



**TOWN OF COHASSET  
ZONING BOARD OF APPEALS**

**THE UNDERSIGNED HEREBY APPLIES TO THE BOARD OF APPEALS IN  
THE NATURE OF:**

- X   A petition for a VARIANCE of the requirements of Section 300-7.1  
of the zoning Bylaw. 300-7.3.B(4),  
300-7.3.C(3)
- A petition for a USE SPECIAL PERMIT of the requirements of  
Section        of the zoning Bylaw.
- X   A petition for SPECIAL PERMIT pursuant to Section 300-8.7.B  
of the zoning Bylaw. Extension & Alteration of  
Nonconforming Use, Building,  
Structures, Land
- an APPEAL from the attached decision dated

and such OTHER AND FURTHER RELIEF as the Board deems appropriate

**AND IN SUPPORT THEREOF REPRESENTS AS FOLLOWS:**

1. Legal owner of land: Joseph & Lilly Sestito
  - a. Address: 457 Beechwood Street  
Cohasset, MA 02025
  - b. Phone: 781-383-2460
  
2. If Applicant is other than the legal owner of the land
  - a. Address: \_\_\_\_\_  
\_\_\_\_\_
  - b. Phone \_\_\_\_\_
  - c. Property Interest (i.e. builder, prospective owner) \_\_\_\_\_  
\_\_\_\_\_

3. Description of this property:
- a. Address: 534 Beechwood Street
- b. Assessors' Map: Page # 55 Plot # 032
- c. Deed as recorded in NORFOLK COUNTY REGISTRY OF DEEDS:  
 certificate # \_\_\_\_\_ in book # 38577 at page # 457

4. Zoning District: DB Overlay District (if any) Water Resource Protection District

5. Has an application for relief from Zoning Bylaws ever been filed for this parcel?  
 YES/NO No DATE (if yes) \_\_\_\_\_  
 Explain (if yes):  
 \_\_\_\_\_  
 \_\_\_\_\_

6. Nature of proposed construction or use: General Store/Retail - Residential

7. Date of principal structure / dwelling was built (if applicable): 1820+  
 Date and nature of other structures/additions: 1820+

8. Area Regulations (Section 5.3.1) REQUIRED	EXISTING	PROPOSED*
a. Area (lot size)	<u>5,000 s.f.</u>	<u>16,250 s.f.</u>
b. Frontage	<u>50 ft.</u>	<u>135+</u>
c. Lot width	<u>50 ft.</u>	<u>135+</u>
d. Front setback	<u>15 ft.</u>	<u>8.0 ft.</u>
e. Rear setback	<u>15 ft.</u>	<u>96.9 ft.</u>
f. Side setback #1 Church	<u>10 ft.</u>	<u>0.0 ft.</u>
g. Side setback #2 Doane	<u>10 ft.</u>	<u>36.5 ft.</u>
h. Building height	<u>35 ft.</u>	<u>26+ ft.</u>
i. coverage (structural)	<u>n/a</u>	<u>n/a</u>
j. coverage (building)	<u>n/a</u>	<u>n/a</u>
Coverage (Lot)	<u>80%**</u>	<u>18% +/-</u>

\*No blank spaces – put a calculation in each row – leaving anything blank in above section or entering “no change” will be considered incomplete.

\*\*Lot Coverage exceeding 40% within Water Resource Protection District requires a Special Permit

9. Do present structure(s) and use conform to all other provisions of the Zoning Bylaw? Yes: \_\_\_\_\_ No: X If not, explain: Existing structure is non-conforming to front yard setback. Existing mixed/residential use and parking are non-conforming.

10. Is this parcel connected to Town Sewer? Yes: \_\_\_\_\_ No: X  
If Yes, state location, and area dimensions: \_\_\_\_\_

11. Does the owner/applicant own adjacent land? Yes: X No: \_\_\_\_\_  
If Yes, state location, and area dimensions: \_\_\_\_\_

12. Plans submitted herewith are drawn to scale, accurately show all details relevant to the relief being requested, and are complete per Section 2.2 of the Rules of Procedures of the Zoning Board of Appeals:

**ALL PLANS**

- a. drawn to scale with dimensions on every plan Yes (yes/no)
- b. if addition/alteration, proposed construction outlined or in red Yes (yes/no)
- c. each plan stamped by registered engineer, land surveyor, or architect (as appropriate) Yes (yes/no)

**SITE PLAN**

- a. eleven (11) copies of a site plan @1" = 20' Yes (yes/no)
- b. north arrow Yes (yes/no)
- c. Lot lines/ dimensions & lot area Yes (yes/no)
- d. Structural & building coverage calculations
- e. Flood Plain & Zoning Districts (as applicable) Yes (yes/no)
- f. Locations/dimensions of all buildings, driveways, parking areas & other structures Yes (yes/no)
- g. boundary lines, names of owners, and locations/ dimensions of all buildings, driveways & parking areas on all immediately adjacent properties Yes (yes/no)
- h. Dimensions of all adjacent streets, sidewalks and rights-of-way; street names Yes (yes/no)

## CONSTRUCTION PLANS

- a. at a scale not smaller than ¼ inch = 1 foot Yes (yes/no)
- b. showing the existing structure(s) as well as all proposed alterations/new construction Yes (yes/no)
- c. showing at least 4 exterior elevations (front, rear, left & right sides) Yes (yes/no)
- d. show all heights on all exterior renderings Yes (yes/no)
- e. other renderings/photographs (optional) Yes (yes/no)

## VOLUME CALCULATIONS

If the proposed construction is increasing massing within a setback, please submit a diagram showing the existing volume within the setback and then the proposed. For example, if you are adding a second story to an existing, non-conforming structure that is within a setback, calculate the existing volume that is sitting within the setback and then how much that second story adds within that non-conforming setback. Also, please calculate the total square footage of each existing non-conforming façade of the structure, and then the total square footage of each proposed additional non-conforming façade, subtract, and then calculate the percentage increase of each non-conforming façade.

13: The following pages provide an accurate list of the abutters and the owners of the land next adjoining abutters: **STAMPED AS CERTIFIED BY BOARD OF ASSESSORS** (Stamped Abutter’s List must be presented with application filing)

14: Litigation Policy – Use of Town Counsel by the Zoning Board of Appeals (ZBA). The applicant must read and acknowledge the following policy of the ZBA.

When zoning relief has been approved by the ZBA, either in whole or with conditions, Town Counsel will not primarily defend any appeal against such relief brought by parties claiming to be aggrieved, without the express written consent of both the Chairman of the ZBA and the Town Manager.

The successful applicant is the appropriate party to bear expenses associated with maintaining such relief, be it a Special Permit, a Variance, or an enforcement Appeal.

Generally, the Town will enter an appearance but will mount no active defense or Discovery: it will neither initiate motions nor will it undertake depositions or interrogatories unless prior approval is given per the above.

(Signatures required on the next Page)

Sign for acknowledgement of the litigation policy:

Date: 2/1/2022 Joseph A. Smith  
Signature(s) of Applicant(s) Representatives, if any

Date: 2/1/2022 Lucy Smith \*\*  
Signature(s) of Applicant(s)

15. I have read and understand the Rules of Procedure of the Board of Appeals:

Date: 2/1/2022 Joseph A. Smith  
Signature(s) of Applicant(s) Representatives, if any

Date: 2/1/2022 Lucy Smith \*\*  
Signature(s) of Applicant(s)

\*\*Application must be signed by legal owner of the land ("Applicant").  
Signature(s) of Owner(s)