GRAFTON, MASS.**

OWNER: THOMAS F. CASEY

SCALE: 1" = 30'

DATE: APRIL 8, 2014

PREPARED BY:  
**GUERARD SURVEY CO. & ASSOC. INC.**  
11 SUMMER STREET  
WESTBOROUGH, MA 01581  
(508) 366-8800

APPROVAL UNDER THE  
SUBDIVISION CONTROL  
LAW NOT REQUIRED  
GRAFTON  
PLANNING BOARD

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
DATE: 4-18-2014

WORCESTER DISTRICT REGISTRY  
OF DEEDS-WORCESTER, MA

PLAN BOOK 906 PL. 105

Received 4/30/14

Sheet 2 of 1

With Doc. # \_\_\_\_\_

In BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

Fee 75.

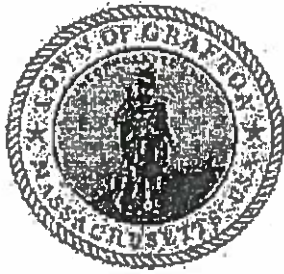
ATTEST: \_\_\_\_\_

"THIS SURVEY AND PLAN CONFORMS TO THE PROCEDURAL AND TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS AND CONFORMS WITH THE RULES AND REGULATIONS OF THE WORCESTER DISTRICT REGISTRY OF DEEDS."

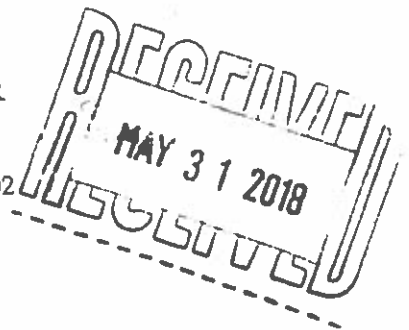
T.P. Chapin  
TODD P. CHAPIN KLS # 37558 DATE: 4/8/14

COMPLIANCE WITH ZONING OR OTHER REGULATIONS IS NEITHER EXPRESSED NOR IMPLIED.

Zoning



TOWN OF GRAFTON  
GRAFTON MEMORIAL MUNICIPAL CENTER  
30 PROVIDENCE ROAD  
GRAFTON, MASSACHUSETTS 01519  
(508) 839-5335 ext 1170 • FAX: (508) 839-4602  
www.grafton-ma.gov



TREASURER / COLLECTOR

### Certificate of Good Standing

Applicants seeking permits with the Town of Grafton must submit this completed form at the time of application. When all obligations are paid to date, you must attach this "Certificate of Good Standing," with your application. Delinquent bills must be paid in full before the appropriate department accepts your application. Please make arrangements to pay these outstanding bills at the Collector's Office.

Please note: it can take up to three (3) business days to process each request.

Please check all that apply and indicate if permit(s) have been issued.

	Permit Issued?			Permit Issued?	
	Yes	No		Yes	No
<input type="checkbox"/> Building - Inspection(s)	_____	X	<input type="checkbox"/> Septic System	_____	X
<input type="checkbox"/> Building - Electric	_____	X	<input type="checkbox"/> Conservation	_____	X
<input type="checkbox"/> Building - Plumbing	_____	X	<input type="checkbox"/> Planning	_____	X
<input type="checkbox"/> Board of Health	_____	X	<input type="checkbox"/> Other	_____	X

Other Permit: Petition is being filed with the Zoning Board of Appeals for issuance of a variance.

James E. Tashjian, Esq.  
Attorney for property owners  
Petitioner Name

Carolyn E. Anderson  
Thomas F. Casey  
Susan M. Casey  
Property Owner / Applicant

370 Main St., Suite 1035  
Petitioner Address

35 Wesson Street  
Property Address

Worcester, MA 01608  
City, State, Zip

Grafton, MA  
City, State, Zip

508-756-1578  
Phone

Date:	Current	Delinquent	N/A
Real Estate	+		
Personal Property			+
Motor Vehicle Excise			+
Disposal			+
General Billing			+

Susan E. Rogers  
Treasurer / Collector Signature

5-31-18  
Date

RECEIVED

MAY 17 2018

BOARD OF ASSESSORS  
REQUEST FOR ABUTTERS LIST

GRAFTON  
ASSESSORS

Date of request: 5/15/18 Date list needed: \_\_\_\_\_  
Name of Person Requesting List: James E. Tashjian  
Phone #: 508-756-1578  
Name of Property Owner: Thomas Casey, Susan Casey & Carolyn Anderson \*  
Street Address of Property Owner: 35 Wesson Street  
Map: 30 Block: \_\_\_\_\_ Lot: 2C  
Reason for list: ZBA Hearing

Hearing before Zoning Board of Appeals  yes  no  
Hearing before Planning Board  yes  no  
Hearing before Conservation Commission  yes  no

Other: \_\_\_\_\_

REASON FOR HEARING

Variance  Scenic Road  Title V   
Special Permit  Sub-division

Other: \_\_\_\_\_

RADIUS FOR ABUTTERS: (check one)

Immediate:  100 ft.  200 ft.  300 ft.

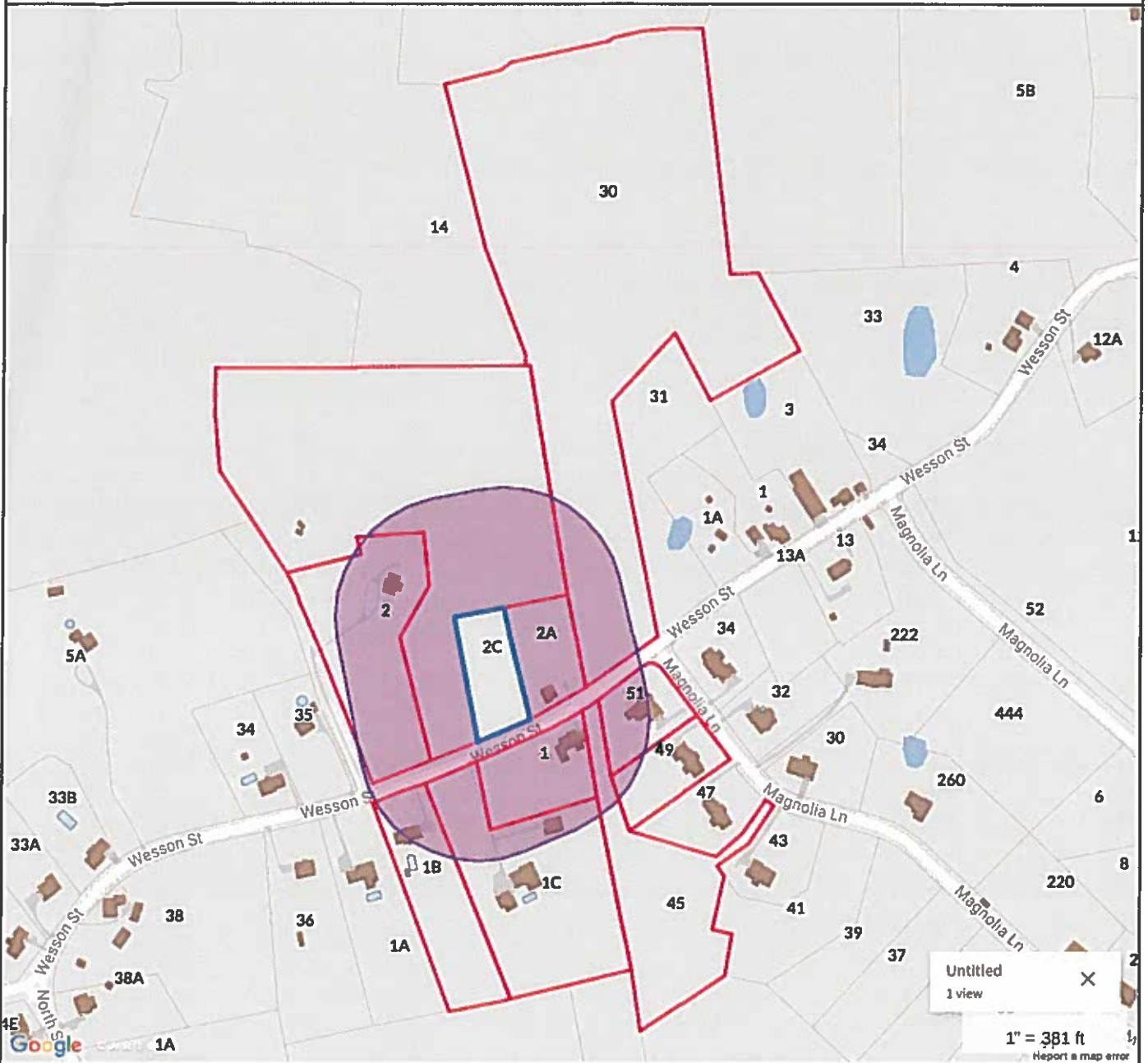
Two sets of Labels will be provided if needed:  yes  no  
(Planning Board and Zoning Board of Appeals require 2 sets of labels)

Office Use only

Date List Prepared: \_\_\_\_\_ Address Labels Prepared: \_\_\_\_\_  
Fee Charged: \$ 25<sup>00</sup> Amount Paid: \$ 25<sup>00</sup> Date: 5/17/18  
Check # 4051 Cash \$ \_\_\_\_\_ Money Order # \_\_\_\_\_

\* C/O James E. Tashjian, Esq.  
Tashjian Simsarian LLP  
370 Main Street, Suite 1035  
Worcester, MA 01608

### 35 Wesson St



Untitled  
1 view

1" = 381 ft  
Report a map error

**Property Information**

**Property ID** 110/030.0-0000-0002.C  
**Location** 35 WESSON STREET  
**Owner** ANDERSON CAROLYN C



**MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT**

Town of Grafton, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 4/1/2018  
 Properties updated 4/1/2018



35 Wesson St

Map 30 Lot 2C

ID	Site Address	Owner Name	Co-Owner Name	Owner Address	City	State	Zip	Phone	Phone	Phone
110/022.0-0000-0030.0	41 WESSON STREET	HOULDEN PETER		18 WILLARD STREET						
110/030.0-0000-0001.0	34 WESSON STREET	JOHN DENISE M		34 WESSON STREET	N GRAFTON	MA				
110/030.0-0000-0001.B	30 WESSON STREET	DUSSAULT SUSAN C TRUST	WILLIAM F DUSSAULT IRREVOCAB	30 WESSON STREET	N GRAFTON	MA				
110/030.0-0000-0001.C	32 WESSON STREET	BOE LANCE R		32 WESSON STREET	N GRAFTON	MA				
110/030.0-0000-0002.0	31 WESSON STREET	JEFFERSON ANDREW P	JEFFERSON JENNIFER L	31 WESSON STREET	N GRAFTON	MA				
110/030.0-0000-0002.A	37 WESSON STREET	CURBOY CHRISTINA	CURBOY DONNA	37 WESSON STREET	N GRAFTON	MA				
110/030.0-0000-0002.B	33 WESSON STREET	TOURTELLOTTE DEBRA A TR	WILLIAMS KAREN R TRUSTEE	54 EMERALD ROAD	RUTLAND	MA	01543			
110/030.0-0000-0002.C	35 WESSON STREET	ANDERSON CAROLYN C	CASEY THOMAS F III & CASEY SU	128 SINGLETARY AVE	SUTTON	MA	01590	50		
110/030.0-0000-0045.0	45 MAGNOLIA LANE	LABOUNTY DENNIS, CLOUGH	MAGNOLIA FARMS ASSOCIATION	P.O. BOX 163	N GRAFTON	MA	01536	49791	317	
110/030.0-0000-0049.0	49 MAGNOLIA LANE	SULMASY CHRISTIAN A	SULMASY PAULA A	49 MAGNOLIA LANE	N GRAFTON	MA	01536	34651	317	
110/030.0-0000-0051.0	51 MAGNOLIA LANE	GILL JASJIT S	GILL MEETA	51 MAGNOLIA LANE	N GRAFTON	MA	01536	38163	301	

**Property Record Card**

Parcel ID: 110/030.0-0000-0002.C    MAP: 030.0    BLOCK: 0000    LOT: 0002.C    Parcel Address: 35 WESSON STREET    FY: 2018

<b>PARCEL INFORMATION</b>	Use-Code: 130	Sale Price: 1	Book: 50818	Road Type: T	Inspect Date: 07/01/2015
Owner: CASEY THOMAS F	Tax Class: T	Sale Date: 04/30/2013	Page: 191	Rd Condition: P	Meas Date: 07/01/2015
Address: 37 WESSON STREET N GRAFTON MA 01536	Tot Fin Area: 0	Sale Type: P	Cert/Doc:	Traffic: L	Entrance: X
	Tot Land Area: 0.918	Sale Valid: F		Water: IW	Collect Id: DM
	Sewer:	Grantor: CASEY PATRICIA A		Sewer: SP	Inspect Reas: R
	Exempt-B/L%:	Resid-B/L%: 100/100	Comm-B/L%: 0/0	Indust-B/L%: 0/0	Open Sp-B/L%: 0/0

**LAND INFORMATION**

NBHD CODE: 4	NBHD CLASS: 3	ZONE: R4						
<b>Seg</b>	<b>Type</b>	<b>Code</b>	<b>Method</b>	<b>Sq-Ft</b>	<b>Acres</b>	<b>Influ-Y/N</b>	<b>Value</b>	<b>Class</b>
1	P	101	S	40000		N	138,320	

**VALUATION INFORMATION**

Current Total:	138,300	Bldg:	0	Land:	138,300	MktLnd:	138,300
Prior Total:	131,900	Bldg:	0	Land:	131,900	MktLnd:	131,900

Sketch

**No Sketch  
Available**

Photo

**No Picture  
Available**