



# Town of Hull

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**BUILDING DEPARTMENT**

TEL: (781) 925-1330

FAX: (781) 925-2228

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

June 4, 2020

William & Renate Devin  
140 Lamberts Lane  
Hingham, Ma 02044

Re: 46 Summit Ave

Dear Mr. &amp; Ms. Devin;

I am in receipt of your building permit application dated March 12, 2020 on which you propose to perform the following work:

**“Demo Existing Home & Detached Garage, Construction of New Home as Per Plans designed by Hoadley Martinez Architects Dated 3/6/20”**

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 (.9 feet) and proposed (4.0 feet) side setback is less than required and the existing (2.8 feet) and proposed (8.8 feet) rear set back is less than required.

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.

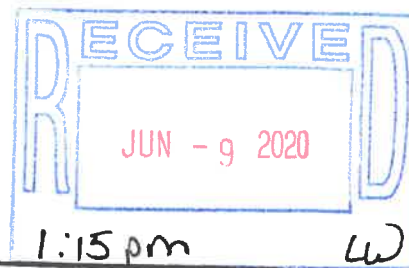
Very Truly Yours,

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 TRIPPLICATE  
(see reverse for instructions  
(Revised MAY 2016))**

1. **Address of Property:** 46 Summit Avenue Hull, MA 02045

**Zoning District:** B (Residential)

**Assessor's Map No.:** 54 **Assessor's Parcel No.:** 54-026

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

**Book:** 5131 **Page** 200 **Certificate of Title No:** \_\_\_\_\_  
(Plymouth County Registry of Deeds) (Plymouth County Registry District of the Land Court)

2. **Applicant:**

**Name:** Hoadley Martinez Architects Inc **Name:** \_\_\_\_\_

**Address:** 3 Stagecoach Way **Address:** \_\_\_\_\_

**Address:** Cohasset MA 02025 **Address:** \_\_\_\_\_

**Phone:** 781 383 0188 **Phone:** \_\_\_\_\_

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

**Name:** Renate Devin **Name:** William Devin

**Address:** 140 Lamberts Lane **Address:** 140 Lamberts Lane

**Address:** Cohasset MA 02025 **Address:** Cohasset MA 02025

**Phone:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

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
- ☐ Page 6: Bldg. Commissioner's Review and Certification

6. Reason for petition/application:

☒ Special Permit -----> Hull By-Law §: S61 P 61-2 sp f  
☐ Variance -----> Hull By-law §: \_\_\_\_\_  
☐ Appeal Decision of Bldg. Comm. -----> Hull By-Law §: \_\_\_\_\_

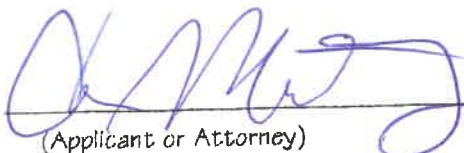
7. Describe why you seek a Special Permit, Variance or Other Relief:

With the position that the project offers no substantial detriment to the property of the neighborhood or Residential Zoning District B, the design proposes improvements to the property, working within the limits of an existing nonconformity. The project uses appropriate height, scale and mass to the fabric of the neighborhood using established existing neighborhood setbacks as guidelines. The Building Commissioner letter (Mr. Bartley Kelly 5/4/20) referring the project to the Zoning Board states that "The existing (.9 feet) and proposed (4.0) side setback is less than required and the existing (2.8 feet) and proposed (8.8 feet) rear setback is less than required." The project seeks ZBA relief from this technical nonconformity.

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

TBD  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed under the pains and penalties of perjury, this 5 day of June, 2020.

  
(Applicant or Attorney)

\_\_\_\_\_  
(Applicant or Attorney)

Corina Martinez, Managing Principal  
Registered Architect MASS LIC# 20567-AR

**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:

The project will fulfill the general intent of the bylaw by providing a replacement structure that uses existing nonconformity and the preexisting nonconforming setbacks of adjacent existing homes on Summit Avenue

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 position of massing will not eliminate water views from adjoining houses, and it will not create a substantially detrimental change to the fabric and massing context of the neighborhood. Dark sky approved lighting will be specified where possible. The neighborhood will be substantially improved by replacing the existing neglected structures.

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

The character of the Summit Avenue neighborhood will be benefitted by removal of neglected structures and by creating a landmark to frame the entry to the important public and neighborhood viewshed down Driftway Road toward Gunrock. The massing that is proposed is comparable in height, scale and mass to multiple structures in 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 design is located within well established nonconforming setbacks<sup>to</sup> of abutting homes and it retains the important buffer of open space on the west portion of the site. The effect of the property upon the privacy and use of the north abuttor will be improved over its present condition by by addition of a landscape buffer. Finally, the removal of the neglected structures will benefit the fabric of the neighborhood.

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:

Moving traffic will not be affected as the curb cut remains the same. Traffic and spill-over parking will be reduced as the occupancy of the structure transitions from multi-tenant to single-family use and a garage that is more accessible will enable cars to be stored indoors.

## 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):

N/A

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    X no

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

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

N/A

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:

N/A

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

N/A

46 Summit

**TO BE COMPLETED BY BUILDING COMMISSIONER:**

- ◆ Date Building Permit Requested: March 12, 2020 (if applicable)
- ◆ Date Building Permit Denied: June 4, 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:

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

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

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

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

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

- X Signature (page 2)
- X Zoning District (page 1)
- X Assessor's Information (page 1)
- X Phone Number (page 1)
- X Title Reference (page 1)
- X Description of Relief Sought (page 2)
- X Special Permit Questionnaire or Variance Questionnaire (page 3 or page 4)
- X 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

Barth Kelly  
Building Commissioner, Town of Hull



**CANCELLED**

MASSACHUSETTS EXCISE TAX

Plymouth District ROD #11 001

Date: 12/20/2019 03:03 PM

Ctrl# 131363 26166 Doc# 00112677

Fee: \$4,012.80 Cons: \$880,000.00



2019 00112677

Bk: 52131 Pg: 200 Page: 1 of 2

Recorded: 12/20/2019 03:03 PM

ATTEST: John R. Buckley, Jr. Register  
Plymouth County Registry of Deeds

**MASSACHUSETTS QUITCLAIM DEED**

**I, Donna M. McCarthy**, Personal Representative of the Estate of Alphonsus E. McCarthy, Jr., Plymouth Probate and Family Court Docket No. PL15P1300EA, of 171 Atlantic Avenue, Hull, Plymouth County, MA

for consideration paid, and in full consideration of Eight Hundred Eighty Thousand Dollars (\$880,000.00)

grant to **William F. Devin, Jr. and Renate S. Devin**, of 140 Lamberts Lane, Cohasset, MA 02025, Husband and Wife as Tenants by the Entirety, the following described premises with quitclaim covenants:

A certain lot or parcel of land, with the buildings thereon, located on "Green Hill" in the town of Hull, County of Plymouth, and Commonwealth of Massachusetts, and bounded and described as follows:

Beginning at the south corner of said lot at a point two (2) feet west of the westerly line of a common way known as "Western Avenue" about fifty (50) feet north easterly from the north front of the stables on land now or formerly owned by Jesse R. Giles, Leonard Arnold, and E. Dexter Mush, and running thence

NORTHWESTERLY in a line at right angles with said Avenue, seventy (70) feet to land now or formerly of Reed, Thayer and Rosenfield; thence

NORTHEASTERLY by said land now or formerly of Reed, Thayer and Rosenfield, one hundred forty-four (144) feet to a twenty (20) foot passageway; thence

SOUTHEASTERLY in a line at right angles with said "Western Avenue" seventy (70) feet to a northeast corner of said lot; thence

SOUTHWESTERLY by a line parallel with said Avenue but two (2) feet distant westerly therefrom, one hundred forty-four (144) feet to the point of beginning.

This conveyance is made subject to the restrictions so far as now in force and applicable, and carries all of the privileged and rights named in a certain deed to Riley Peebles by Mary A. Whitney, recorded with Plymouth County Deeds, Book 450 Page 126, and is intended to convey the property named in said deed except a strip proposed to add to said public way.


Meaning and intending to describe and convey the same premises owned by said Grantor by virtue of deed to Frances M. O'Connor recorded December 13, 1976 at Book 4224 Page 556 of the Plymouth Registry of Deeds, and the Estate of Frances M. O'Connor, Plymouth Probate and Family Court Docket No. 134,460.

Property Address: 46 Summit Avenue, Hull, MA

The Grantors hereby release any and all rights, interests, or claims, that may exist under the Homestead Act and state under the pains and penalties of perjury that no other party occupying the property is otherwise entitled to an estate of homestead.

**PROPERTY ADDRESS: 46 Summit Avenue, Hull, MA**

Witness our hands and seal this 19 day of December 2019.


  
Donna M. McCarthy, Personal Representative

**COMMONWEALTH OF MASSACHUSETTS**

Plymouth, ss.

December 19, 2019

On the date shown above, before me, the undersigned notary public personally appeared the above named **Donna M. McCarthy, Personal Representative**, proved to me through satisfactory evidence of identification which was ( ) Driver(s) License or ( ) \_\_\_\_\_ to be the person (s) whose names is/are signed on the preceding or attached document and acknowledged to me that the same was signed voluntarily for its stated purpose, in the capacity shown, if any, ( ) if checked, was executed by the above individual in his or her above stated capacity as a duly authorized representative of the above-referenced entity(ies) and on behalf of said entity(ies), and that the same was signed as the free act and deed of the entity(ies) referenced above.

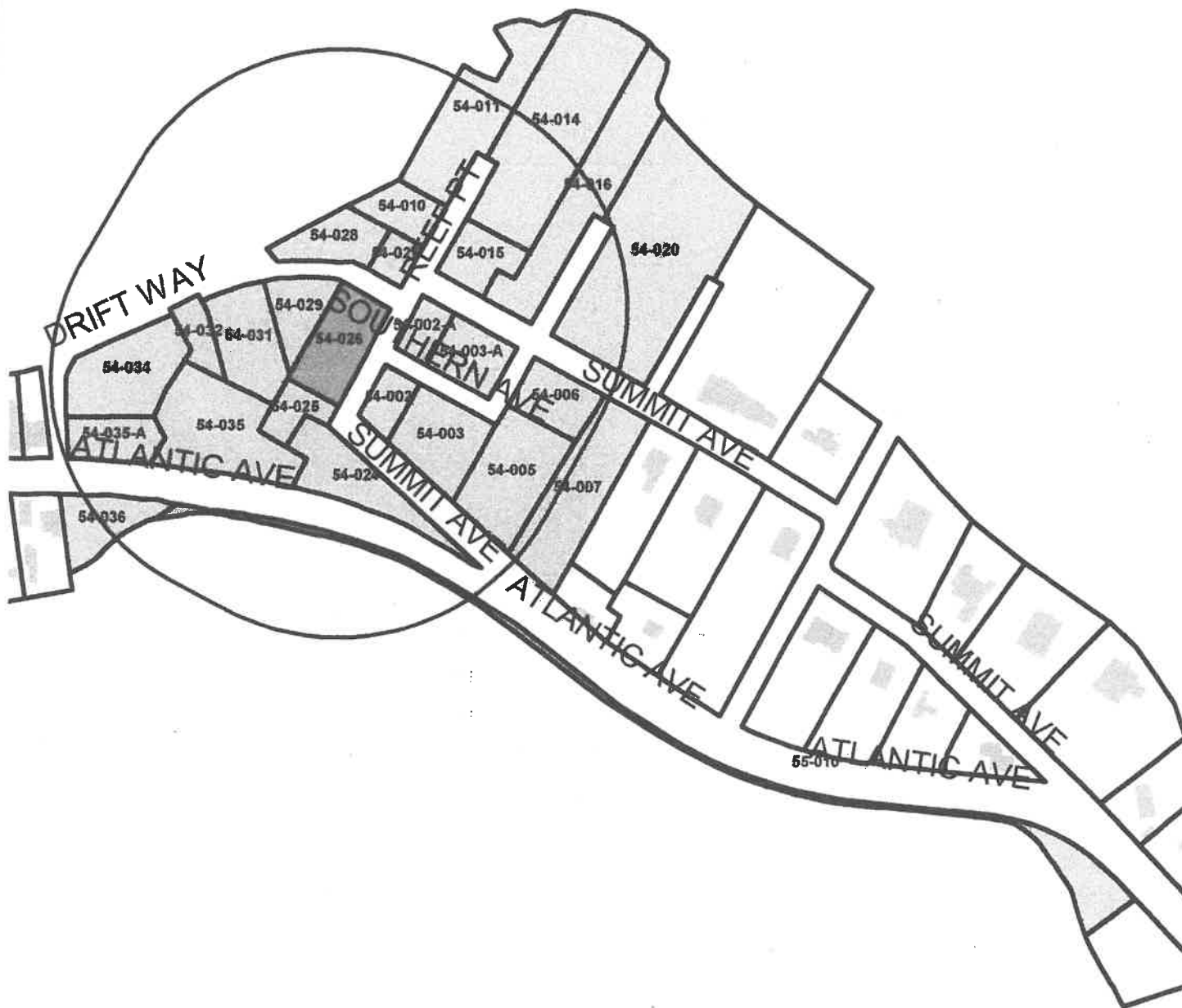


Notary Public:  
My Commission Expires:

9-7-23



**MARTIN C. WINSTEAD**  
Notary Public  
Commonwealth of Massachusetts  
My Commission expires on September 7, 2023

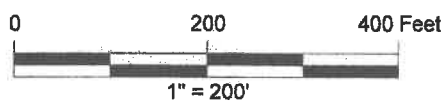


For assessment purposes only: not to be used in legal boundary descriptions.



Town of Hull  
Assessors Office  
253 Atlantic Avenue  
Hull, MA 02045  
781-925-2205

#### Abutters List Locus Map



June 01, 2020

Subject Parcel ID: 54-026  
Address: 46 SUMMIT AVE  
Radius: 300'

LEONARD FREDERICK & MARY-JO  
49 SUMMIT AVENUE  
HULL, MA 02045-0000

KENNY THERESA Z & ZARBA MARY  
26 REEF POINT  
HULL, MA 02045-0000

DRIFTWAY PLACE CONDOMINIUM  
6 DRIFT WAY  
HULL, MA 02046-0000

OBRIEN JOHN F & MARY C  
41 SUMMIT AVE  
HULL, MA 02045-0000

DEMPSEY DAVID & JOHN P TRS  
43 BRINGTON RD  
BROOKLINE, MA 02445-0000

GRECHKO ERIC & JANIS  
76 ATLANTIC AVE  
HULL, MA 02045

RODGERSON SUSAN TRS  
55 SUMMIT AVE  
HULL, MA 02045-0000

GREEN HILL CORPORATION  
17 SUMMIT AVE  
HULL, MA 02045

STROZEWSKI RAYMOND B & ELIZABETH  
78 ATLANTIC AVE.  
HULL, MA 02045-0000

KRAYSLER KATHRYN R  
39 SUMMIT AVE  
HULL, MA 02045-0000

THOMPSON JOANN  
50 SUMMIT AVE  
HULL, MA 02045-0000

ZIMMAN BARRY & JEFFREY S  
PO BOX 14456  
SAN FRANCISCO, CA 94114-0456

GLUTTING J. ANDREW TR 37A SUMMIT  
37A SUMMIT AVE  
HULL, MA 02045-0000

DALY BARBARA  
48 SUMMIT AVENUE  
HULL, MA 02045-0000

COHASSET CONSERV. TRUST INC.  
BOX 314  
COHASSET, MA 02025

KING JOHN M JR & ALICE M TRS  
25 SUMMIT AVE  
HULL, MA 02045-0000

MCAULIFFE REGINA P TRS  
5 GENERAL HENRY KNOX RD  
SOUTHBOROUGH, MA 01772-0000

DESMARAIS RICHARD M & SUSAN C  
33 SUMMIT AVENUE  
HULL, MA 02045-0000

NOBLE CRAIG D & CHRISTINA S  
19 DRIFTWAY  
HULL, MA 02045-0000

TEDESCHI MARY LOUISE, MCDERMOT  
8011 RAYFORD DR  
LOS ANGELES, CA 90045

BARRY LOIS & HENRY W TRS  
96 GLENELLEN RD  
WEST ROXBURY, MA 02132-0000

BERRY SCOTT B & MARIE M  
29 REEF PT  
HULL, MA 02045

IRISH DREAMS PROPERTIES LLC  
6607 LAKEHURST AVE  
DALLAS, TX 75230

DEVINE WILLIAM & MARIANNE  
32 REEF POINT  
HULL, MA 02045

ABBATE SHIRLEY M LIFE EST & AB  
25 SHEEHAN ST  
STOUGHTON, MA 02072

HULL

PROPERTY LOCATION

No	Alt No	Direction/Street/City
46		SUMMIT AVE, HULL

OWNERSHIP

Owner	Unit #
Owner 1: DEVIN WILLIAM F JR	
Owner 2: DEVIN RENATE S	
Owner 3:	

Street	Unit #
Street 1: 140 LAMBERTS LN	
Street 2:	

Twp/City	County	State
Twp/City: COHASSET		
State: MA		

Postcode	City	State
Postcode: 02025		

PREVIOUS OWNER

Owner	Unit #
Owner 1: MCCARTHY ALPHONSUS E.	
Owner 2:	

Street	Unit #
Street 1: 171 ATLANTIC AVE	
Street 2:	

Twp/City	County	State
Twp/City: HULL		
State: MA		

Postcode	City	State
Postcode: 02045-0000		

NARRATIVE DESCRIPTION

This Parcel contains 10,368 SQ FT of land mainly classified as 1 FAMILY with a(n) COL/OLD STYL Building Built about 1900, Having Primarily WOOD SHING Exterior and ASPHALT SH Roof Cover, with 1 Units, 1 Baths, 1 HalfBaths, 0 3/4 Baths, 8 Rooms Total, and 4 Bdrms.

OTHER ASSESSMENTS

Code	Description	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Description	%	Item	Code	Description
Z	SFB	SING FAM	100	U		
o				t		
n				f		
				Exempt		
				Census: 5001		
				Flood Haz: 1		
D				Topo		
s				Street		
t				Traffic		

LAND SECTION (First 7 lines only)

Use	Description	Code	No of Units	Price/Unit	Depth /
101	1 FAMILY		10368		

IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value	Legal Description	User Acct
101	265,100	7,900	10368.000	294,000	567,000	33 B GREEN HILL	54-026
							GIS Ref
							GIS Ref
							Ins Date
							08/25/19

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Blgd Value	Yrd Items	Land Size	Land Value	Total Value	Asses't Value	Notes	Date
2020	101	FV	265,100	7900	10,368	294,000	567,000	567,000	Year End Roll	12/17/2019
2019	101	NC	265,100	7900	10,368	294,000	567,000	567,000	Year End Roll	10/18/2019
2018	101	FV	248,000	7900	10,368	294,000	515,300	515,300	Year End Roll	1/15/2019
2017	101	FV	222,300	7900	10,368	259,400	489,600	489,600	Year End Roll	1/9/2018
2016	101	FV	205,200	7900	10,368	259,400	472,500	472,500	Year End Roll	1/5/2017
2015	101	FV	205,200	7900	10,368	259,400	472,500	472,500	Year End Roll	1/12/2016
2014	101	FV	205,200	8200	10,368	259,400	472,800	472,800	Year End Roll	1/8/2015
2013	101	FV	205,200	8200	10,368	224,800	438,200	438,200	Year end roll	1/8/2014

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Test	Verif	Assoc PCL Value	Notes
MCCARTHY ALPHON	52131-200		12/20/2019	COURT/ESTATE	880,000	No	No			
	4224-556		1/1/1900			No	No			

TAX DISTRICT

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Test	Verif	Assoc PCL Value	Notes
MCCARTHY ALPHON	52131-200		12/20/2019	COURT/ESTATE	880,000	No	No			
	4224-556		1/1/1900			No	No			

BUILDING PERMITS

Date	Number	Description	Amount	C/O	Last Visit	Fed Code	F. Descip	Comment

ACTIVITY INFORMATION

Date	Result	By	Name
8/25/2019	MEASURED	425	SCOT C
3/25/2003	MEASURED	294	DENNIS MATTE
4/30/1998	MEAS-INSPCTD	DMB	

Sign:

Date	Value	Alt	%	Spec	J	Fact	Use Value	Notes
294,005							294,000	

Total AC/HIA: 0.23802	Total SF/SM: 10368.00	Parcel LUC: 101	1 FAMILY	Prime NB Desc: WV OCN/ISLAN
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Disclaimer: This Information is believed to be correct but is subject to change and is not warranted. Database: AssessPro

Total: 294,005	Spl Credit	Total: 294,000
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mac



Patriot  
Properties Inc.

USER DEFINED

Prior Id #	1
Prior Id #	2
Prior Id #	3
Prior Id #	1
Prior Id #	2
Prior Id #	3
Prior Id #	1
Prior Id #	2
Prior Id #	3
ASR Map:	
Fact Dist:	
Reval Dist:	
Year:	
Land Reason:	
Blk Reason:	







**46 SUMMIT AVE  
EAST VIEW**



**46 SUMMIT AVE**  
**NORTH VIEW**





**46 SUMMIT AVE**  
**WEST VIEW**





**46 SUMMIT AVE**  
**SOUTH VIEW**