



**TOWN OF MAYNARD**  
**MASSACHUSETTS**  
**Office of the Town Clerk**

**PLANNING & ZONING BOARD**  
**CERTIFICATE OF NO APPEAL**

Petition No.           **ZB22-08**

Applicant:           **Matthew Stein**

Address:               7 Martin Street  
                             Maynard, MA 01754

Property address:   7 Martin Street  
                             Maynard, MA 01754

Parcel Number:       Map 13, Lot 67

I, Dianne M. Reardon, the Town Clerk of the Town of Maynard, Massachusetts hereby certify that the Decision of the **Maynard Zoning Board** for the **Petition # ZB22-08** outlined above has been received and recorded at this office on August 26, 2022, and no appeal was received and recorded at this office and no appeal was received during the twenty (20) days next after such receipt and recording of said notice.

Date: **September 16, 2022**

Attest: \_\_\_\_\_  
**Dianne M. Reardon**  
**Maynard Town Clerk**



**TOWN OF MAYNARD**  
**Zoning Board of Appeals**  
**Office of Municipal Services**

195 Main Street  
Maynard, MA 01754  
Tel 978-897-1302

[OMS@TownofMaynard.net](mailto:OMS@TownofMaynard.net) [www.townofmaynard-ma.gov](http://www.townofmaynard-ma.gov)

**RECEIVED**

**AUG 26 2022**

**Town Clerk's Office**  
**Maynard, MA 01754**

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**Findings and Decision**

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<b>Project Name:</b>	7 Martin Street
<b>Petition No:</b>	ZB 22-08
<b>Petition Type:</b>	Special Permit Request
<b>Property Owner/Applicant:</b>	Matthew Stein 7 Martin Street Maynard, MA 01754
<b>Map &amp; Lot #:</b>	Map 13, Lot 67
<b>Current Zoning:</b>	General Residence District 2 (GR)
<b>Lot Size:</b>	16,187 Square Feet
<b>Description of Request:</b>	Special Permit - extension of a non-conforming structure. The Special Permit allows the applicant to extend the existing nonconforming structure by approximately 1,550 square feet. The request will not exacerbate the existing nonconformity (insufficient front and eastside setbacks).

**I. Procedural History**

- a. Pursuant to Massachusetts General Law Chapter 40A, Section 10, an Application for a Special Permit per the ZBL was submitted by the above-referenced owner and filed with the Zoning Board of Appeals (ZBA) on July 18, 2022.
- b. A remote public hearing on the Application was opened and closed on August 22, 2022. Notice of the Public Hearing was published in the Metrowest Daily on August 4, 2022, and August 11, 2022, and sent to parties in interest, as required by statute, by certified mail, return receipt requested, according to the Assessor's Certified Abutters List.
- c. The application documentation and other submitted material were reviewed by Town Staff. There were no staff objections to the application.
- d. At the public hearing, there were no public comments in opposition to the application.

## II. Regulatory Framework

Section 5.1.3 of the Maynard Zoning Bylaws (ZBL) state the ZBA may award a Special Permit to reconstruct, extend, alter, or change a nonconforming structure in accordance with this section only if it determines that such reconstruction, extension, alteration, or change shall not be substantially more detrimental than the existing nonconforming structure to the neighborhood.

Section 10.4.2 of the ZBL states that to grant a Special Permit, the Board must make a finding that the adverse effects of the proposed use will not outweigh its beneficial impacts to the Town or the neighborhood, in view of the characteristics of the site, and of the proposal in relation to that site. In addition to any specific factors that may be set forth in the ZBL, the determination shall include consideration of each of the following:

- a. Social, economic, or community needs which are served by the proposal.
- b. Traffic flow and safety, including parking and loading.
- c. Adequacy of utilities and other public services.
- d. Neighborhood character and social structures.
- e. Impacts on the natural environment.
- f. Potential fiscal impact, including impact on town services, tax base, and employment


## III. Vote of the Board and Decision

The ZBA deliberated and determined that the request meets the criteria as detailed above in Section II.

Leslie Bryant made a motion which was second by Jerry Culbert to approve the Application for a Special Permit to allow extension of the existing nonconforming structure by constructing an addition of approximately 1,550 square feet for 7 Martin Street. The request will not exacerbate the existing nonconformity (insufficient front and eastside setbacks). The structure shall be consistent with the Special Permit application and plans submitted to the Town and date-stamped July 18th, 2022 (Exhibit "A").

The Board voted as follows ("Y" to approve):

Paul Scheiner	Y
Leslie Bryant	Y
Jerry Culbert	Y
Page Czepiga	Y
Brad Schultz	Y

  
\_\_\_\_\_  
Paul Scheiner, Chair  
For the Zoning Board of Appeals

  
\_\_\_\_\_  
Date

**\*\*NOT VALID UNTIL CERTIFIED BY THE TOWN CLERK OF MAYNARD\*\***

In accordance with Sec. 11 of Ch. 40A of Massachusetts General Law, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Maynard Town Clerk, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Attest: \_\_\_\_\_

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

Dianne Reardon, Town Clerk

**Please note: this Decision must be recorded with the Registry of Deeds prior to applying for building permits.**

ZBA 2208

EXHIBIT "A"

**Application Fees (Not Including  
Advertising and Mailing Costs):**

- Special Permit: \$250
- Variance: \$250
- Appeal of Building Commissioners Decision:  
\$250
- Special Permit Renewal: \$150

Clerk Stamp:

2022 JUL 18 AM 9:59

LELAND TOON CLERK



**ZONING BOARD OF APPEALS**  
**APPLICATION NUMBER: \_\_\_\_\_**  
**PETITION FOR HEARING**

This Petition must be completed, signed, and submitted with the filing fee and supporting documentation by the Petitioner or his representative in accordance with the procedures as set forth on the attachments to this petition.

Address of Property 7 Martin Street

Characteristics of Property: Lot Area \_\_\_\_\_ Present Use \_\_\_\_\_

Assessor's Map # \_\_\_\_\_ Parcel # \_\_\_\_\_ Zoning District \_\_\_\_\_

Name of Petitioner Matthew Stein Phone # 413-218-3905

Mailing Address 7 Martin St. Maynard, MA 01754

E-mail Address matt@foliaire.com

Name of Owner \_\_\_\_\_ Phone # \_\_\_\_\_

(If not Petitioner)

Mailing Address \_\_\_\_\_

Petition is for

(Check One)

☐  
☐  
☒  
☐

An Appeal from the Decision of the Building Commissioner

A Variance

A Special Permit

Other (Please Specify) \_\_\_\_\_

Applicable Section of the Zoning By-Laws: 40A Section 9

Summarize nature and justification of petition (*Please attach full explanation*):

Attached

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

Signature of Petitioner (or representative)

Address (if not Petitioner) \_\_\_\_\_

Telephone Number 413 218 3905

Signature of Owner, if other than Petitioner \_\_\_\_\_

EXHIBIT "A"

## EXHIBIT "A"

### Zoning board of Appeals

#### Nature and justification of petition: 7 Martin St Addition

I, Matthew Stein, would like to petition the board to build a residential addition within the setbacks of our property. The reason for this petition is that the existing front porch of our building falls within the front set back line(20ft) of our property making our existing building fall under the category of existing non-conforming structure. The addition will be a single-story flat roof structure with a green roof. The addition will include a two-car garage, one bedroom, one bathroom and a living area, totaling approximately 1500 square feet including the garage. We believe this addition is justified because all of the addition will fall within the established setbacks.

We purchased this very old and run down home because it needed us as much as we needed it. I have the knowledge and ability to repair the existing structure and construct some of the addition myself along with managing local contractors. As working parents with three young children, we are looking forward to creating a home that has enough space and stay within this thriving community of Maynard that we love. We believe this proposal falls into the Town of Maynard's goals for development as it is not overly expensive, over the top or an unreasonably high return on investment type plan. Our plan will preserve the existing old-heritage structure and the new development will be far more ecological than typical new construction. We plan to continue to raise our children here in our home for many years to come.

When we moved to Maynard, we wanted to buy a fixer upper that we could add onto when the time and money allowed. As a family of five, we knew that we would want to expand the living space without doing anything over the top or overly expensive. We feel that the addition we are going to put onto our home will not only enhance our property, but also the town of Maynard and the beauty of the river front properties. Please help us to create the home of our dreams for us and our three children!

EXHIBIT "A"

RENEY, MORAN & TIVNAN  
REGISTERED LAND SURVEYORS  
75 HAMMOND STREET - FLOOR 2  
WORCESTER, MA 01610-1723  
PHONE: 508-752-8885  
FAX: 508-752-8895  
RMT@HSTGROUP.NET

A Division of H. S. & T. Group, Inc.

REGISTRY MIDDLESEX SOUTH

BASED UPON DOCUMENTATION PROVIDED, REQUIRED MEASUREMENTS WERE MADE OF THE FRONTAGE AND BUILDING(S) SHOWN ON THIS MORTGAGE INSPECTION PLAN. IN OUR JUDGEMENT ALL VISIBLE EASEMENTS ARE SHOWN AND THERE ARE NO VIOLATIONS OF ZONING REQUIREMENTS REGARDING STRUCTURES TO PROPERTY LINE OFFSETS (UNLESS OTHERWISE NOTED IN DRAWING BELOW).  
NOTE: NOT DEFINED ARE ABOVEGROUND POOLS, DRIVEWAYS, OR SHEDS WITH NO FOUNDATIONS. THIS IS A MORTGAGE INSPECTION PLAN; NOT AN INSTRUMENT SURVEY. DO NOT USE TO ERECT FENCES, OTHER BOUNDARY STRUCTURES, OR TO PLANT SHRUBS. LOCATION OF THE STRUCTURE(S) SHOWN HEREON IS EITHER IN COMPLIANCE WITH LOCAL ZONING FOR PROPERTY LINE OFFSET REQUIREMENTS, OR IS EXEMPT FROM VIOLATION ENFORCEMENT ACTION UNDER MASS. G.L. TITLE VI, CHAP. 40A, SEC. 7, UNLESS OTHERWISE NOTED. THIS CERTIFICATION IS NON-TRANSFERABLE. THE ABOVE CERTIFICATIONS ARE MADE WITH THE PROVISION THAT THE INFORMATION PROVIDED IS ACCURATE AND THAT THE MEASUREMENTS USED ARE ACCURATELY LOCATED IN RELATION TO THE PROPERTY LINES.

MORTGAGE INSPECTION PLAN  
NAME MATTHEW J. STEIN & MELISSA B. STEIN  
LOCATION 7 MARTIN STREET  
MAYNARD, MA

SCALE 1" = 40' DATE 07-20-16



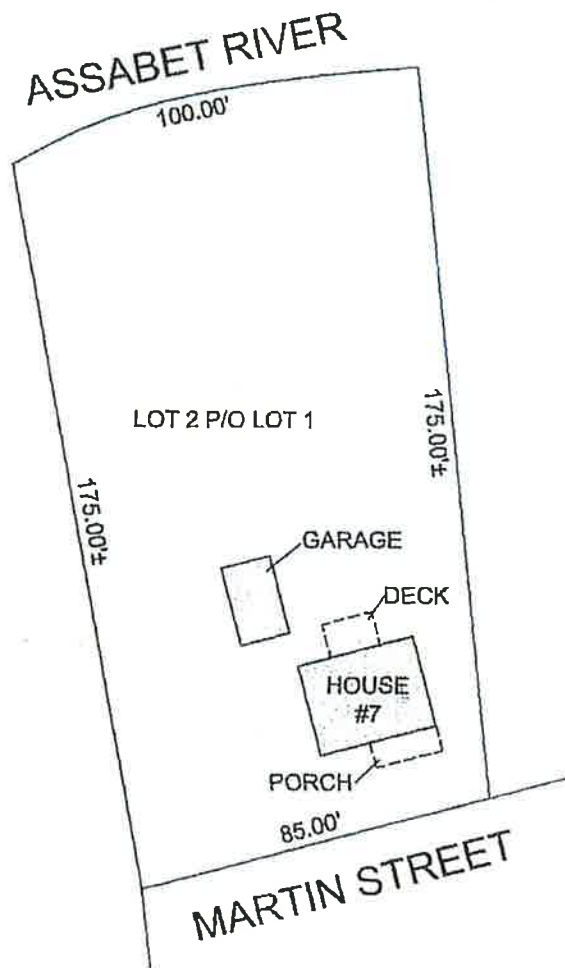
DEED BOOK/PAGE 48975/59

PLAN BOOK/PLAN 341/34

WE CERTIFY THAT THE BUILDING(S) ARE NOT WITHIN THE SPECIAL FLOOD HAZARD AREA. SEE FEMA MAP:

362F DTD 07-07-14

FLOOD HAZARD ZONE HAS BEEN DETERMINED BY SCALE AND IS NOT NECESSARILY ACCURATE. UNTIL DEFINITIVE PLANS ARE ISSUED BY FEMA AND/OR A VERTICAL CONTROL SURVEY IS PERFORMED, PRECISE ELEVATIONS CANNOT BE DETERMINED.



REQUESTING OFFICE: ARONE & ASSOCIATES  
REQUESTED BY:

DRAWN BY: SMB  
CHECKED BY:



# NOI NARRATIVE:

The existing residential property consists of one main residence with a small 2 car garage, a driveway and typical lawn area with garden beds along the property boundaries. The existing residence is a 1.5 story structure with a gabled roof and is situated on a lot of approximately 100 feet river buffer. Within the buffer zone, existing plantings are to be removed and new plantings are planned to be installed. The existing lawn areas will remain and be re-grassed just enough to smooth out small bumps and depressions. Grading will be done with a tracked site actor and no new material will be added or existing removed. Both site fences and maddies will be installed to prevent runoff of any soil or debris into the Assabetz river during construction. A new foundation wall will be installed and the volume within will be filled with gravel. A new rain water storage tank will be installed as part of the foundation. The residence addition will be built using steel and engineered lumber framing. Retaining towers will be used during this part of construction. Green roof will cover the entire addition using light weight soil medium, sedum and Phloxinus varieties. Green roof will increase the resource area and reduce existing hardscape. Stormwater will be harvested for use on landscape and retained on the property as it currently is only better.

APPLICANT:  
Mort Smith  
cell: 413-218-3905  
mort@icfclia.com

AUTHOR:  
Mort Smith  
7 Month St.  
Maynard Ma 01754  
413 218 3905

CITY

MAYNARD

BLOCK

LOT

LIMIT OF WORK

SCALE: NO SCALE

JOB SITE LOCATION: 7 Martin St. Maynard Ma 01754

7 MARTIN ST. ADDITION  
LOCATION - BLOCK -  
CONTEXT  
DATE: 04/09/22

EXHIBIT "A"



# EXHIBIT "A"

APPLICANT:  
 Matt Steen  
 cell: 413-218-3905  
 mstee@oldie.com  
 ALUMKOR  
 7 North St.  
 Maynard Ma. 01754  
 413 218 3905

## EXISTING PHOTOS



FRONT LEFT



FRONT RIGHT



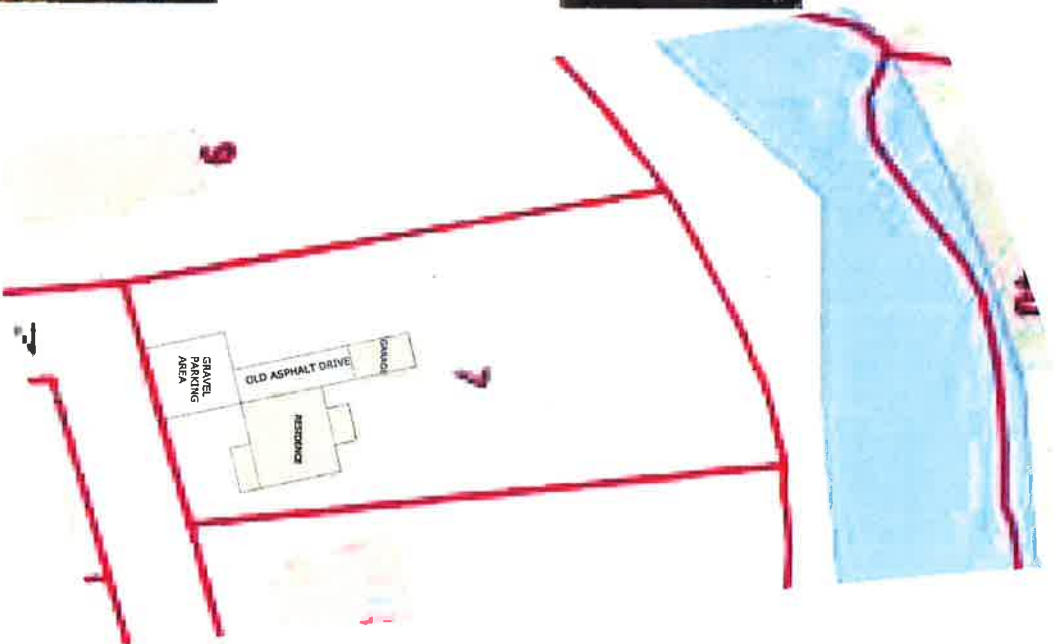
TOWARD RIVER



BACK LEFT



BACK RIGHT



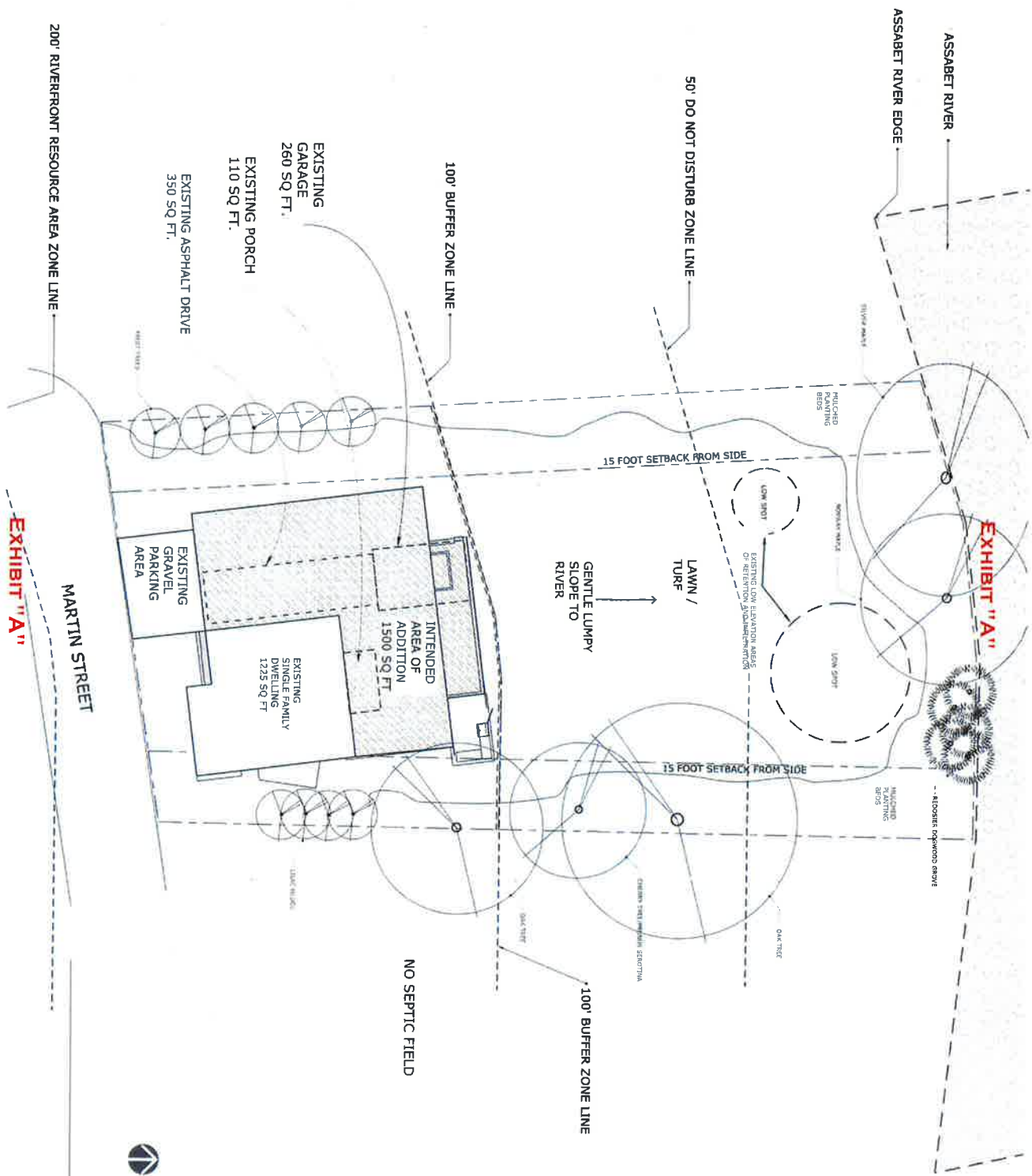
JOB SITE LOCATION: 7 North St. Maynard Ma 01754

7 MARTIN ST. ADDITION  
 EXISTING CONDITIONS

DATE / VERSION : 01/22/22

SCALE: NO SCALE

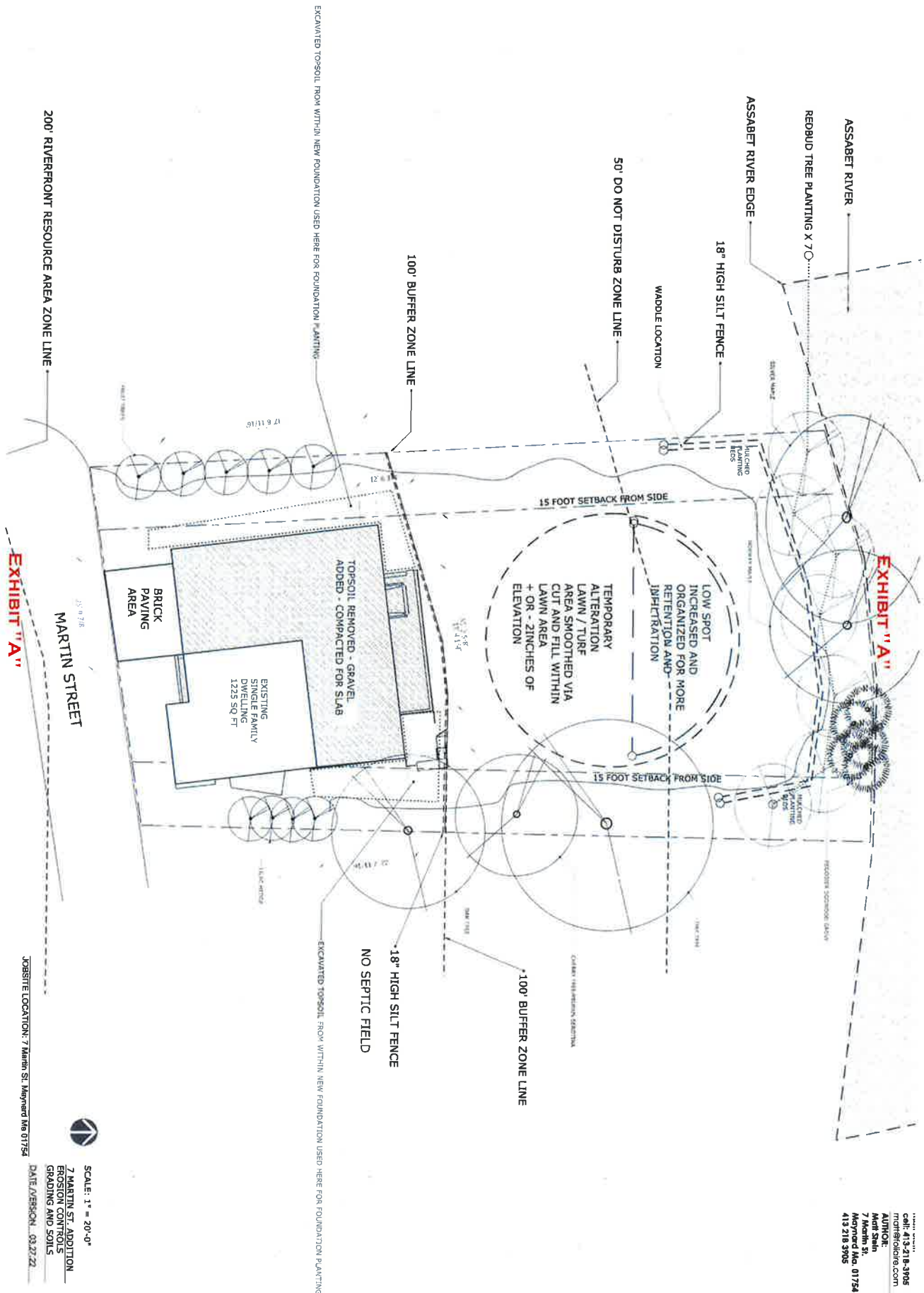
# EXHIBIT "A"



APPLICANT:  
 Mr. & Mrs. John & Jane Doe  
 413 218 3905  
 john.doe@motifordire.com  
 AUTHOR:  
 Motiford  
 7 Martin St.  
 Maynard Ma. 01754  
 413 218 3905

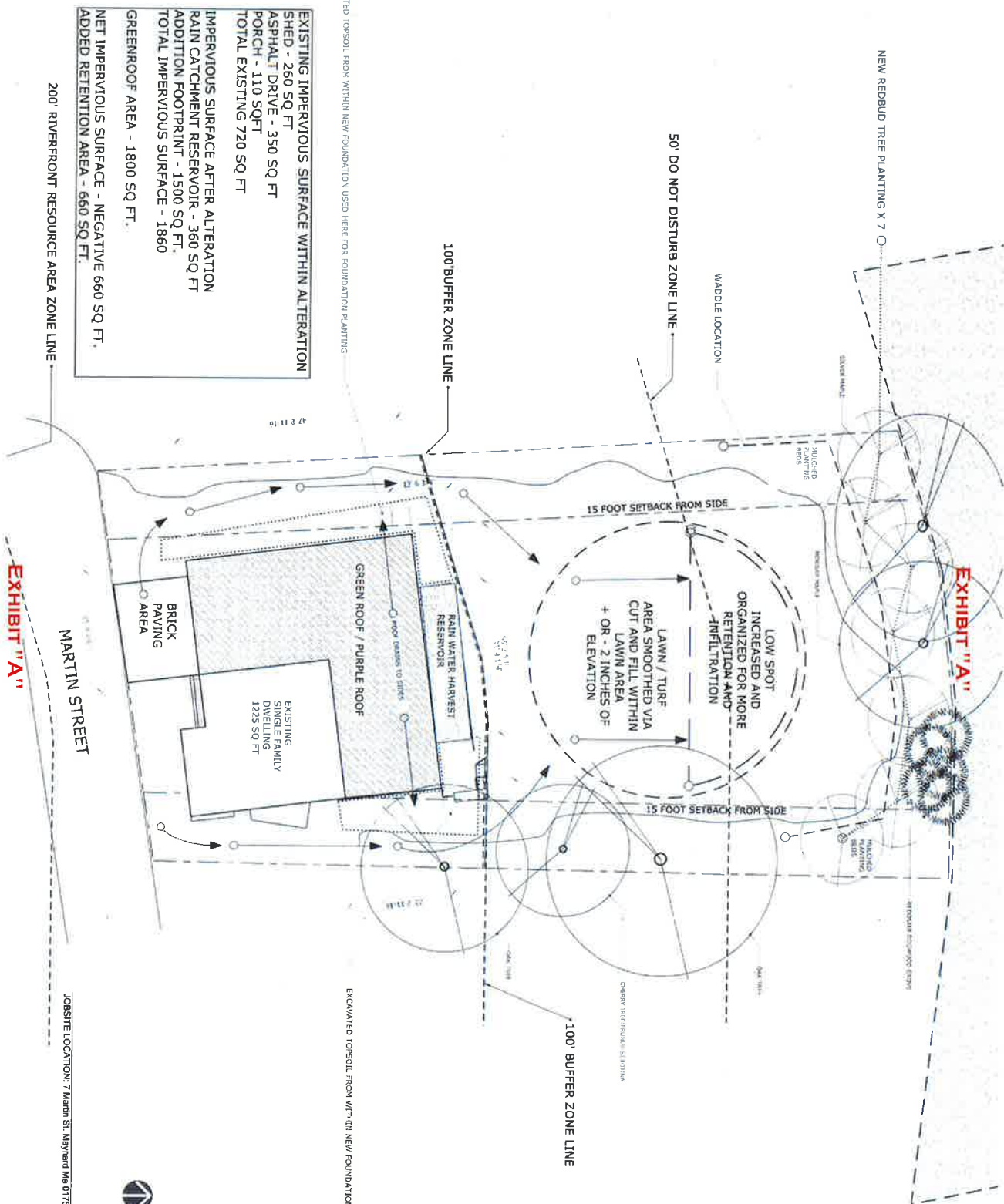
SCALE: 1" = 20'-0"  
 7 MARTIN ST. ADDITION  
 EXISTING CONDITIONS  
 INTENT OVERLAY  
 DATE: MARCH 03/22/22

CELL: 413-218-3905  
 MOBILE: 413-218-3905  
 FAX: 413-218-3905  
 E-MAIL: [info@johnd.com](mailto:info@johnd.com)  
 ADDRESS:  
 7 Martin St.  
 Maynard, MA 01754  
 413-218-3905





NEW REDBUD TREE PLANTING X 7 0



EXCAVATED TOPSOIL FROM WITHIN NEW FOUNDATION USED HERE FOR FOUNDATION PLANTING

EXCAVATED TOPSOIL FROM WITHIN NEW FOUNDATION USED HERE FOR FOUNDATION PLANTING

EXISTING IMPERVIOUS SURFACE WITHIN ALTERATION  
SHEED - 260 SQ FT  
ASPHALT DRIVE - 350 SQ FT  
PORCH - 110 SQFT  
TOTAL EXISTING 720 SQ FT

IMPERVIOUS SURFACE AFTER ALTERATION  
RAIN CATCHMENT RESERVOIR - 360 SQ FT  
ADDITION FOOTPRINT - 1500 SQ FT.  
TOTAL IMPERVIOUS SURFACE - 1860

GREENROOF AREA - 1800 SQ FT.

NET IMPERVIOUS SURFACE - NEGATIVE 660 SQ FT.  
ADDED RETENTION AREA - 660 SQ FT.

200' RIVERFRONT RESOURCE AREA ZONE LINE

EXHIBIT "A"

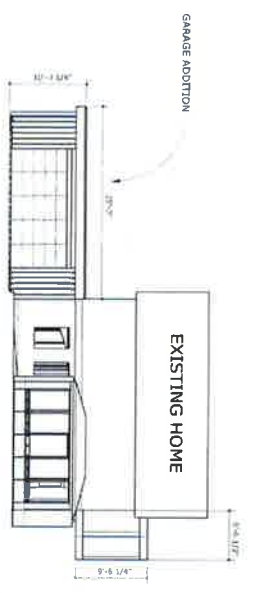
MARTIN STREET

**JOB SITE LOCATION: 7 Martin St. Maynard Me 01754**

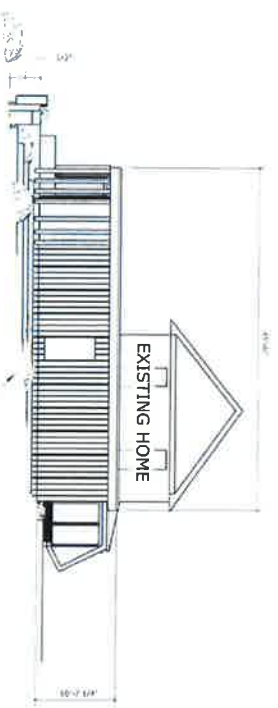
SCALE: 1" = 20'-0"  
7 MARTIN ST. ADDITION  
STORMWATER MANAGEMENT  
DATE/VERSION 03/27/22

EXHIBIT "A"

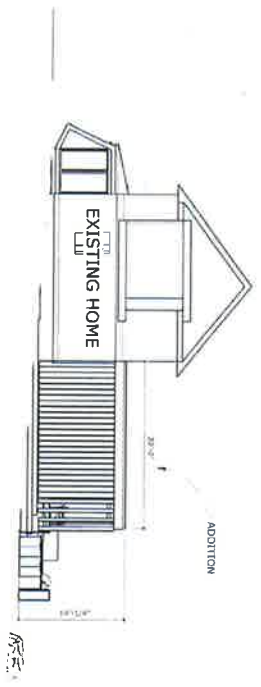
APPLICANT:  
Mick Stein  
Cell: 413-218-3905  
mick@stone.com  
APPROVED BY:  
Mick Stein  
7 Martin St.  
Meynard Ma. 01754  
413 218 3905



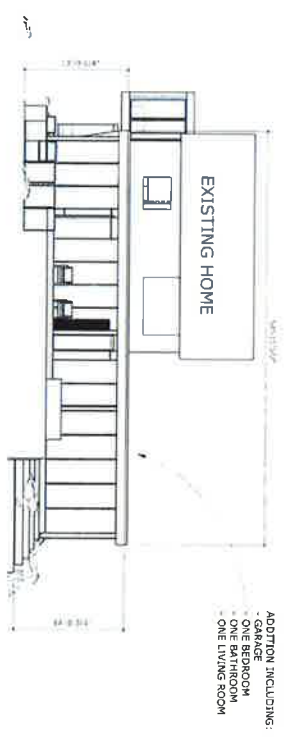
ELEVATION VIEWED FROM MARTIN STREET



ELEVATION LOOKING EAST



ELEVATION LOOKING WEST



ELEVATION LOOKING SOUTH

SCALE: 1/16" = 1'-0"

7 MARTIN ST. ADDITION  
ELEVATIONS  
JOB SITE LOCATION: 7 Martin St. Maynard Ma 01754

DATE / VERSION: 09.22.22

EXHIBIT "A"

EXHIBIT "A"

APPLICANT:  
Matti Stein  
cell: 413-218-3903  
matti@olclaire.com  
AUTHOR:  
Matti Stein  
7 Martin St.  
Maynard Ma. 01754  
413 218 3903

FOOTING - 2'-10" WIDE TYP  
POURED FOUNDATION WALL - 10" WIDE  
- WITH #3 REBAR 2 ROWS @ TOP X 2 ROWS @ BOTTOM

STEEL I-BEAM POST - 6x6x18

STEEL I-BEAM - 12W30

11'-7/8" LVL @ 16" ON CENTER  
11'-7/8" LVL RIMBOARD

LOAD BEARING WALL - 4" STEEL TUBE - 0.226 WALL @ 16" ON CENTER  
- 2x12 dimensional for header

HEADER - DOUBLE 12"x6" ANGLE 0.226 WALL

LOAD BEARING WALL - 2x6 STUDS @ 12" ON CENTER  
3/4" PLYWOOD SHEATHING ALL SIDES

3/4" SHEATHING - TONGUE AND GROOVE TYP  
- 5d fasteners @ 12"

STEEL I-BEAM 12W30



SCALE: 1/8" = 1'-0"  
7 MARTIN ST. ADDITION  
STRUCTURAL PLAN  
DATE / VERSION: 03/27/22

JOB SITE LOCATION: 7 Martin St. Maynard Ma 01754

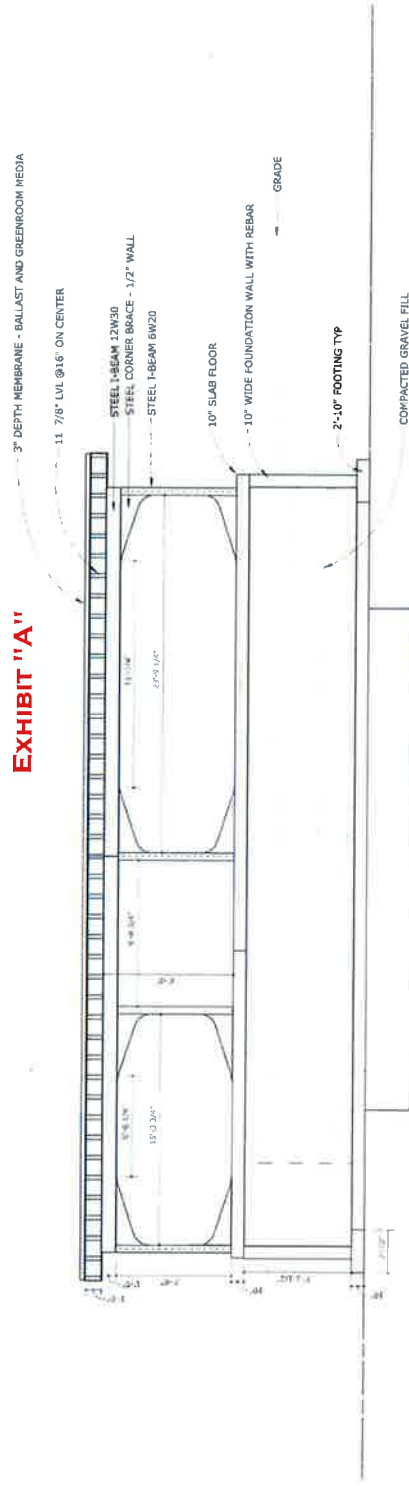
EXHIBIT "A"



**APPLICANT:**  
Matt Stein  
cell: 413-218-3905  
matt@fofaire.com

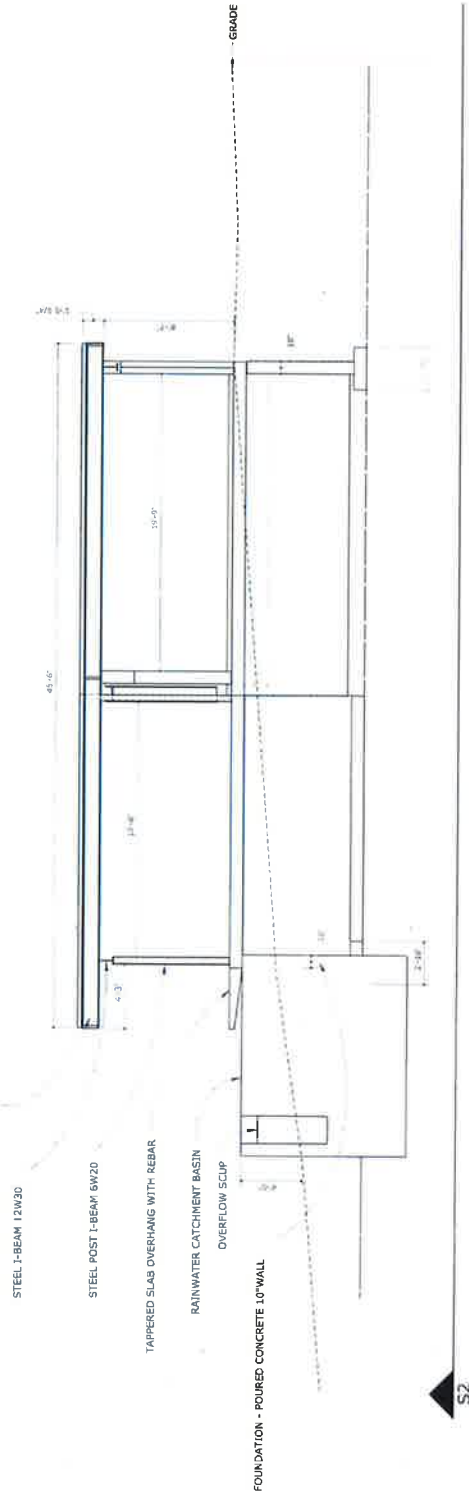
**AUTHOR:**  
Matt Stein  
7 Martin St.  
Maynard Ma. 01754  
413 218 3905

**EXHIBIT "A"**



15

11 7/8" LVL 16" ON CENTER



**EXHIBIT "A"**

SCALE: 1/8" = 1'-0"

7 MARTIN ST. ADDITION  
STRUCTURAL SECTIONS

DATE / VERSION 03.27.22

**AUTHOR:**  
**Math Stein**  
**7 Martin St.**  
**Maynard Ma. 01754**  
**413 218 3905**



SCALE: 1" = 10'-0"  
7 MARTIN ST. ADDITION  
EXISTING CONDITIONS  
INTENT OVERLAY  
DATE/VERSION: 03/27/22