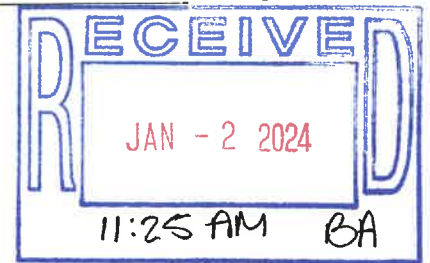




TOWN OF HULL  
ZONING BOARD OF APPEALS



253 Atlantic Avenue  
Hull, Massachusetts 02045

781-925-2000  
Fax: 781-925-0224

**APPLICATION FOR HEARING**  
**PACKET TO BE COMPLETED IN TRIPLICATE**  
(see last page for instructions)  
(Revised December 2021)

1. **Address of Property:** 111 Bay Street, Hull, Massachusetts 02045  
**Zoning District:** SFA  
**Assessor's Map No.:** 35 **Assessor's Parcel No.:** 033

**Title Reference (Attach Copy of Deed or Transfer Certificate of Title):**

**Book:** 53003 **Page:** 290 **Certificate of Title No.:** Doc # 00056537  
(Plymouth County Registry of Deeds) (Plymouth County Registry District of the Land Court)

2. **Applicant:**

<b>Name:</b> <u>Anne Butterworth</u>	<b>Name:</b> <u>Christian Butterworth</u>
<b>Address:</b> <u>24 Matthew Drive</u>	<b>Address:</b> <u>Same address</u>
<b>Address:</b> <u>Salem, NH 03079</u>	<b>Address:</b> _____
<b>Email:</b> <u>butterwa@yahoo.com</u>	<b>Phone:</b> <u>christianbutterwortj@yahoo.com</u>

3. **Owner: (If owner is also applicant, go directly to #4)**

<b>Name:</b> _____	<b>Name:</b> _____
<b>Address:</b> _____	<b>Address:</b> _____
<b>Address:</b> _____	<b>Address:</b> _____
<b>Email:</b> _____	<b>Phone:</b> _____

4. **If you have signed a P&S Agreement, attach a copy of the executed agreement.**

5. **The applicant must attach the following: (Place ✓ beside each)**

- copy of the Building Commissioner's Denial Letter
- copy of Deed or Certificate of Title
- copy of Plot Plan or Survey & Proposed Building Plans (**3 sets of each**)
- pictures of the building (views of front, rear, left side & right side)
- 2 copies certified abutters list and a property card (Obtain at Assessors' Office)
- copy of P & S Agreement to the property (if applicable)
- Special Permit Questionnaire or Variance Questionnaire
- filing fee \$275.00 (payable to Town of Hull)
- Advertising Fee (payable to The Hull Times) see staff for details **\$250**
- \_\_\_\_\_ Page 6: Bldg. Commissioner's Review and Certification

SPECIAL PERMIT QUESTIONNAIRE

1. Describe why the proposed change to your property would be in harmony with the general purpose and intent of the By-Law:

The proposed deck will not affect neighbor views. Deck will be small, not coming out any farther then either of our neighbors decks. Houses adjacent to ours and in neighborhood also take up more than the current allowed lot coverage with structure. Thus our proposed deck will not look out of place from others in neighborhood.

2. Describe how the proposed change to your property would potentially impact your neighborhood (either visually or in any other manner), especially abutting and nearby properties (i.e., describe the potential effects of lighting, drainage, noise, views on neighboring properties):

The proposed deck will only be seen from the back of the house property and not be farther out than our neighbors decks on each side of us, therefore, it will not impact our neighbors views. There will be no lighting added to the deck to affect neighbors. The deck will be attached to the house via a header and will require only 2 footings so will not impact drainage.

3. Describe how the proposed change to your property would potentially affect the character of your zoning district:

The proposed change will be in line with the neighborhood decks of other houses on the street and bay area. The deck will be of the same colors as the house so will tie into the house asthetically so will only enhance the look of the neighborhood.

4. Describe why you believe that the proposed change to your property would not be more detrimental to the neighborhood, especially to abutting and nearby properties:

The proposed deck will only be on the back of the house so it will not be seen from the road, only from the bay. The deck will be small in nature, not be any farther out than the neighbors decks on each side of us so it will not impact their views of the bay.

5. Describe how the proposed change to your property would potentially affect on-site and off-site parking. In addition, please describe how the proposed change to your property would potentially affect traffic in the immediate area:

The deck will only be on the back of the house so it will not impact the off site parking at the front of the house or impact traffic in any way

6. Reason for petition/application:

Article VI Section 410-6.2  
Non-Conforming Uses;  
paragraph 61-2

- Special Permit -----> Hull By-Law §: \_\_\_\_\_
- Variance -----> Hull By-law §: \_\_\_\_\_
- Appeal Decision of Bldg. Comm. -----> Hull By-Law §: \_\_\_\_\_

7. Describe why you seek a Special Permit, Variance or Other Relief:

My parents will be using the house part time during the summers (they live in Mississippi during the winter). They are 83 yrs old and are not able to navigate the stairs to basement deck or the steep hill from the front of the house to the back deck. The proposed deck would be on the main floor (kitchen, bath, bedroom are located) to allow them to be able to sit outside on the bay and not fall or get injured trying to navigate to the back deck.

(Use Additional Sheets as Necessary)

8. Name, address and phone number of your attorney (if applicable):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed under the pains and penalties of perjury, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Applicant or Attorney)

(Applicant or Attorney)

**NOTE: DO NOT ATTEMPT TO DISCUSS THE MERITS OF YOUR CASE WITH ANY INDIVIDUAL MEMBER OF THE BOARD OF APPEALS AT ANY TIME. YOU WILL HAVE AN OPPORTUNITY TO SPEAK AT THE PUBLIC HEARING ON YOUR APPLICATION BEFORE THE FULL BOARD.**

### VARIANCE QUESTIONNAIRE

1. Is your property (land/structure) unique in any of the following ways?

- shape of your lot
- topography of your land
- soil conditions of your land
- structure/layout of your building (Use Variances only)

If so, describe in detail those characteristics that are unique to your land (i.e. those that do exist on your land but do not exist on abutting or nearby properties in your neighborhood or zoning district):

The property is on a steep slope from the front of the house (yard) to the back of the yard, not leveling off until the back of the house making it difficult to get from the front of the house to the back yard. There is no walkway to aid in walkability and because of drainage likely will not be able to add a walkway.

2. Do you have a "substantial hardship" related to the uniqueness of your property (as you have described immediately above) that prevents you from either:

(i) complying with our By-Law, or (ii) using your land or building as it currently exists?

yes  no

3. If your answer is yes, describe in detail:

• how this hardship is related to the uniqueness of your property:

Due to the steep property slope, my elderly parents as well as others visiting are not able to easily navigate down to the back of the property to the back deck without likely falling. A deck off of the main floor would allow my parents to have access to the outside including any guests

Please note that the "substantial hardship" must be related to your property, not to your individual circumstances.

The Board would like you to describe exactly how the shape of your lot, the topography of your lot, the soil conditions of your lot or the structure/layout of your building (i) are unique or substantially different from neighboring properties and (ii) how these unique circumstances prevent you from using your property for its intended use as a single family home, as a business, etc.

For example, the mere fact that your property will be worth more if a Variance is granted does not constitute a "substantial hardship".

• how this hardship prevents you from complying with the Hull Zoning By-Law or prevents you from using your land or building as it currently exists:

~~The property slope does not allow me to easily make a walkway to the back deck as it would likely impact drainage. Therefore, asking for a deck off of the main floor would prevent need for the walkway.~~

4. Describe how your property can still comply with the purpose and intent of the Hull Zoning By-Law, if your Variance is allowed:

~~The proposed deck is similar to neighbors decks and several decks on the street and bay area. the proposed deck will not impact neighbors views of the bay as it will not be any farther out than our neighbors decks on either side of us.~~

**TO BE COMPLETED BY BUILDING COMMISSIONER:**

- ◆ Date Building Permit Requested: \_\_\_\_\_ (if applicable)
- ◆ Date Building Permit Denied: \_\_\_\_\_ (attach letter of denial)
- ◆ Any prior appeals on this property: YES \_\_\_\_\_ NO \_\_\_\_\_ (attach copies of decisions)
- ◆ IF YES, provide date of decision and action taken:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

◆ **ATTACHMENTS:** (place ✓ beside each)

- \_\_\_\_\_ Prior Decisions of Board Re: Property (if applicable)
- \_\_\_\_\_ Letter of Denial & Copies of All Correspondence (if applicable)

◆ **APPLICANT HAS ATTACHED THE FOLLOWING:** (place ✓ beside each)

- \_\_\_\_\_ Copy of Deed/Transfer Certificate of Title
- \_\_\_\_\_ Copy of Plot Plan or Survey & Proposed Building Plans
- \_\_\_\_\_ Pictures of Building (views of front, rear, left side & right side)
- \_\_\_\_\_ Copy of P&S Agreement (if applicable)
- \_\_\_\_\_ Certified List of Abutters (from Assessor's Office)
- \_\_\_\_\_ Filing Fee

◆ **APPLICATION INCLUDES:** (place ✓ beside each)

- \_\_\_\_\_ Signature (page 2)
- \_\_\_\_\_ Zoning District (page 1)
- \_\_\_\_\_ Assessor's Information (page 1)
- \_\_\_\_\_ Phone Number (page 1)
- \_\_\_\_\_ Title Reference (page 1)
- \_\_\_\_\_ Description of Relief Sought (page 2)
- \_\_\_\_\_ Special Permit Questionnaire or Variance Questionnaire (page 3 or page 4)
- \_\_\_\_\_ Answers to All Other Questions on Application

**\*\*BUILDING COMMISSIONER'S CERTIFICATION\*\***

I have reviewed this Application and, based on its contents and the information available in the Building Department's files on this date, certify that it is complete in all respects.

Date: \_\_\_\_\_

\_\_\_\_\_  
Building Commissioner, Town of Hull



# Town of Hull

**BUILDING DEPARTMENT**  
TEL: (781) 925-1330  
FAX: (781) 925-2228

**253 ATLANTIC AVE**  
HULL, MASSACHUSETTS 02045

September 27, 2023

David Arrowsmith- Capital Construction  
354 Turnpike Street  
Canton, MA 02021

Anne Butterworth  
111 Bay Street  
Hull, MA 02045

Re: 111 Bay Street

Dear Mr. Arrowsmith;

I am in receipt of your building permit application dated March 2, 2023 and Certified Site Plan Submitted on September 27, 2023 which you propose to perform the following work:

**“Building New Deck on Back of the Home”**

After having reviewed said application I have determined that this would be in violation of the Town's Zoning by-law(s).

**Article VI Section 410-6.2 Non-Conforming Uses** paragraph 61-2.  
The proposed addition requires a special permit from the Zoning Board of Appeals.

**Existing and proposed side set backs are less than the 10' required, existing and proposed lot coverage is more than allowed.**

Therefore, you are required to file all necessary applications for a public hearing and appeal with the Hull Zoning Board of Appeals, pursuant to MGL Chapter 40-A.

Any questions regarding this matter may be directed to this department.

Very Truly Yours,

Bartley Kelly,  
Building Commissioner

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## **HOW TO PUT PACKETS TOGETHER**

**ZBA PACKET 1 – Include everything listed under #5 along with 4 sets of plans**

**BUILDING PACKET 2 – Include everything listed under #5 except the labels and plans**

**TOWN CLERK PACKET 3 – Include everything listed under #5 except the labels – include one set of plans**

**Once complete, ALL packets can be delivered to the Town Clerk. The Clerk will stamp the packets as received and distribute accordingly.**

---

## **HEARING PROCESS**

**The process will then begin. The Administrative staff will advertise the Public Hearing for two consecutive weeks prior to your hearing. A copy of the Public Hearing notice will be sent to all abutters notifying them of the hearing.**

**At your hearing, the ZBA may approve, deny, or continue your hearing. If approved, a decision is written by a member of the ZBA. Once the Board signs the decision, it is then filed with the Town Clerk. There is a 20 day waiting period to allow abutters to appeal the decision. After the 20 day waiting period, bring your original decision to the Town Clerk and have it stamped that there have been no appeals made. The decision then must be recorded with the Plymouth County Registry of Deeds.**

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Property Address: 111 Bay Street, Hull, Massachusetts 02045

\*\*\* Electronic Recording \*\*\*  
Doc#: 00056537  
Bk: 53003 Pg: 290 Page: 1 of 2  
Recorded: 06/30/2020 02:58 PM  
ATTEST: John R. Buckley, Jr. Register  
Plymouth County Registry of Deeds

\*\*\*\*\*  
MASSACHUSETTS EXCISE TAX  
Plymouth District ROD #11 001  
Date: 06/30/2020 02:58 PM  
Ctrl# 135695 06155  
Fee: \$2,029.20 Cons: \$445,000.00  
\*\*\*\*\*

**QUITCLAIM DEED**

I, **Alexander O. Viteri**, an unmarried individual, of 111 Bay Street, Hull, Plymouth County, Massachusetts 02045, for consideration paid and in full of **Four Hundred Forty-Five Thousand and 00/100 Dollars (\$445,000.00)**, grant to **Christian R. Butterworth and Anne M. Butterworth**, husband and wife, as tenants by the entirety, of 111 Bay Street, Hull, Plymouth County, Massachusetts 02045,

with **QUITCLAIM COVENANTS**,

the land with the buildings thereon in Hull, Plymouth County, Massachusetts, being:

a certain parcel of land with the building thereon, identified as Parcel A, 111 Bay Street, as shown on a certain plan entitled "Consolidation and ANR Plan, 111-115 Bay Street, Hull, Massachusetts," prepared for Richard Mathisen, 111 Bay Street, Hull, MA 02045, Nantasket Survey Engineering, LLC, dated March 30, 2005", which plan was filed with the Plymouth Registry of Deeds on September 15, 2005, as Plan No. 05-801, and to which plan reference is made for a more particular description.

I, Alexander O. Viteri, do hereby release any and all homestead rights that I have in the property located at 111 Bay Street, Hull, Plymouth County, Massachusetts 02045, and further state that there is no other person who can claim the benefit of a homestead in the property.

For my title, see deed dated April 7, 2006 to Alexander O. Viteri recorded with the Plymouth County Registry of Deeds in Book 32488, Page 249.

*[Signature and notary page follows]*

**RETURN TO:**

DEED  
111 Bay Street, Hull, Massachusetts 02045  
Page 2


EXECUTED as a sealed instrument this 29<sup>th</sup> day of June 2020.

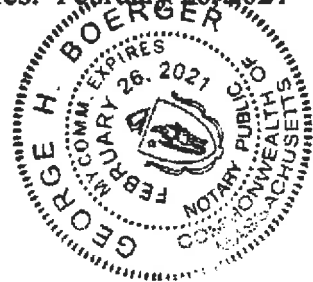
  
\_\_\_\_\_  
**Alexander O. Viteri**

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss

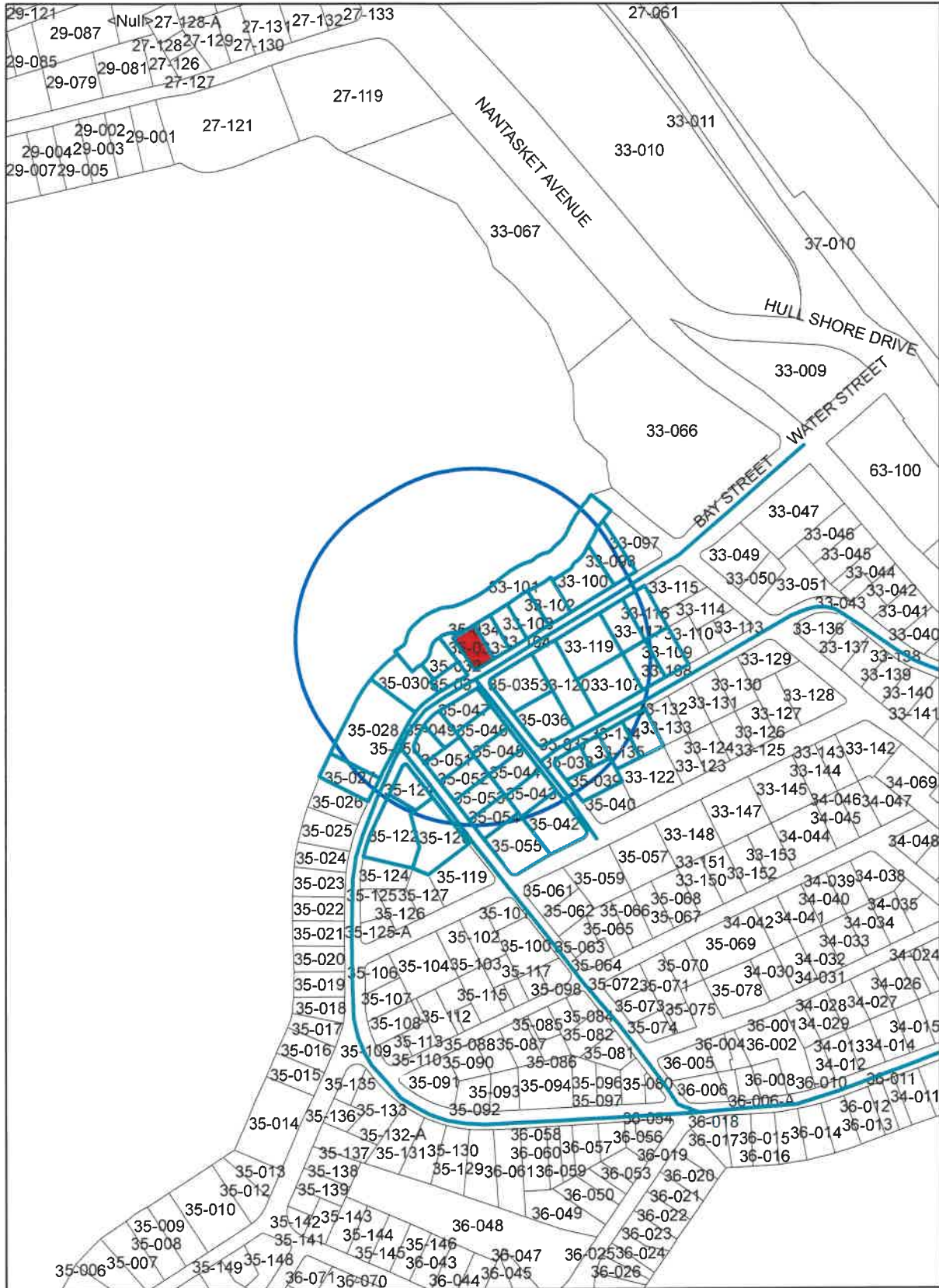
On this 29<sup>th</sup> day of June 2020, before me, the undersigned notary public, personally appeared **Alexander O. Viteri**, proved to me though satisfactory evidence of identification, which was a Massachusetts driver's license, to be the person whose name is signed on the preceding or attached document and acknowledged to me that he signed it voluntarily for its stated purpose.

  
\_\_\_\_\_  
George H. Boerger, Notary Public  
My commission expires: February 26, 2021



# 111 BAY ST 300 FT

## DECEMBER 27, 2023



For assessment purposes only: not to be used in legal boundary descriptions



3 ISLAND VIEW RD HULL, MA 02045 LUC: 996 3 ISLAND VIEW ROAD CONDO ASSN 3 ISLAND VIEW ROAD HULL, MA 02045-0000	35-042	99 BAY STREET HULL, MA 02045 LUC: 101 CARR ROBERT PARKES DAVID 18 LEE STREET CAMBRIDGE, MA 02139-0000	35-027	106 BAY STREET HULL, MA 02045 LUC: 101 KERSEY GARY L JR KERSEY ASHLEY G 106 BAY ST HULL, MA 02045-0000	35-050
103 BAY STREET HULL, MA 02045 LUC: 101 ABBOTT BELINDA E ABBOTT PAUL 712 CASILLO STREET SANTA BARBARA, CA 93101-0000	35-028	126 BAY STREET HULL, MA 02045 LUC: 101 CORBETT DEBORAA SLINEY RICHARD H 12 PONKAPOAG WAY CANTON, MA 02021-0000	33-116	2 SAGAMORE TERRACE HULL, MA 02045 LUC: 101 KOHN MARK & PATRICIA 2 SAGAMORE TERRACE HULL, MA 02045-0000	35-038
7 ISLAND VIEW RD HULL, MA 02045 LUC: 109 ALFANO NORA BEAUMIER SARAH B & DEREK J 7 ISLAND VIEW RD HULL, MA 02045-0000	35-044	109 BAY STREET HULL, MA 02045 LUC: 101 COX MICHAEL D & SUSAN B TRS COX IRREV TR 15 SHOAL WATER RD SCITUATE, MA 02066-0000	35-031	124 BAY STREET HULL, MA 02045 LUC: 101 LANCASTER CANDICE M & NICHOLAUS R 124 BAY STREET HULL, MA 02045-0000	33-117
11 SAGAMORE TERRACE HULL, MA 02045 LUC: 101 BARKAS PARASKEVAS G & PHYLLIS LIFE 11 SAGAMORE TERR HULL, MA 02045-0000	33-108	19 ISLAND VIEW RD HULL, MA 02045 LUC: 101 CULLEN JOHN B JR CULLEN JUDITH A 19 ISLAND VIEW RD HULL, MA 02045-0000	35-032	108 BAY STREET HULL, MA 02045 LUC: 101 LEBLANC KAREN A MICKIEWICZ LISA 28 SEA ST EVERETT, MA 02149-0000	35-049
121 BAY STREET HULL, MA 02045 LUC: 105 BERGSTROM BEATRICE I TRS BERGS TROM 1484 MAMMOTH RD DRACUT, MA 01826-1123	33-100	13 SAGAMORE TERRACE HULL, MA 02045 LUC: 101 EDWARDS CHRISTOPHER 13 SAGAMORE TERRACE HULL, MA 02045-0000	33-109	BAY STREET HULL, MA 02045 LUC: 132 LEONARD JOHN P C/O THOMAS J LEONARD 61 BROAD REACH T23 WEYMOUTH, MA 02191-0000	33-101
10 SAGAMORE TERRACE HULL, MA 02045 LUC: 101 BOBE & ASSOCIATES LLC 11 PLANTERS FIELD LN HINGHAM, MA 02043-0000	33-134	4 ISLAND VIEW RD HULL, MA 02045 LUC: 101 ERTMANN JOHN & KAREN 25 FAIRWAY LN MEDWAY, MA 02053-0000	35-039	104 BAY STREET HULL, MA 02045 LUC: 101 LICHTENBERGER PAUL V 104 BAY STREET HULL, MA 02045-0000	35-121
22 FAIRMOUNT WAY HULL, MA 02045 LUC: 101 BOPP SANDRA L LIFE ESTATE BOPP THOMAS E JR TRS 22 FAIRMOUNT WAY HULL, MA 02045	35-055	30 FAIRMOUNT WAY HULL, MA 02045 LUC: 101 ETHIER REID 30 FAIRMOUNT WAY HULL, MA 02045-0000	35-051	9 SAGAMORE TERRACE HULL, MA 02045 LUC: 101 LOCCISANO FRANK & ROSA TRS LOC CISA FAMILY TRUST 9 SAGAMORE TERRACE HULL, MA 02045-0000	33-107
118 BAY STREET HULL, MA 02045 LUC: 101 BROWN JENNIFER & GORANSON SUSAN E TRS GORANSON-BROWN TRUST 118 BAY STREET HULL, MA 02045-0000	33-120	10 ISLAND VIEW RD HULL, MA 02045 LUC: 101 FARKES JOSHUA & CARLA 10 ISLAND VIEW RD HULL, MA 02045-0000	35-036	125 BAY STREET HULL, MA 02045 LUC: 109 MAHONEY JOSEPH TYLER STANTON 37 CRESCENT AVE BOSTON, MA 02125-0000	33-098
ISLAND VIEW RD HULL, MA 02045 LUC: 130 BROWN JENNIFER & GORANSON SUSAN E TRS GORANSON-BROWN TRUST 118 BAY ST HULL, MA 02045-0000	35-035	98 BAY STREET HULL, MA 02045 LUC: 104 HBM LLC C/O MICHAEL F LYONS SR 293 NANTASKET AVE HULL, MA 02045-0000	35-122	24 FAIRMOUNT WAY HULL, MA 02045 LUC: 101 MCCABE EDWARD P TRS SCHIFFHAUER MARTHA A TRS 24 FAIRMOUNT WAY HULL, MA 02045-0000	35-054
111 BAY STREET HULL, MA 02045 LUC: 101 BUTTERWORTH CHRISTIAN R. BUTTERWORTH ANNE M 24 MATTHEW DR SALEM, NH 03079-0000	35-033	5 ISLAND VIEW RD HULL, MA 02045 LUC: 101 HUFFMAN KELLY S 5 ISLAND VIEW RD HULL, MA 02045-0000	35-043	113 BAY STREET HULL, MA 02045 LUC: 101 MEZZETTI PETER MEZZETTI MARY CURTIN 113 BAY STREET HULL, MA 02045-0000	35-034

*duplicate  
address*

*owners*

3 ISLAND VIEW RD HULL, MA 02045 35-042-1  
LUC: 102  
MULLIN JANET T  
3 ISLAND VIEW ROAD #1  
HULL, MA 02045-0000

115 BAY STREET HULL, MA 02045 33-104  
LUC: 101  
SMITH KEVIN  
115 BAY ST  
HULL, MA 02045-0000

11 ISLAND VIEW RD HULL, MA 02045 35-046  
LUC: 101  
NUGENT HARRIET & PETER  
11 ISLAND VIEW RD  
HULL, MA 02045-0000

28 FAIRMOUNT WAY HULL, MA 02045 35-052  
LUC: 101  
SPEYER CARLY B TRS  
DAVIS AARON M TRS  
28 FAIRMOUNT WAY  
HULL, MA 02045-0000

15 ISLAND VIEW RD HULL, MA 02045 35-047  
LUC: 101  
NUGENT HARRIET L & PETER F  
11 ISLAND VIEW RD  
HULL, MA 02045-0000

23 FAIRMOUNT WAY HULL, MA 02045 35-120  
LUC: 101  
SULLIVAN JOSEPHINE LIFE EST  
SULLIVAN MICHAEL TRS  
23 FAIRMOUNT WAY  
HULL, MA 02045-0000

117 BAY STREET HULL, MA 02045 33-103  
LUC: 101  
ORBACH PETER C.  
400 WASHINGTON STREET  
QUINCY, MA 02169-0000

105 BAY STREET HULL, MA 02045 35-030  
LUC: 101  
ZIZZA JOSEPH JR  
19 DAVIS LN  
READING, MA 01867-0000

119 BAY STREET HULL, MA 02045 33-102  
LUC: 101  
PADDEN MARGARET A  
119 BAY ST  
HULL, MA 02045-0000

120 BAY STREET HULL, MA 02045 33-119  
LUC: 101  
PATEL DIPUL K & SANDRA LEE L  
120 BAY STREET  
HULL, MA 02045-0000

26 FAIRMOUNT WAY HULL, MA 02045 35-053  
LUC: 104  
PIKOULAS THANACE  
26 FAIRMOUNT WAY #2  
HULL, MA 02045-0000

9 ISLAND VIEW RD HULL, MA 02045 35-045  
LUC: 101  
ROSEBERRY SCOTT D  
9 ISLAND VIEW RD  
HULL, MA 02045-0000

3 ISLAND VIEW RD HULL, MA 02045 35-042-3  
LUC: 102  
SCHLEIFF JAYNE E  
PERRY KRISTIN M  
3 ISLAND VIEW RD #3  
HULL, MA 02045-0000

3 ISLAND VIEW RD HULL, MA 02045 35-042-2  
LUC: 102  
SCHMUCK MARCY A & PETER M  
3 ISLAND VIEW RD UNIT #2  
HULL, MA 02045-0000



