



# Town of Hull

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**BUILDING DEPARTMENT**

TEL: (781) 925-1330

FAX: (781) 925-2228

**253 ATLANTIC AVE****HULL, MASSACHUSETTS 02045**

April 7, 2020

Philip & Constance Thomas  
1045 Nantasket Ave  
Hull, Ma 02045

Re: 1045 Nantasket Ave

Dear Mr. Thomas;

I am in receipt of your building permit application dated April 7, 2020 on which you propose to perform the following work:

**“Remove inside spiral staircase that connects first floor to second floor, make two individual apartments to change existing single family to two family”**

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

Section 61, Non-Conforming Uses, paragraph 61-2, sub para f, Pre-Existing Structures.  
The proposed addition requires a special permit from the Zoning Board of Appeals.

Existing house is in a single family A zone and a two family is not allowed, this requires a variance from the Zoning Board of Appeals.

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.

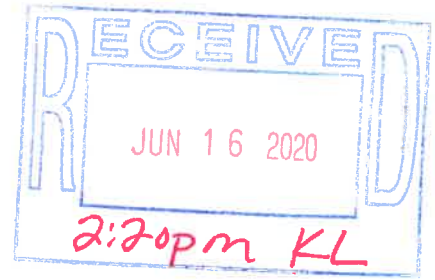
Very Truly Yours,

Bartley Kelly,  
Building Commissioner





**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 reverse for instructions  
(Revised MAY 2016))

1. **Address of Property:** 1045 NANTASKET AVE.  
**Zoning District:** SINGLE FAMILY A ZONE  
**Assessor's Map No.:** 8 **Assessor's Parcel No.:** 08-020  
**Title Reference (Attach Copy of Deed or Transfer Certificate of Title):**  
**Book:** 15422, **Page** 143 **Certificate of Title No:** \_\_\_\_\_  
 (Plymouth County Registry of Deeds) (Plymouth County Registry District of the Land Court)

2. **Applicant:**

<b>Name:</b> <u>PHILLIP C. THOMAS</u>	<b>Name:</b> <u>CONSTANCE M. THOMAS</u>
<b>Address:</b> <u>1033 NANTASKET AVE</u>	<b>Address:</b> <u>1033 NANTASKET AVE</u>
<b>Address:</b> <u>HULL, MA</u>	<b>Address:</b> <u>HULL, MA</u>
<b>Phone:</b> <u>781-925-9370 / 617-851-2448</u>	<b>Phone:</b> <u>781-925-9370 / 617-851-2468</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>Phone:</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 (**5 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

6. Reason for petition/application:

☐ Special Permit

☒ Variance

☐ Appeal Decision of Bldg. Comm.

-----> Hull By-Law §: \_\_\_\_\_

-----> Hull By-Law §: 61-2

-----> Hull By-Law §: \_\_\_\_\_

7. Describe why you seek a Special Permit, Variance or Other Relief: IN 1995, WE BOUGHT THE HOUSE AT 1045 NANTASKET AVE. WE HAD IT RAISED AND RENOVATED FOR OUR SOON TO BE MARRIED SON AND DAUGHTER SINCE 1996 TO 2018, THE TWO FLOORS HAVE BEEN RENTED BY MEMBERS OF OUR FAMILY, THEN RELATED MEMBERS OF ONE OTHER FAMILY. THE TWO FLOORS BEING CONNECTED BY A SPIRAL STAIRCASE. AT THIS TIME, WE FIND FINANCIALLY, IT IS NECESSARY TO BE ABLE TO RENT EACH FLOOR INDEPENDENTLY. WE RESPECTFULLY ASK YOU TO APPROVE THE VARIANCE TO CHANGE 1045 TO A 2-FAMILY HOME FROM A SINGLE FAMILY HOME AND ENABLE US TO DISMANTLE THE SPIRAL STAIRCASE, REPLACING THE CEILING ON THE FIRST FLOOR (Use Additional Sheets as Necessary) AND ADDING FLOORING ON THE 2ND.

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

N/A

Signed under the pains and penalties of perjury, this 16<sup>TH</sup> day of JUNE, 2020

Shelly Thomas  
(Applicant or Attorney)

Constance Thomas  
(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.

### 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: IT WOULD BE THE SAME. APPROXIMATELY THE SAME AMOUNT OF PEOPLE. A SINGLE PERSON OR A COUPLE ON EACH FLOOR, THEY WOULD BE SCREENED. THIS IS A QUIET NEIGHBORHOOD AND WE WANT TO KEEP IT THAT WAY.
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): NOTHING WOULD BE DONE TO THE INSIDE OR THE OUTSIDE OF THE HOUSE TO VISUALLY OR ANY OTHER MANNER IMPACT THE NEIGHBORHOOD. IT WOULD NOT BE ANY DIFFERENT.
3. Describe how the proposed change to your property would potentially affect the character of your zoning district: IT WOULD NOT AFFECT THE CHARACTER OF THE ZONING DISTRICT AT ALL, THERE IS ALREADY AN ESTABLISHED MULTI-FAMILY IN THE AREA AND THERE IS ALSO A BED AND BREAKFAST.
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 ONLY CHANGE WOULD BE THE REMOVAL OF THE SPIRAL STAIRCASE. APPROXIMATELY THE SAME AMOUNT OF PEOPLE FROM 2 UNRELATED FAMILIES. IT WOULD NOT BE DETRIMENTAL.
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: IT WOULD NOT AFFECT PARKING OR TRAFFIC. THERE IS A DRIVEWAY THAT COULD FIT 4 CARS AND 4 CARS CAN FIT ALONG THE FRONT OF THE HOUSE.

## 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):

NOTHING IS UNIQUE, IT DOES NOT STAND OUT

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:

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 name of the property is \_\_\_\_\_

• 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:

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- 4 Describe how your property can still comply with the purpose and intent of the Hull Zoning By-Law if your variance is allowed: WE HAVE LIVED IN THIS NEIGHBORHOOD FOR 48 YEARS AT 1033 NANTUCKET AVE. WE CAN SEE 1045 FROM OUR WINDOW AND WE ARE ABLE TO CHECK THE HOUSE ON A DAILY BASIS. WE KNOW AND RESPECT OUR NEIGHBORS AND WOULD NOT ALLOW 1045 TO DISRUPT OR OFFEND OUR NEIGHBORS IN ANY WAY.

**TO BE COMPLETED BY BUILDING COMMISSIONER:**

- ◆ Date Building Permit Requested: April 7, 2020 (if applicable)
- ◆ Date Building Permit Denied: April 7, 2020 (attach letter of denial)
- ◆ Any prior appeals on this property: YES \_\_\_\_\_ NO X (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: 6/30/20

Bert Kelly  
Building Commissioner, Town of Hull



Received & Recorded  
PLYMOUTH COUNTY  
REGISTRY OF DEEDS  
25 AUG 1997 09:44AM  
JOHN D. RIORDAN  
REGISTER  
Bk 15422 Pg 143

## QUITCLAIM DEED

We, PHILLIP C. THOMAS, CONSTANCE M. THOMAS and ANDREW G. THOMAS, all of Hull, Plymouth County, Massachusetts.

for consideration paid, and in full consideration of ONE (\$1.00) DOLLAR and other valuable consideration,

grants to PHILLIP C. THOMAS and CONSTANCE M. THOMAS, husband and wife as Tenants by the Entirety,

of 1033 Nantasket Avenue, Hull, Plymouth County, Massachusetts

## WITH QUITCLAIM COVENANTS

all my right, title and interest in and to

the land with the residential building thereon known as and numbered 1045 Nantasket Avenue, Hull, Massachusetts, situated on the southerly side of Nantasket Avenue, including such licenses and rights to the shore and flats adjoining, if any, being lots numbered 111, 112, and 113 on Plan of Land entitled "Plan of Lots at Stony Beach and Point Allerton" dated 1889, by C.H. Paine, Surveyor, and "Plan No. 2 Lots at Stony Beach and Point Allerton" by said C.H. Paine, Surveyor, recorded with Plymouth County Deeds Volume 1 of Plan, Page 130.

Subject to real estate taxes for current and following fiscal years which are a lien not yet due and payable, which the grantees assume and agree to pay.

For title see Plymouth Deeds Book 13844, Page 233.

The premises are known as and numbered 1045 Nantasket Avenue, Hull, Massachusetts 02045.

WITNESS our hands and seals this 23<sup>rd</sup> day of August, 1997.

  
PHILLIP C. THOMAS

  
CONSTANCE M. THOMAS


  
ANDREW G. THOMAS

## COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss.

August 23, 1997

Then personally appeared the above-named PHILLIP C. THOMAS, CONSTANCE M. THOMAS and ANDREW G. THOMAS, and acknowledged the foregoing instrument to be their free act and deed, before me

  
Sheila K. Carney, Notary  
My Commission expires: 11/2/2001

*Mail*  
CONSTANCE THOMAS  
1033 NANTASKET AVE.  
HULL, MA 02045

← END OF INSTRUMENT →

19/95 TUE 10:35 FAX 817 925 9922

KELLEM &amp; KELLEM

Received & Recd  
PLYMOUTH COUNT  
REGISTRY OF DEEDS  
22 SEP 1995 10:  
JOHN D. RIORDA  
REGISTER  
Bk 13844 Pg 23

## QUITCLAIM DEED

We, John A. Boudreau, Jr. and Marthajane L. Boudreau, Trustees of Jac-Mar Realty Trust u/d/t dated June 18, 1974 and recorded with Plymouth County Registry of Deeds in Book 5400, Page 255, of Waltham, Middlesex South County, Commonwealth of Massachusetts,

in and for consideration of One Hundred Twenty Thousand and 00/100 (\$120,000.00) Dollars,

grant to Phillip C. Thomas, Constance M. Thomas, and Andrew G. Thomas as joint tenants

with quitclaim covenants,

the following described real property:

The land with the residential building thereon known as and numbered 1045 Nantasket Avenue, Hull, Massachusetts, situated on the southerly side of Nantasket Avenue, including such licenses and rights to the shore and flats adjoining, if any, being lots numbered 111, 112 and 113 on Plan of Land entitled "Plan of Lots at Stony Beach and Point Allerton" dated 1889, by C.H. Paine, Surveyor, and "Plan No. 2 Lots at Stony Beach and Point Allerton" by said C.H. Paine, Surveyor, recorded with Plymouth County Deeds Volume 1 of Plans, Page 130.

Subject to real estate taxes for current and following fiscal years which are a lien not yet due and payable, which the grantees assume and agree to pay.

Being the same premises conveyed to the within named grantor(s) by deed of Joseph P. Duggan dated July 13, 1983 and recorded with Plymouth County Registry of Deeds, Book 5400, Page 255.

The street address of the grantee(s) and locus: 1045 Nantasket Avenue, Hull, Massachusetts 02045.

Executed as a sealed instrument this 21<sup>st</sup> day of September, 1995.

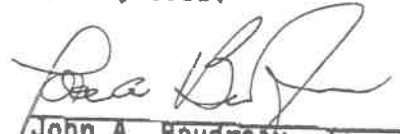
DEEDS REG 18  
PLYMOUTH

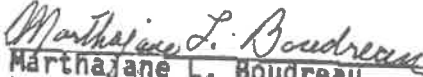
09/22/95

CANCELLED

TAX 547.20  
CHK 547.20

3230A000 09:48  
EXCISE TAX

  
John A. Boudreau, Jr.,  
Trustee of Jac-Mar Realty  
Trust

  
Marthajane L. Boudreau,  
Trustee of Jac-Mar Realty  
Trust





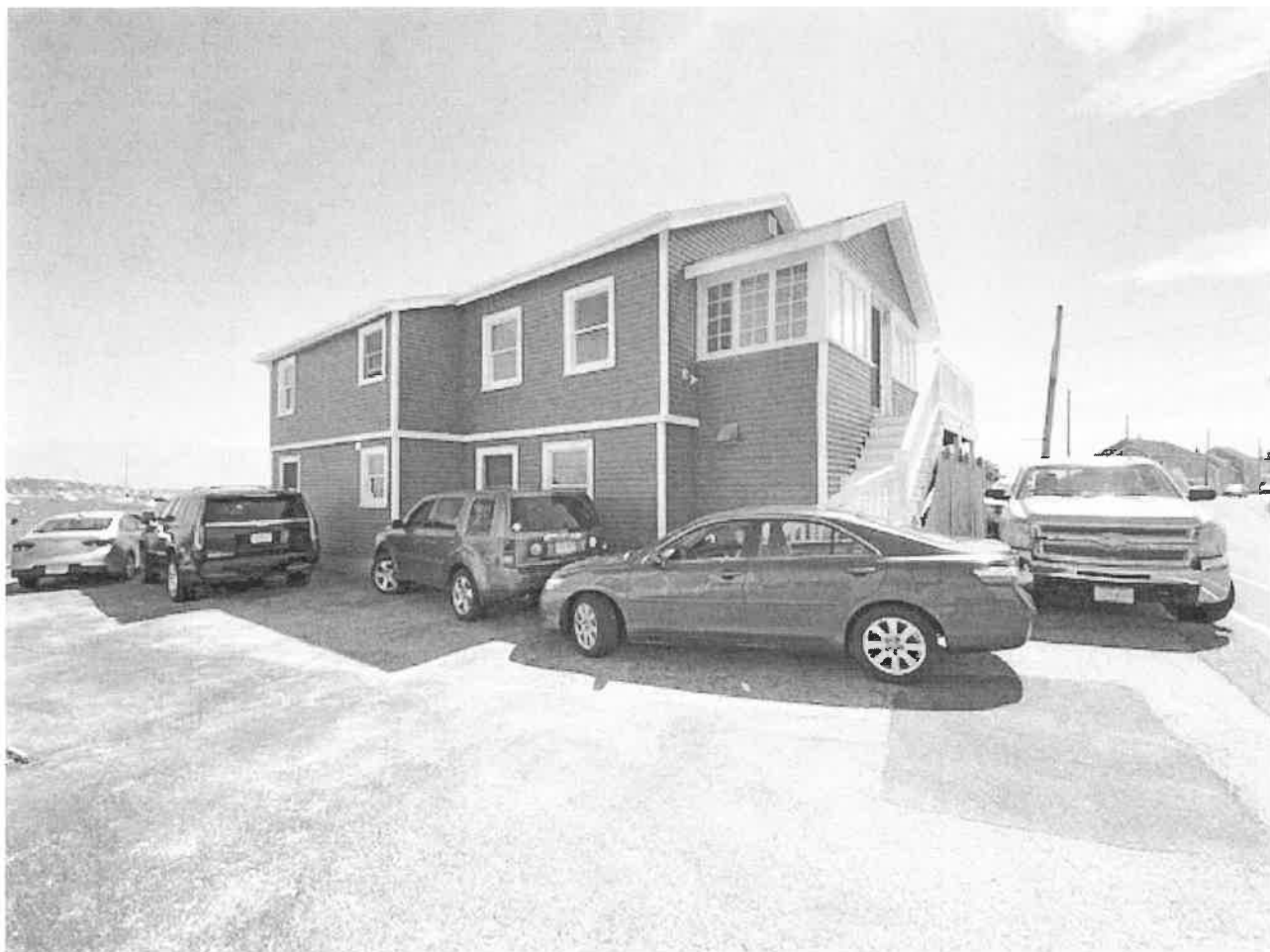










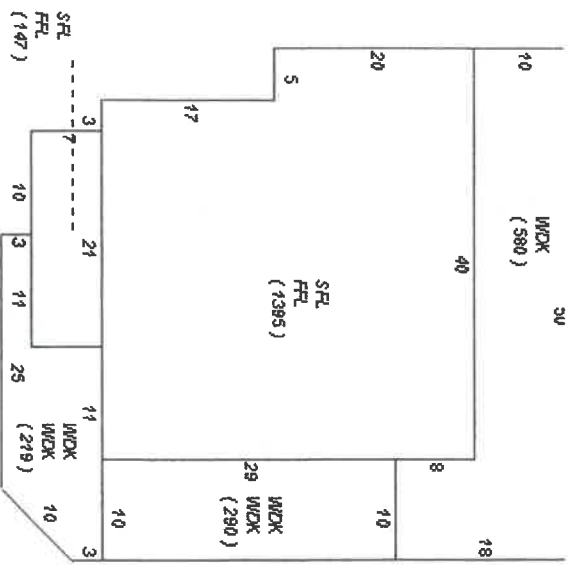






Sy Ht: 1 - ONE STORY	A Bath: Rating: 3.00
(L/v) Units: 1 Total: 1	3/4 Bath: Rating: 3.00
Foundation: 6 - SLAB	A 3QBth: Rating: 3.00
Frame: 1 - WOOD	1/2 Bath: Rating: 3.00
Prime Wall: 4 - VINYL	A HBth: Rating: 3.00
Sec Wall: %	Other Fk: Rating: 3.00
Roof Struct: 1 - GABLE	OTHER FEATURES
Roof Cover: 1 - ASPHALT SH	Kits: 1 Rating: GOOD
Color: BROWN	A Kits: Rating: 3.00
View / Desir: %	Frl: Rating: 3.00
GENERAL INFORMATION	WSFue: Rating: 3.00
Grade: C+ - AVG (+)	CONDO INFORMATION
Year Blt: 1900 Eff Yr Blt: %	Location: %
Alt LUC: %	Total Units: %
Jurisdct: %	Floor: %
Const Mod: %	% Own: %
Lump Sum Adj: %	Name: %

REMODELING	RES BREAKDOWN
Exterior: %	No Unit RMS BRS FL
Interior: %	1 8 4
Additions: %	
Kitchen: %	
Baths: %	
Plumbing: %	
Electric: %	
Heating: %	
General: %	
Totals	



INTERIOR INFORMATION	DEPRECIATION
Avg Ht/Fl: STD	Phys Cond: VG - Very Good 12. %
Prim Int Wall: 1 - DRYWALL	Functional: %
Sec Int Wall: %	Economic: %
Partition: T - TYPICAL	Special: %
Prim Floors: 4 - CARPET/LAMIN	Overide: %
Sec Floors: %	Total: 12.4 %

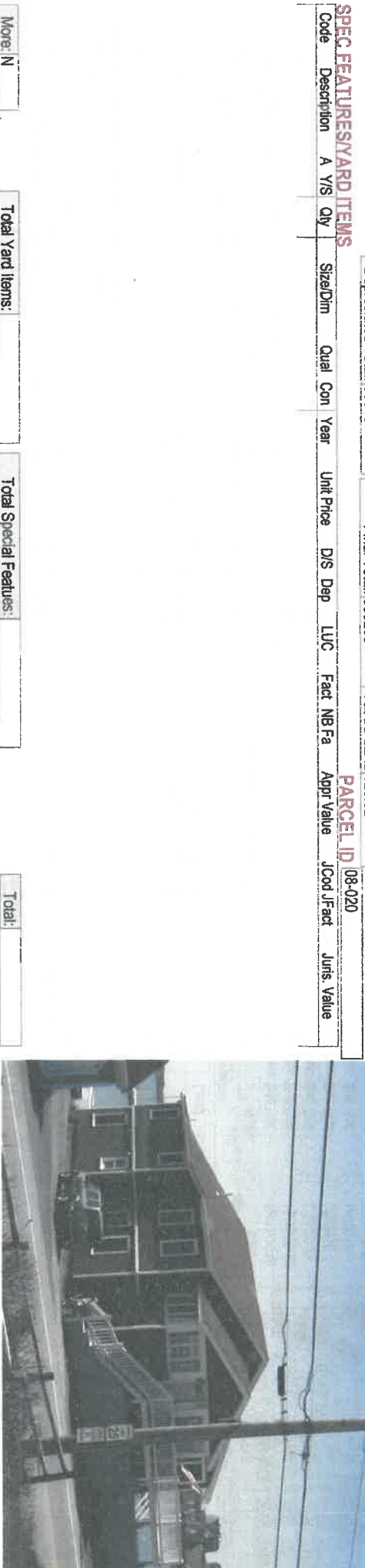
CALC SUMMARY	COMPARABLE SALES
Basic \$ / SQ: 135.00	Rate Parcel ID Typ Date Sale Price
Size Adj: 0.81673157	
Const Adj: 1.01999998	
Adj \$ / SQ: 112.464	
Other Features: 47500	
Grade Factor: 1.10	
Neighborhood Inf: 1.00000000	
LUC Factor: 1.00	
Adj Total: 445419	
Depreciation: 55232	
Depreciated Total: 390287	

SUB AREA	SUB AREA DETAIL
Code Description Area - SQ Rate - AV Under Value	Sub % Descr % #
WDK DECK 1.598 6.630 10.588	Area Usbl
FFL 1ST FLOOR 1.542 112.460 173.419	
SFL 2ND FLOOR 1.542 112.460 173.419	

Spec Features/Yard Items	SizeDim Qual Con Year Unit Price Dis Dep LUC Fact NB Fa Appr Value
Code Description A Y/S Qty	
Heat S/S: 1	% AC: %
% Heated: 100	Central Vac: NO
Solar HW: NO	% Sprinkled
% Con Wall	
Depreciated Total: 390287	

Parcel ID	Typ	Date	Sale Price
1	8	4	
WVA\$/SQ:	AvRate:	Ind Val	
Jur. Factor:	Before Dep:	123.71	
Special Features: 0	Val/Su Net:	83.34	
Final Total: 390200	Val/Su SzAd:	126.52	

Net Sketched Area: 4,682	Total: 357,426
Size Ad 3084 Gross Area 4682 FinArea 3084	
IMAGE	AssessPro Patriot Properties, Inc





**Town of Hull  
Assessors Office**

**LIST OF ABUTTERS TO....**  
Parcel No.: 08-020  
Owner: THOMAS PHILLIP C & CONSTANCE N  
Address: 1045 NANTASKET AVE

January 23, 2020  
4:13:20PM

Page 1

Abutter's Name	Parcel Location	Parcel No.	Book - Page	Mailing Address
BROMBERG CAROL A	1060 NANTASKET AVE	08-010	48898-257	BROMBERG CAROL A 54 SHERBURNE RD SOUTH LEXINGTON, MA 02421-0000
PLATKA ROBERT G	1058 NANTASKET AVE	08-011	36547-188	PLATKA ROBERT G 1058 NANTASKET AVE HULL, MA 02045-0000
HENSHON FAMILY LLP	1056 NANTASKET AVE	08-012	41380-246	HENSHON FAMILY LLP 14 TALL TIMBER DR WILBRAHAM, MA 01095-0000
HENSHON FAMILY LLP	0 NANTASKET AVE	08-013	41380-246	HENSHON FAMILY LLP 14 TALL TIMBER DR WILBRAHAM, MA 01095-0000
SMITH CHRISTIE A	1048 NANTASKET AVE	08-015	28990-75	SMITH CHRISTIE A 1048 NANTASKET AVE HULL, MA 02045-0000
WHITE JOHN S	1046 NANTASKET AVE	08-016	20012-3	WHITE JOHN S 1046 NANTASKET AVE HULL, MA 02045-0000
THOMAS PHILLIP C & CONSTANCE M	1033 NANTASKET AVE	08-017	4575-59	THOMAS PHILLIP C & CONSTANCE M 1033 NANTASKET AVE HULL, MA 02045-0000
SMYTH WILLIAM N TRS	1037 NANTASKET AVE	08-018	49068-81	SMYTH WILLIAM N TRS 1037 NANTASKET AVE HULL MA 02045-0000



Town of Hull

Assessors Office

Owner: THOMAS PHILLIP C & CONSTANCE N  
Address: 1045 NANTASKET AVE

4:13:20PM

Abutter's Name	Parcel Location	Parcel No. Book - Page	Mailing Address
SABLE LINDA G	1039 NANTASKET AVE	08-019 609-15	SABLE LINDA G 35 STOCKBRIDGE ST COHASSET, MA 02025
HULL TOWN OF	0 NANTASKET AVE	08-021	HULL TOWN OF
HAMILTON ELIZABETH V LIFE EST	1055 NANTASKET AVE	08-022 15835-147	HAMILTON ELIZABETH V LIFE EST 27 REYNEN COURT RIDGWOOD, NJ 07450-0000
BRADLEE ERIC & DEBRA A	1067 NANTASKET AVE	08-023 48124-250	BRADLEE ERIC & DEBRA A 1067 NANTASKET AVE HULL, MA 02045
MCDONAGH TOMAS J	1069 NANTASKET AVE	08-024 42287-321	MCDONAGH TOMAS J 1069 NANTASKET AVE HULL, MA 02045-0000
TOWN OF HULL	0 FITZPATRICK WAY	09-044	TOWN OF HULL 253 ATLANTIC AVE HULL, MA 02045-0000