



**CITY OF MARLBOROUGH
ZONING BOARD OF APPEALS
Application for Variance or Appeal Hearing**

Official Use :

Date Received : 12-17-2021 City Clerk's # _____ ZBA Case # 1482-2021

Request for :

Variance Appeal

Information :

Property Address 61 Emmett St. Zoning District _____ Map# _____ Parcel# _____

Applicant is: Owner Tenant Prospective Purchaser Other _____

I am the owner of the property and I have knowledge of, and consent to, this application.

Owner's signature Sergio de Araujo Date 12-17-21

Owner's name Sergio de Araujo Address 61 Emmett St.

State MA Zip _____ Phone# _____ E-mail sergio27ec@gmail.com
01752 617-817-6317

Applicant name _____ Address _____

State _____ Zip SAME Phone# _____ E-mail _____

Representative Name: _____ Company _____

Address _____

State _____ Zip _____ Phone# _____ E-mail _____

Describe below what is being requested, such as what is the proposed action, relief, or construction on the property.

DRIVEWAY modification

Provide below all sections of the Zoning Ordinance (Chapter 650, Article(s), Section(s), Paragraph(s), Subsection(s)) which are pertinent to the Variance (see denial letter).

the driveway modification does not conform to chapter 650 article 46

Variance

1. What is the soil condition, shape or topography of YOUR lot or structure which **DISTINCTLY** affects your lot, as distinguished from other lots in the zoning district which it is located.

to demolish an existing retaining and construct a new retaining wall at the property li.

2. What is the **HARDSHIP** that is **CAUSED** by the soil condition, shape or topography of your lot or structure stated above. **PERSONAL INCONVIENCE** is **NOT** a hardship. A hardship imposes a substantial financial penalty or directly affects your use of the land or structure as it is zoned.

MORE USEFULL MY PROPERTY FOR PARKING MY FAMILY CARS! AT THIS TIME IT NOT ENOUGH SPACE.

3. State how the variance you are requesting, if granted, will not nullify or detract from the intent or purpose of the Zoning Ordinance.

WE JUST RELOCATING THE RETAINING TO CONSTRUCTING MORE SPACES FOR MY FAMILY CARS

4. State how the variance you are requesting, if granted, will not diminish the public welfare or well-being.

NONE

Appeal

State the specifics of the Appeal (use additional sheet if necessary).

Application Packet:

The applicant shall submit ten (8) copies of the application packet which shall contain sufficient information to illustrate and defend the applicant's case and as a minimum shall consist of the following:

- Completed Zoning Board of Appeals Application Form
- Abutters List certified by the Assessor's Office
- Copy of denial letter from City Official
- Certified Plot Plan prepared and stamped by a Massachusetts Registered Professional Land Surveyor. A mortgage plan is **NOT** a certified plot plan. The certified plot plan shall include:
 - Plan Size 8 1/2" x 11" or 11" x 17"
 - Plans drawn to accurate scale with north arrow
 - Owner names and street addresses of directly abutting lots
 - Name of streets and zoning districts.
 - Bearing and distances of subject property
 - Dimensions and property line setbacks of all structures on subject property
 - Location of driveways, parking areas and other impervious surfaces on subject property
 - Location of walls, curbing, major landscaping, fences on subject property
 - Location of easements, wetlands and floodplains on subject property, if applicable
 - Dimensions and property line setbacks of all proposed work
 - Lot Coverage (area covered by all impervious surfaces) existing and proposed
 - Location and property line setbacks of structures, fences, driveways etc. on abutting lots that are within fifteen (15) feet of subject property lines
- Site plans of subject property showing topography and drainage structures, if regrading of the site or rerouting of runoff is proposed or if property is in Floodplain and Wetland Protection District.
- Architectural plans of new or modified building structure, if applicable.

Filing Fee: Filing fees are based upon the proposed **USE** of the property:

- Residential Non--revenue bearing \$130.00
- Residential Revenue bearing \$250.00
- Business, Commercial or Automotive \$375.00
- Industrial, Limited or Full \$500.00
- Special Permit (Flood Plain and Wetland Protection District..... \$450.00

Hearing Request: I hereby request a hearing before the Zoning Board of Appeals regarding this application packet and I am aware that two (2) legal ads will be placed in the MetroWest Daily News or the Marlborough Enterprise Weekly newspaper which will be billed directly to me or my representative. I am further aware that I am responsible for sending copies of the Notice of Hearing to all the abutters on the certified list at least fourteen (14) days prior to the hearing date and that I will submit the receipts confirming this mailing to the zoning office seven (7) days prior to the hearing. Finally, I am aware that I am required to record the board's certified decision and the certified plot plan with the Registry of Deeds in order for it to take effect.

Applicant's signature: Sergio de Arango
Print name: SERGIO DE ARANGO

Date: 12-17-21

and/or
Representative's signature: Sergio de Arango
Print Name: SERGIO DE ARANGO

Date: 12-17-21

Official Use Only:

Received from applicant, the sum of \$ 130⁰⁰ Check # 1100

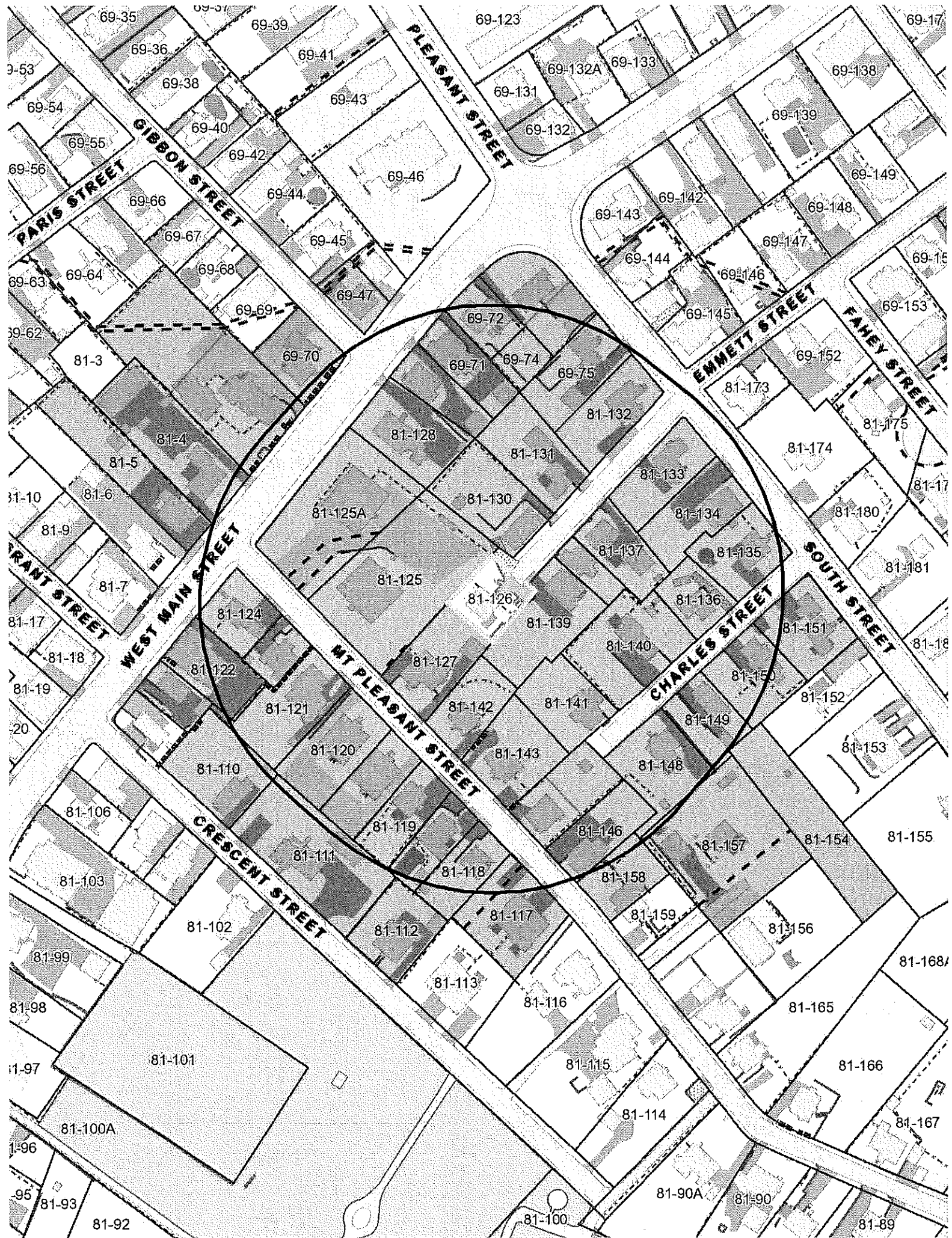
Signature of the agent of the Zoning Board of Appeals:

Susan Brown

Date: 12-17-2021

Susan Brown - Board Secretary
Department - Zoning Board of Appeals
140 Main Street
Marlborough, MA 01752
Tel# 508-460-3768 E-mail: sbrown@marlborough-ma.gov

The date and signature of the agent of the Zoning Board of Appeals will serve as certification as to when the **COMPLETE** application packet accompanied by the proper filing fee was filed with this office.



69-35 69-36 69-38 69-40 69-42 69-44 69-45 69-46 69-47 69-48 69-49 69-50 69-51 69-52 69-53 69-54 69-55 69-56 69-63 69-64 69-65 69-66 69-67 69-68 69-69 69-70 69-71 69-72 69-73 69-74 69-75 69-76 69-77 69-78 69-79 69-80 69-81 69-82 69-83 69-84 69-85 69-86 69-87 69-88 69-89 69-90 69-91 69-92 69-93 69-94 69-95 69-96 69-97 69-98 69-99 69-100 69-101 69-102 69-103 69-104 69-105 69-106 69-107 69-108 69-109 69-110 69-111 69-112 69-113 69-114 69-115 69-116 69-117 69-118 69-119 69-120 69-121 69-122 69-123 69-124 69-125 69-126 69-127 69-128 69-129 69-130 69-131 69-132 69-133 69-134 69-135 69-136 69-137 69-138 69-139 69-140 69-141 69-142 69-143 69-144 69-145 69-146 69-147 69-148 69-149 69-150 69-151 69-152 69-153 69-154 69-155 69-156 69-157 69-158 69-159 69-160 69-161 69-162 69-163 69-164 69-165 69-166 69-167 69-168 69-169 69-170 69-171 69-172 69-173 69-174 69-175 69-176 69-177 69-178 69-179 69-180 69-181 69-182 69-183 69-184 69-185 69-186 69-187 69-188 69-189 69-190 69-191 69-192 69-193 69-194 69-195 69-196 69-197 69-198 69-199 81-3 81-4 81-5 81-6 81-7 81-8 81-9 81-10 81-11 81-12 81-13 81-14 81-15 81-16 81-17 81-18 81-19 81-20 81-21 81-22 81-23 81-24 81-25 81-26 81-27 81-28 81-29 81-30 81-31 81-32 81-33 81-34 81-35 81-36 81-37 81-38 81-39 81-40 81-41 81-42 81-43 81-44 81-45 81-46 81-47 81-48 81-49 81-50 81-51 81-52 81-53 81-54 81-55 81-56 81-57 81-58 81-59 81-60 81-61 81-62 81-63 81-64 81-65 81-66 81-67 81-68 81-69 81-70 81-71 81-72 81-73 81-74 81-75 81-76 81-77 81-78 81-79 81-80 81-81 81-82 81-83 81-84 81-85 81-86 81-87 81-88 81-89 81-90 81-91 81-92 81-93 81-94 81-95 81-96 81-97 81-98 81-99 81-100 81-101 81-102 81-103 81-104 81-105 81-106 81-107 81-108 81-109 81-110 81-111 81-112 81-113 81-114 81-115 81-116 81-117 81-118 81-119 81-120 81-121 81-122 81-123 81-124 81-125 81-126 81-127 81-128 81-129 81-130 81-131 81-132 81-133 81-134 81-135 81-136 81-137 81-138 81-139 81-140 81-141 81-142 81-143 81-144 81-145 81-146 81-147 81-148 81-149 81-150 81-151 81-152 81-153 81-154 81-155 81-156 81-157 81-158 81-159 81-160 81-161 81-162 81-163 81-164 81-165 81-166 81-167 81-168 81-169 81-170 81-171 81-172 81-173 81-174 81-175 81-176 81-177 81-178 81-179 81-180 81-181 81-182 81-183 81-184 81-185 81-186 81-187 81-188 81-189 81-190 81-191 81-192 81-193 81-194 81-195 81-196 81-197 81-198 81-199

ALVARADO JOSE
15 MT PLEASANT ST
MARLBOROUGH, MA 01752

CHEATHAM SUSAN E
6 MT PLEASANT TER
MARLBOROUGH, MA 01752

GIBBONS JOSEPH M
35 MT PLEASANT ST
MARLBOROUGH, MA 01752

ALVES TIAGO B
91 KELBER DR
MARLBOROUGH, MA 01752

CIRO FREDDY
PO BOX 812497
WELLESLEY, MA 02482

GRAHM PETER R TR
C/O JORDAN PROPERTY
SOLUTIONS
27 MAIN ST
MARLBOROUGH, MA 01752

AYALA-NOYOLA BERNABE
22 CHARLES ST
MARLBOROUGH, MA 01752

COLLURA WILLARD J
16 CHARLES ST
MARLBOROUGH, MA 01752

GRENIER DENISE A
12 MAIN ST
APT 2
MARLBOROUGH, MA 01752

BARTOLINI BRUCE A TR
595 N SUNKEN MEADOW RD
EASTHAM, MA 02642

DEARAUJO SERGIO
61 EMMETT ST
MARLBOROUGH, MA 01752

GUADAGNINI MICHELE
56 EMMETT ST
MARLBOROUGH, MA 01752

BLAIR NORINE C TR
11 SOUTH ST
MARLBOROUGH, MA 01752

DESTINE JEAN
159 WEST MAIN ST
MARLBOROUGH, MA 01752

HOGAN JAMES E JR TR
1100 S COLLIER BLVD
UNIT 1522
MARCO ISLAND, FL 34145

BOUCHER MARIE R
32 MT PLEASANT ST
MARLBOROUGH, MA 01752

DRUMMEY GLORIA A
16 CRESCENT ST
MARLBOROUGH, MA 01752

KOTUFO EFSTRATIYA
171 WEST MAIN ST
MARLBOROUGH, MA 01752

BRITTON MICHELLE M
147 WEST MAIN ST
MARLBOROUGH, MA 01752

DUBE DEREK
174 WEST MAIN ST
MARLBOROUGH, MA 01752

LINCOLN THOMAS J
26 MT PLEASANT ST
MARLBOROUGH, MA 01752

CANNON CHARLES JR
52 EMMETT ST
MARLBOROUGH, MA 01752

FISHMAN COLLIN
3 SOUTH ST
APT 1
MARLBOROUGH, MA 01752

LISTER KEVIN M
148 WEST MAIN ST
MARLBOROUGH, MA 01752

CAPPADONA MARK A
63 BOIVIN DR
MARLBOROUGH, MA 01752

FRIAS MICHAEL A TR
PO BOX 180
HUDSON, MA 01749

LONG JEFFREY D
11 CHARLES ST
MARLBOROUGH, MA 01752

CASTROMONTE MERCEDES
49 EMMETT ST
MARLBOROUGH, MA 01752

GATESMAN REBECCA
41 MT PLEASANT ST #41
MARLBOROUGH, MA 01752

MARGADONNA SETH E
146 WEST MAIN ST
MARLBOROUGH, MA 01752

MCAULIFFE THOMAS M
10 SHAWMUT AVE
HUDSON, MA 01749

RICH BRIAN J
41 BOND ST
MARLBOROUGH, MA 01752

VALIENTE MARITZA
22 MT PLEASANT ST
APT 1
MARLBOROUGH, MA 01752

MCAULIFFE THOMAS M
10 SHAWMUT AVE
HUDSON, MA 01749

ROMAN LUZ D
154 WEST MAIN ST #1
MARLBOROUGH, MA 01752

WEST MAIN AND MOUNT PLEAS
10 JACOBS LN
SOUTHBOROUGH, MA 01772

NAVES DORA A TR
133 SHAWMUT AVE
MARLBOROUGH, MA 01752

SEYMOUR THOMAS J
142 WEST MAIN ST
MARLBOROUGH, MA 01752

WEST MAIN AND MOUNT PLEAS
10 JACOBS LN
SOUTHBOROUGH, MA 01772

NZUKIE JAMES M
43 MT PLEASANT ST #43
MARLBOROUGH, MA 01752

SEYMOUR THOMAS J
142 WEST MAIN ST
MARLBOROUGH, MA 01752

WESTON EDWARD F
27 MT PLEASANT ST
MARLBOROUGH, MA 01752

ORAM MARK A
108 UPLAND RD
MARLBOROUGH, MA 01752

SILVA EDWARD A
31 MT PLEASANT ST
MARLBOROUGH, MA 01752

PACIFIC HENRY JR
187 PLEASANT ST
BERLIN, MA 01503

SILVA MARCOS JOSE
19 SOUTH ST
MARLBOROUGH, MA 01752

PILLSBURY ALLISON
25 SOUTH ST
MARLBOROUGH, MA 01752

STRAW DWIGHT B JR LI EST
37 SOUTH ST
MARLBOROUGH, MA 01752

PORTER ROBERT
PO BOX 3300
FRAMINGHAM, MA 01705

SUR MATTHEW S
184 WEST MAIN ST
MARLBOROUGH, MA 01752

PRICE SEAN T
52 MT PLEASANT ST
MARLBOROUGH, MA 01752

SYNNOTT MATTHEW
25 CHARLES ST
MARLBOROUGH, MA 01752

RAMOS ALFONSO
23 CHAUNCY CIRCLE
WESTBOROUGH, MA 01581

TOOHEY JAMES F
34 CRESCENT ST
MARLBOROUGH, MA 01752

PAID #30 CHECK #1099
12.17.21

ASSESSOR'S OFFICE
MARLBOROUGH, MA

DEC 17 2021

RECEIVED

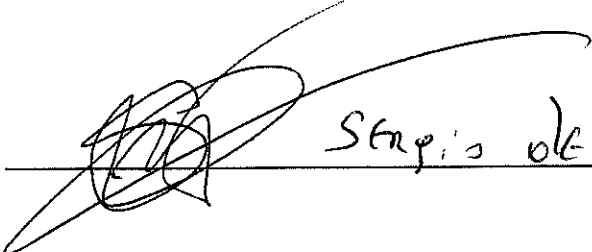
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City of Marlborough

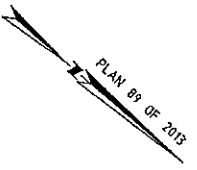
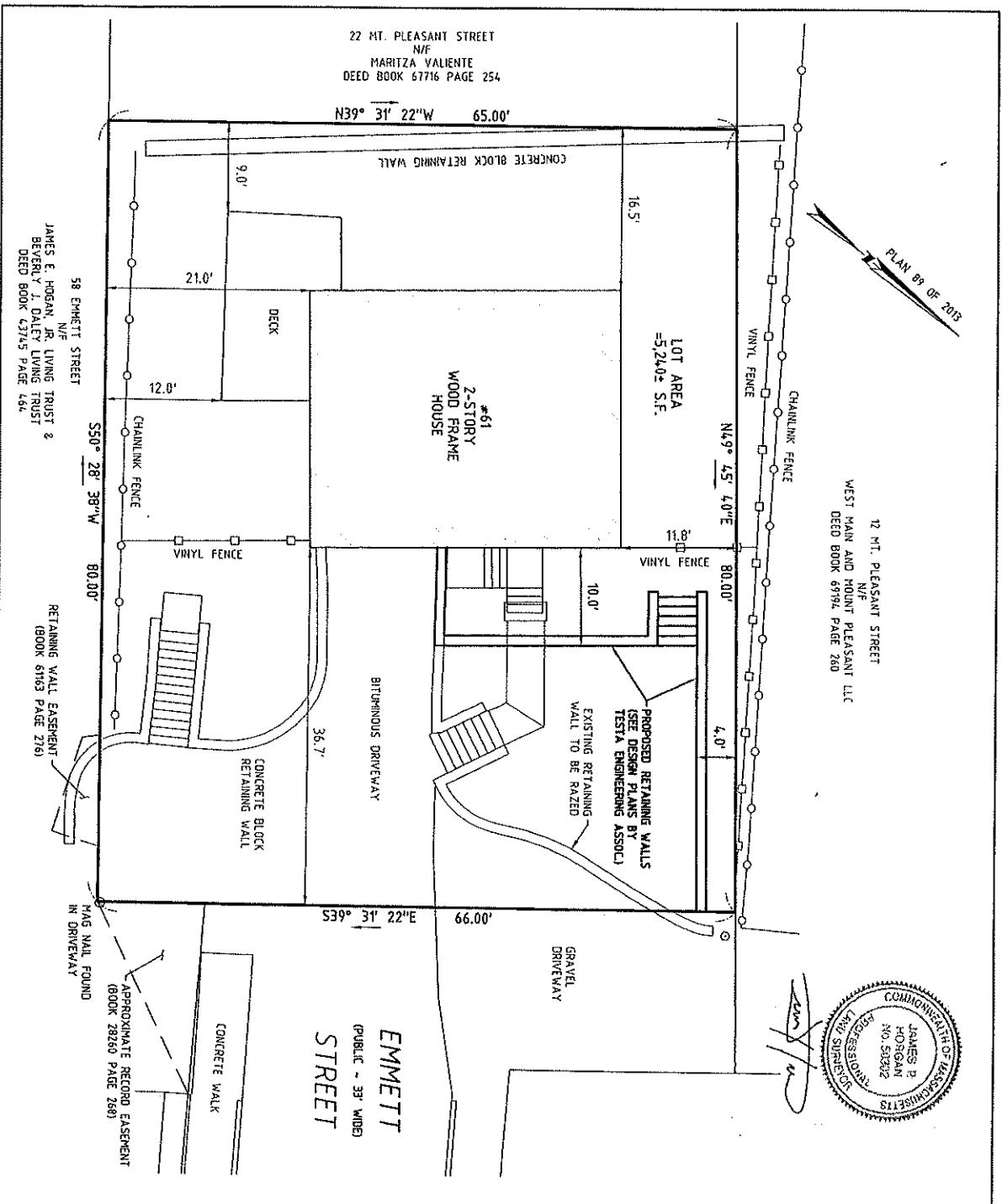
Office of the Assessors
140 Main Street
Marlborough, Massachusetts 01752
TDD (508) 460-3610
Phone: (508) 460-3779

APPLICATION FOR CERTIFIED LIST OF ABUTTERS

Date: 12-17-21
Property Address: 61 Emmett
Assessor Map and Parcel: 81-126
Property Owner Name: SERGIO DE ARAUJO
Applicant Name: SERGIO DE ARAUJO
Applicant Phone: 617-817-6317
Purpose of Request: Request - VARIANCE
Radius: 300 FEET
Originating Board or Department: ZBA
Applicant Signature:  SERGIO DE ARAUJO

PLEASE EMAIL TO PATRICIA MESPPELLI, OFFICE OF THE ASSESSORS
pmespelli@marlborough-ma.gov

PLEASE ALLOW TEN WORKING DAYS FROM THE DATE OF RECEIPT OF THIS
APPLICATION BY THE OFFICE OF THE ASSESSORS FOR COMPLETION



HORGAN
SURVEYING

MARLBOROUGH, MASSACHUSETTS
www.horgansurveying.com
508.318.6200

ADDRESS OF PROPERTY
61 EMMETT STREET
MARLBOROUGH, MASSACHUSETTS

OWNER OF RECORD
SERGIO DE ARAUJO

DEED REFERENCE
DEED BOOK 6183 PAGE 279

PLAN REFERENCE
PLAN 89 OF 2013

PLAN OF LAND ON FILE AT THE CITY OF MARLBOROUGH ENGINEERING DEPARTMENT BY THOMAS LAND SURVEYORS ENTITLED "AS BUILT" SITE PLAN, 61 EMMETT STREET MARLBOROUGH, MA WITH A REVISION DATE OF DECEMBER 10, 2012 AND STAMPED BY THOMAS P. O'BERSO, JR.

ASSESSORS REFERENCE
PARCEL #81-126

ZONING CLASSIFICATION
RESIDENCE C

ZONING REQUIREMENTS
MINIMUM LOT AREA = 10,000 S.F.
MINIMUM LOT FRONTAGE = 90 FT.
MINIMUM FRONT YARD = 20 FT.
MINIMUM SIDE YARD = 10 FT.
MINIMUM REAR YARD = 25 FT.

MAXIMUM LOT COVERAGE = 30%
EXISTING LOT COVERAGE = 1,800 / 5,240 = 34.4%
PROPOSED LOT COVERAGE = 2,700 / 5,240 = 51.5%

CERTIFIED PLOT PLAN
SHOWING PROPOSED RETAINING WALL

SCALE:	
FIELD: 1" = 5.0'	10' 5' 0' 10'
DRAWN: JPH / SA	CALCULATED: JPH
FILE PATH (G:\PROJ)\...21-104_61 EMMETT STREET MARLBOROUGH CP9.DWG	CHECKED: JPH
FIELD BOOK/PAGE: FB 6 PG 21-24	JOB NO.: 21-104
	DATE: 12.02.2021