



# TOWN OF BOLTON BOARD OF APPEALS

Filed with the Town Clerk on:

Town Hall, 663 Main Street, Bolton MA 01740  
Phone 978-779-3308 Fax 978-779-5461

BOLTON TOWN CLERK  
2021 DEC 14 PM 2:19

*Penelope Powell*  
TOWN CLERK

## APPLICATION FOR HEARING

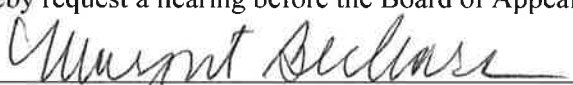
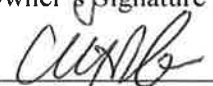
### ***PART I. Background Information (Provided by Applicant to the Town Clerk):***

<b>Applicant/Petitioner:</b>	Christopher Bechara Margrit Bechara
<b>Address of applicant:</b>	50 Golden Run Rd. Bolton, MA 0174
<b>Applicant is:</b>	<input checked="" type="checkbox"/> Owner <input type="checkbox"/> -Tenant <input type="checkbox"/> -Licensee <input type="checkbox"/> -Prospective Buyer
<b>Property address:</b>	same : 50 Golden Run Rd.
<b>Assessor Map/Parcel Number of property</b>	MAP/BLOCK/LOT: 005.C-0000-0053.0 Book 30661 PAGE 173
<b>Deed reference(s):</b>	Book <u>739</u> Page <u>plan 115</u> (Worcester County Deed Reference)
<b>Owner name (if person other than applicant)</b>	N/A
<b>Owner address:</b>	same as above
<b>Owner telephone number:</b>	;
<b>Application &amp; all other materials and fee for:</b>	<input checked="" type="checkbox"/> Variance, \$100 + \$6 per abutter on certified abutters list <input type="checkbox"/> -Special Permit, \$100 + \$6 per abutter on certified abutters list <input type="checkbox"/> -Appeal of Decision, \$100 <input type="checkbox"/> -Comprehensive Permit Administrative Fee - \$500.00 Consultant Review Fee - \$5,000 plus \$100/unit <input type="checkbox"/> -Amend Existing Decision (\$100 + \$6 per abutter for special permits and variances; \$500 administrative fee for comprehensive permits if change(s) are deemed substantial. If necessary, additional consultant review fee determined by ZBA)

<b>Description of problem for which relief is sought:</b>	Obtain a variance to build a pole barn/garage approximately 30 ft from one lot line.
<b>Applicable section(s) of Zoning Bylaws or other reference for consideration by Board of Appeals:</b>	Article III → 25D-13 section E number 5 "no structure shall be erected within 50 ft of any lot line."
<b>Justification for request:</b> (attach additional information if necessary)	see attached

The undersigned certifies that he/she has read and examined this application and the Bolton Zoning Board of Appeals Rules and Regulations, and that the proposed project is accurately represented in the statements made in this application.

I hereby request a hearing before the Board of Appeals with reference to the above application.

	12/11/21
Property Owner's Signature (REQUIRED)	Date
	12/11/21
Property Owner's Signature (REQUIRED)	Date
_____ Applicant's Signature (if different from owner)	_____ Date

**This form, completed by the applicant, must accompany the pertinent application materials (see sections 4, 5, or 6 of the Zoning Board of Appeals Rules and Regulations) to comprise a complete application.**

**This application will be reviewed by the Board of Appeals. An application found to be incomplete upon receipt by the Board of Appeals may be returned to the applicant for completion and re-filing. The date of any re-filing shall be the date of the application.**



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Phone 978-779-3308 Fax 978-779-5461

TOWN CLERK

## \* FOR VARIANCE APPLICATIONS ONLY \*

Applicant/Petitioner:	Christopher Bechara
Property address:	50 Golden Run Rd.

### REQUIREMENTS TO BE MET FOR GRANTING VARIANCE

As set forth in M.G.L c.40A § 10 & Zoning Board of Appeals Rules & Regulations § 4.2

The Applicant shall explain how the following conditions are met:

4.2.1 That there are circumstances that exist relating to the soil conditions, shape, or topography of the land or structures that uniquely affect such land or structures, but that do not affect generally the zoning district in which such land is located.

*see attached*  
↓

4.2.2 That literal enforcement of the provisions of the Bolton Zoning Bylaws would involve substantial hardship, financial or otherwise, to the applicant.

4.2.3 That the desired relief may be granted without substantial detriment to the public good.

4.2.4 That the desired relief may be granted without nullifying or substantially derogating from the intent and purpose of Bolton Zoning Bylaws.

## **ATTACHMENT TO 50 GOLDEN RUN RD VARIANCE APPLICATION**

### **JUSTIFICATION FOR REQUEST:**

We have a very small attached 2 car garage. We have 5 drivers and vehicles in addition to a lot of lawn equipment/snow removal equipment. That includes a John Deere 2210 with a bucket, cab and attached snow blower. I use it to clear the approximate 700 ft driveway with an additional 26' x 40' "turnaround" area. We desperately need more storage/car/equipment space with direct access to the driveway. We would like to build a classic New England 24' x 30' pole barn.

To minimize environmental impact and for substantial financial reasons we would like to put it at the end of the "turnaround", about 30 feet from our front neighbor's line. No other neighbors would be impacted at all. On his side of the line is a large area of woods that is on a hill that gives his house privacy. I have talked to that neighbor (Scott) and he has no objections at all.

The ONLY area that would (**possibly**) conform to the 50ft rule has other structures (see below) and would need over 120 feet of impervious surface to connect with the driveway. It also would require removal of several oaks, one of which has almost a 2 foot trunk.

### **QUESTION 4.2.1**

There are definitely circumstances relating to the shape and topography of the land. Our home is built on an elevation "plateau" of about 8 feet, part of which contains the septic tank and field. It's about a 100 foot long semicircle. This drastically limits putting a structure anywhere near our driveway and adhering to the 50 foot setback of property lines. In other words, a structure 50 feet from the lines would cut into that "hillside" that houses the septic.

Additionally the property lines are irregular and, to the east, cut in close to the house. There is only ONE area on our front property that adheres to the 50 foot rule where a structure can be placed. Currently in that spot there is a potting shed, vegetable garden, decorative rock wall, and batting cage. Moving/getting rid of these is not something we would want to do and it would be a considerable expense. Finally it is not clear that this area could accommodate a 24' x 30' barn 50 feet from the east line without acquiring a formal survey.

### **Question 4.2.2**

The enforcement of the provisions in the zoning bylaws would involve substantial hardship to us:

- 1) The only alternative area has a potting shed, garden, decorative rock wall and batting cage. We would lose these. It's not clear that a larger structure could be put there with

the "hillside" and the east lot line. We would need the additional expense of a formal survey.

- 2) The added expense of 120 feet of impervious surface. There would be substantially higher electric expense for lighting along the way
- 3) Removing multiple oak trees, one very large one.
- 4) Adding yet more driveway increases the already high snow removal time and makes it more difficult.
- 5) With the current state of building materials and labor, everything is 30% higher or more right off the bat. Losing above structures and the added cost to put it far away from the driveway makes it cost prohibitive.
- 6) It is not even clear that we have ANY option that will conform with the distance requirement

#### **QUESTION 4.2.3**

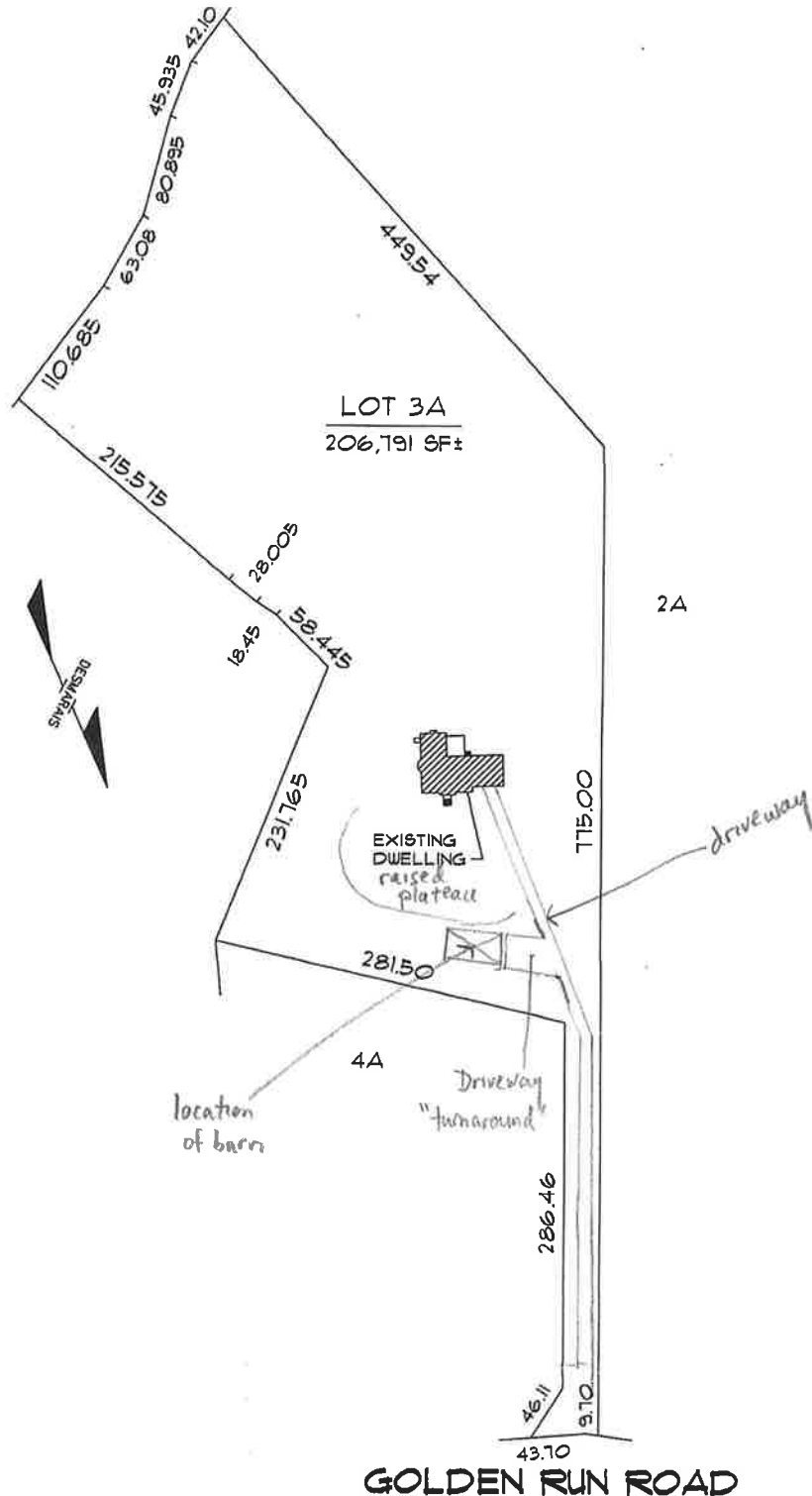
The relief granted would not affect the public good. There is 30 feet of room from the one lot line and there are woods on the other side with the house at least 100 feet away. Other neighbors are not impacted at all. It would not affect privacy, it would be aesthetically pleasing, and it would have much less impact on the environment to put it in that location.

#### **QUESTION 4.2.4**

The relief granted would not nullify or substantially derogate the intent and purpose of the zoning bylaws. Granting a variance is in the spirit of those laws to minimize environmental impact, protect privacy and maintain aesthetics. Again I can't overemphasize the financial hardship and impact of finding an alternative (if it even exists).

50 GOLDEN RUN ROAD, BOLTON

# Mortgage Inspection Plan



FOR MORTGAGE PURPOSES ONLY

Not to be used for Building Permits, Zoning Variances  
and Special Permits.

DESMARAIS ASSOCIATES, INC.

Registered Professional Land Surveyors

Setbacks shown on  
this plan are for the

Based on my knowledge, information, and belief, I certify that  
the building is located approximately as shown and conforms to  
the zoning laws dimensional requirements regarding setbacks

46.11  
43.70  
9.70

## GOLDEN RUN ROAD

### FOR MORTGAGE PURPOSES ONLY

Not to be used for Building Permits, Zoning Variances  
and Special Permits.

### DESMARAIS ASSOCIATES, INC.

*Registered Professional Land Surveyors*



DAVID B. DESMARAIS LSIT  
RAYMOND F. DESMARAIS RPLS  
566 Rogers Street, Lowell, MA 01852  
Tel. (978) 459-9860 Fax (978) 937-0690

Setbacks shown on  
this plan are for the  
determination of zon-  
ing requirements only.

#### NOTE:

This is a tape survey  
based on the location  
of survey markers of  
others and is not in-  
tended to be a prop-  
erty line survey. This  
plan was drawn for  
mortgage purposes  
only. Not to be re-  
corded.

scale: .1"=150'

date: 7-9-03

Based on my knowledge, information, and belief, I certify that  
the building is located approximately as shown and conforms to  
the zoning laws dimensional requirements regarding setbacks  
from streets and lot lines in the city/town of

BOLTON

when constructed.

BY

*Raymond F. Desmarais*

REGISTERED PROFESSIONAL LAND SURVEYOR

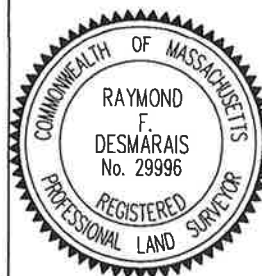
WORCESTER County

Deed Reference

Book \_\_\_\_\_ Page \_\_\_\_\_

Plan Reference

Book 739 Plan 115



I hereby certify that the dwelling shown on this plan is not  
located within a special flood hazard area as shown on Federal  
Emergency Management Agency / Federal Insurance Adminis-  
tration Maps.

Community Number 250296

Identification Date JUNE 18, 1980

*David B. Desmarais*

DAVID B. DESMARAIS L.S.I.T. CERT. 474

**A. JUSTIN MCCARTHY, P.C.**

**BECHARA**

**FILE NO. 03-763**



## 300 foot Abutters List Report

Bolton, MA  
December 14, 2021

Parcel Number: 005.D-0000-0007.0 CAMA Number: 005.D-0000-0007.0 Property Address: 178 SUGAR RD	Mailing Address: RYMER CHRISTOPHER A & STEPHANIE J 178 SUGAR RD BOLTON, MA 01740-
Parcel Number: 005.D-0000-0008.0 CAMA Number: 005.D-0000-0008.0 Property Address: 188 SUGAR RD	Mailing Address: HURD MATTHEW & AVA R 188 SUGAR RD BOLTON, MA 01740-
Parcel Number: 005.D-0000-0009.0 CAMA Number: 005.D-0000-0009.0 Property Address: 8 GOLDEN RUN RD	Mailing Address: BENNETT JOHN E & CLARK JOCELYN W TRUSTEES BENNETT-CLARK REALTY TRUST 8 GOLDEN RUN RD BOLTON, MA 01740-
Parcel Number: 005.D-0000-0011.0 CAMA Number: 005.D-0000-0011.0 Property Address: 34 GOLDEN RUN RD	Mailing Address: HOUGHTON KENNETH E 34 GOLDEN RUN RD BOLTON, MA 01740-
Parcel Number: 005.D-0000-0049.0 CAMA Number: 005.D-0000-0049.0 Property Address: 28 GOLDEN RUN RD	Mailing Address: CASCO PAUL G ANNETTE R CASCO 28 GOLDEN RUN RD BOLTON, MA 01740-
Parcel Number: 005.D-0000-0067.0 CAMA Number: 005.D-0000-0067.0 Property Address: 36 POWDER HILL RD	Mailing Address: KOESTERICH SCOTT E & MELISSA R 36 POWDER HILL RD BOLTON, MA 01740-
Parcel Number: 005.D-0000-0068.0 CAMA Number: 005.D-0000-0068.0 Property Address: 40 POWDER HILL RD	Mailing Address: STEVENSON JOHN M & DYER CARY A 40 POWER HILL RD BOLTON, MA 01740-
Parcel Number: 005.D-0000-0102.0 CAMA Number: 005.D-0000-0102.0 Property Address: 0 GOLDEN RUN RD	Mailing Address: TOWN OF BOLTON, ACTING AFFORDABLE HOUSING TRUST 663 MAIN ST BOLTON, MA 01740-
Parcel Number: 006.D-0000-0032.0 CAMA Number: 006.D-0000-0032.0 Property Address: 0 HOUGHTON FARM LN	Mailing Address: TOWN OF BOLTON, ACTING BOLTON CONSERVATION COMMISSION 663 MAIN ST BOLTON, MA 01740-

As set forth in the Assessor's records as of July 1, 2021.

Kelly Garlock  
Assistant Assessor



www.cai-tech.com

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12/14/2021

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## 300 foot Abutters List Report

Bolton, MA  
December 14, 2021

### Subject Property:

Parcel Number: 005.C-0000-0053.0  
CAMA Number: 005.C-0000-0053.0  
Property Address: 50 GOLDEN RUN RD

Mailing Address: BECHARA CHRISTOPHER & MARGRIT  
50 GOLDEN RUN RD  
BOLTON, MA 01740-

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### Abutters:

Parcel Number: 005.C-0000-0026.0  
CAMA Number: 005.C-0000-0026.0  
Property Address: 68 GOLDEN RUN RD

Mailing Address: MCCLURE MELINDA  
L&KENNETH,TR,MELINDA MCCLURE LIV  
T  
68 GOLDEN RUN RD  
BOLTON, MA 01740-

Parcel Number: 005.C-0000-0027.0  
CAMA Number: 005.C-0000-0027.0  
Property Address: 54 GOLDEN RUN RD

Mailing Address: ASARA JOHN M. & DEBORAH L. ASARA  
54 GOLDEN RUN RD.  
BOLTON, MA 01740-

Parcel Number: 005.C-0000-0028.0  
CAMA Number: 005.C-0000-0028.0  
Property Address: 43 GOLDEN RUN RD

Mailing Address: ROBINS ZACHARY ROSS & AMBER  
BLAIR  
43 GOLDEN RUN RD  
BOLTON, MA 01740-

Parcel Number: 005.C-0000-0029.0  
CAMA Number: 005.C-0000-0029.0  
Property Address: 49 GOLDEN RUN RD

Mailing Address: DURKIN CONI R  
49 GOLDEN RUN RD  
BOLTON, MA 01740-

Parcel Number: 005.C-0000-0030.0  
CAMA Number: 005.C-0000-0030.0  
Property Address: 59 GOLDEN RUN RD

Mailing Address: BANKER PETER  
59 GOLDEN RUN RD  
BOLTON, MA 01740-

Parcel Number: 005.C-0000-0052.0  
CAMA Number: 005.C-0000-0052.0  
Property Address: 60 GOLDEN RUN RD

Mailing Address: CHOQUETTE BRIAN R & KIM M  
60 GOLDEN RUN RD  
BOLTON, MA 01740-

Parcel Number: 005.C-0000-0054.0  
CAMA Number: 005.C-0000-0054.0  
Property Address: 44 GOLDEN RUN RD

Mailing Address: LINDBLAD SCOTT T & ELIZABETH M  
44 GOLDEN RUN RD  
BOLTON, MA 01740-

Parcel Number: 005.D-0000-0005.0  
CAMA Number: 005.D-0000-0005.0  
Property Address: 152 SUGAR RD

Mailing Address: PERRY DAVID K & KAREN A  
P O BOX 520  
BOLTON, MA 01740-

Parcel Number: 005.D-0000-0005.B  
CAMA Number: 005.D-0000-0005.B  
Property Address: 160 SUGAR RD

Mailing Address: RICCI MATTHEW M & MONICA M  
160 SUGAR RD  
BOLTON, MA 01740-

Parcel Number: 005.D-0000-0006.0  
CAMA Number: 005.D-0000-0006.0  
Property Address: 164 SUGAR RD

Mailing Address: BARR JAMES  
164 SUGAR RD  
BOLTON, MA 01740-



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12/14/2021

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