



**CITY OF METHUEN, MASSACHUSETTS
COMMUNITY DEVELOPMENT BOARD**

**APPLICATION FOR SPECIAL PERMIT UNDER THE
REQUIREMENTS OF THE ZONING ORDINANCE**

This form must be typewritten

APPLICANT: Joyce A. Warchol, Trustee of the Melvina Rita Malek Revocable Trust

**ADDRESS: 404 Pelham Street
Methuen, MA 01844**

1. Application is hereby made for a Special Permit under Section(s) *XI-D*

Paragraph(s) 11. Frontage Exception Lots of the Zoning By-Laws.

2. Assessor Parcel ID of all affected parcels, location and general description of property bounded and described as follows:

Parcel ID: 212-128-106D. This parcel contains approximately 13.30 acres of land with frontage of 365 feet on Pelham Street. Located at the site is a single-family dwelling as depicted on the plan submitted with this application. See attached legal description.

b. Premises affected are in Zoning District – Residential Rural (RR).

3. Ownership:

a. Name and address of owner (if joint ownership, give all names):

Joyce A. Warchol, Trustee of the Melvina Rita Malek Revocable Trust

404 Pelham Street, Methuen, MA 01844

b. If applicant is not owner, check his/her interest in the premises:

	Prospective Purchaser: N/A Name	Address
	Lessee Name	Address
	Other Explain:	



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4. General description of structure(s) and outline specifications *

Site: The site contains a single-family dwelling which was constructed in the 1950's. The parcel is an oversized lot containing 13.30 acres of land.
Site Amenities: Oversized lot
Exterior Building Construction: Wood framed dwelling on a concrete foundation. Clapboard and aluminum siding with an asphalt shingle roof.
Interior Building Construction: Wood, plaster and wall board.

Refer to plans numbered: Frontage Exception Lot Plan drawn by Stowers Associates, Inc. submitted with this application.

5. Has there been a previous petition, under zoning, on these premises: Unknown.

If so, when: _____.

6. Deed recorded in Registry of Deeds in: Book: 14908, Page: 147 or

Land Court Certificate Number: _____, Book: _____ Page _____.

7. How does the special permit meet the general requirements of Section XI-B (2) of the Zoning Ordinance? (answer all sub-section and paragraphs in a separate report).

See attached Response

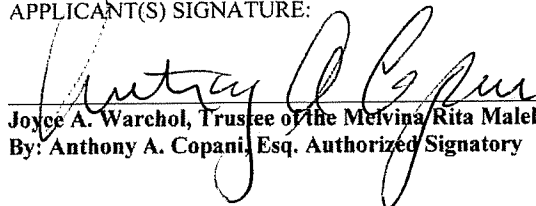
* (Have additional sheets if necessary)

8. How does the special permit meet the general requirements of Section XI-D? (answer all paragraphs pertaining to requirements in a separate report).

See attached Response.

I agree to pay for advertising in newspaper and incidental expenses:

APPLICANT(S) SIGNATURE:


Joyce A. Warchol, Trustee of the Melvina Rita Malek Revocable Trust,
By: Anthony A. Copani, Esq. Authorized Signatory

Supplement to Special Permit Application

Joyce A. Warchol, Trustee
Melvina Rita Malek Revocable Trust

RE: Lots A and (VP)B
404 Pelham Street
Methuen, MA

Response to Criteria of Section XI-B Sub Section (2)

a. Social, economic or community needs which are served by the proposal;

The creation of two buildable lots will assist in increasing the housing stock, add to the city's tax base and add to the local businesses

b. Traffic flow and safety, including parking and loading;

The single additional lot will have no significant impact on parking, traffic flow, or safety.

c. Adequacy of utilities and other public services;

There are adequate utilities in the area for the proposed additional lot.

d. Neighborhood character and social structures;

The proposed single family dwelling is keeping within the characteristics of the neighborhood which is residential in nature comprising of single family homes.

e. Impacts on the natural environment;

The proposed lots have been situated on the parcel of land to reduce the impact on the natural environment. There are wetlands on both lots to be created. These wetlands are located at the rear of the lot which contains approximately 13.30 acres of land and the construction of one additional lot will not impact the wetlands.

f. Potential fiscal impacts, including impact on City Services, tax base and employment...;

As previously stated, the additional lot will have a positive fiscal impact by adding to the tax base of the City. Future residents will also provide additional business to the local economy. This proposal conforms to the Rules and Regulations of the CDB.

- g. Consistency with the most recent City of Methuen Master Plan;*

This lot will add to the City's housing stock.

Response to Criteria of Section XI-D Sub Section 11. d)

- a. The area to be divided is three (3) times the minimum lot area in that district;*

The lot to be divided contains approximately 13.30 acres of land (579,348 sq. ft.) with 365 feet of frontage on Pelham Street. The dimensional requirements of a Residential Rural District for construction of a single-family dwelling are: 80,000 sq. ft. of area with frontage of 200 feet.

This lot contains approximately **seven and one half times** the required area.

- b. The frontage for the lot to be divided is, at a minimum, the frontage required for that district;*

The lot to be divided has 365 feet of frontage which greatly exceeds the frontage requirement of 200 feet.

- c. The lot to be divided is not split into more than two lots;*

Restriction noted on Stowers Plan submitted with this application.

- d. The two newly created lots each contain the minimum area required for that district;*

Proposed lot A contains 3.14 acres and Lot B contains 10.1 acres of land which is in excess of the area requirement in a Residential Rural District.

- e. The two newly created lots each have a lot width of not less than fifty (50%) percent of the frontage required for that district, however the frontage is not to be less than fifty (50') in any district;*

Frontage for Lot A is 200 feet and Lot B is 165 feet. See Plan

- f. The two newly created lots each have a lot width of not less than fifty (50') feet at any point between the street and the site of the dwelling.*

Complies – See Plan

- g. *The front, side, and rear setbacks for the two newly created lots may be reduced to twenty (20') feet if in the opinion of the Community Development Board;*

Plan complies with all set-backs.

- h. *There is not more than one other such lot with reduced frontage contiguous to the newly created lots;*

There is no such lot.

- i. *The newly created lots are so located as not to block the possible future extension of a dead end street;*

Not applicable. Pelham Street is an improved through way.

- j. *The creation of the frontage exception lots will not adversely affect the neighborhood.*

This lot is located in a Residential Rural District which is the most restrictive district for construction of a single-family dwelling and contains 7½ times the required area.

- k. *The creation of the frontage exception lots is in harmony with the genral purpose and intent of this ordinance.*

The creation of the additional lot is keeping within the general purpose of the ordinance to promote the most efficient use of land.

- l. *No such lot as described above on which a dwelling is located. shall hereafter be reduced in area or frontage required by this ordinance;*

The Applicant will record a deed restriction that will restrict further subdividing of the two newly created lots. Said restriction is also noted on the Plan.

- m. *Prior to the issuance of a building permit, the Applicant shall record a deed restriction on the plan and in the deed(s) indicating that the resulting lots may not be further subdivided or divided in any manner whatsoever. Said recorded plan and deed(s) shall be provided to the Building Commissioner and the SPGA;*

Applicant shall comply with the above upon the granting of the special permit.

Legal Description

404 Pelham Street

The land together with the buildings thereon situated on Pelham Street in said, Methuen, comprising 3 parcels all being shown upon a plan of land "Plan of Land in Methuen, Mass., owned by Veronica & Benedict Paplaskas dated December 3, 1959, D. J. McCracken, Surveyor" said plan being recorded with the Registry of Deeds for the Northern District of Essex at Lawrence as Plan No. 3991.

Said parcels are more particularly bounded and described, all as shown upon said plan, as follows:

PARCEL I: Beginning at a stake on Pelham Street at the Southeasterly corner of the granted premises, thence running North along a stone wall 180 feet; thence turning and running Westerly along a stone wall by land now or formerly of the Town of Methuen 650 feet; thence turning and running Southerly along a stone wall by land now or formerly of W. Cleary's heirs 395 feet to a stake; thence turning and running Easterly by land now or formerly of Raymond W. and Irene W. Paplaskas 335 feet to a stake; thence turning and running Northerly by land now or formerly of Alphonse Paplaskas 185 feet to a stake; thence turning and running Easterly by land now or formerly of said Alphonse Paplaskas 300 feet to the stake at the point of beginning.

Containing 4.33 Acres, more or less, according to said plan.

PARCEL II: Beginning at a stake on Pelham Street at the Southeasterly corner of the granted premises, thence running Northerly along a stone wall on said Pelham Street 185 feet to a stake; thence turning and running Westerly by other land of the Grantor 300 feet to a stake; thence turning and running Southerly by other land of the Grantor 185 feet to a stake and thence turning and running Easterly by land formerly of Raymond W. and Irene W. Paplaskas 300 feet to a stake at the point of beginning.

Containing 1.27 Acres, more or less, according to said plan.

PARCEL III: Beginning at a drill hole set in the northeasterly corner of the granted premises, which is 650 feet distant easterly from the westerly line of Pelham Street; thence running westerly 779 feet by land now or formerly of the Town of Methuen to a drill hole; thence running southerly 425 feet by a stone wall and lands now or formerly of the Town of Methuen, Petzold, and Paplaskas, to a drill hole; thence turning and running easterly 877 feet by other land late of one Paplaskas, to an iron pipe at land of the Grantor and thence turning and running northwesterly 395 feet, along a stone wall which is the westerly boundary line of the premises now owned by the Grantor, to the point of beginning.

Containing 7.7 Acres of land, more or less, according to said plan.

404 Pelham Street City of Methuen

8/15/2022



1:2,400



Data Sources: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the City of Methuen & MassGIS. MVPC AND THE CITY OF METHUEN MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE CITY OF METHUEN AND MVPC DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION.

Municipal Boundary

Address Labels

Parcels

Roads

Interstate

Major Road

Local Road

Rail Line

Wetlands

City of Methuen
Seal

Merrimack Valley Planning Commission
Logo

Projection: NAD_1983_StatePlane_Massachusetts_Mainland_FIPS_2001 © Merrimack Valley Planning Commission



Patriot Properties

Methuen

212-128-106D
404 Pelham St
CDB

08/09/2022

1:45:27PM

Abutters List

Filter Used: DataProperty AccountNumber in
(23531,23503,23398,23504,23509,23510,23511,23512,23513,23514,23515,23516,23522,23523,23524,23525,23526,23530,23399,23520,23406,23517,23518,23507,23506,23502)

72 AUG 9 PM 2:15

Certified Abutter's List
ASSESSOR'S OFFICE
Heather Delaney

08/09/2022
1:45:27PM

**Methuen
Abutters List**

Page 1 of 1

Subject Parcel ID:

Subject Property Location:

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
212-127-4A	399 PELHAM ST LT A	WILKENS JOHN J P	WILKENS PATRICIA V	399 PELHAM ST	METHUEN	MA	01844-1039
212-127-4B	(VP) PELHAM ST LT 2	WILKENS JOHN J P	WILKENS PATRICIA V	399 PELHAM ST	METHUEN	MA	01844-1039
212-127-4J	401 PELHAM ST LT 2	GUSELLI CAROL L	GUSELLI PAUL V	401 PELHAM ST	METHUEN	MA	01844-1039
212-128-105	(VP) PELHAM ST	PAPLASKAS JAMES J	PAPLASKAS BRENDA L	29 LOWELL RD LT 13	SALEM	NH	03079-4049
212-128-106	400 PELHAM ST LT 2	ROBICHAUD CHRISTINE M		400 PELHAM ST	METHUEN	MA	01844-1022
212-128-106A	402 PELHAM ST LT 1	KEEFE DOREEN R RLE	HOLT WILLIAM C III	402 PELHAM ST	METHUEN	MA	01844
212-128-106C	402 A PELHAM ST	ARISTY ERCIRE O	ARISTY CAROL A	402A PELHAM ST	METHUEN	MA	01844-1022
212-128-106D	404 PELHAM ST	MALEK MELVINA RITA TR	WARCHOL JOYCE A TR	PO BOX 868	METHUEN	MA	01844-0868
212-128-107	406 PELHAM ST LTS 1-2	MCGHEE JONATHAN	MCGHEE HEATHER	406 PELHAM ST	METHUEN	MA	01844-1022
212-128-114	(VP) PATTON ST	FARAH HAIKAL	FARAH DESIRE	416 PELHAM ST	METHUEN	MA	01844-1022
212-128-115	(VP) PATTON ST	FARAH HAIKAL	FARAH DESIRE	416 PELHAM ST	METHUEN	MA	01844
212-128-117	420 PELHAM ST LTS 5-11	DESHAIES JULIE A		420 PELHAM ST	METHUEN	MA	01844-3174
212-128-127	(VP) PELHAM ST	METHUEN TOWN OF	C/O DPW/	41 PLEASANT ST STE 103	METHUEN	MA	01844-3174
212-128-128	(VP) RIDGEWOOD LN	PETZOLD ROBERT W	PETZOLD DONALD E JR TR	111 BELLEVUE ST	MANCHESTER	NH	03103

Parcel Count: 14

End of Report