



ZONING BOARD OF APPEALS WHATELY, MASSACHUSETTS

APPLICATION FOR VARIANCE, SPECIAL PERMIT, OR APPEAL

To: Town Clerk Whately, Massachusetts							
Application fees: * Residential/Agricultural Use: \$175							
(check one) Commercial/Industrial Use: \$225							
Pursuant to the provisions of Chapter 40A of the General Laws of the Commonwealth of Massachusetts and the Zoning By-Laws of the Town of Whately, application is hereby made to the Zoning Board of Appeals for:							
(check one) VarianceX Special PermitAppeal							
to do the following: RENOVATE THE WHATELY SCHOOL HOUSE FROM NIN RESIDENTIAL							
UNITS AS RECORDED IN THE SPECIAL PERMIT PROCESS DATED MAY 25, 2023 INTO							
TEN RESIDENTIAL HOUSING UNITS.							
on premises located at 219 CHRISTIAN LANE, WHATELY, MA. (street address)							
21-0-30							
Zone (Map and Parcel No.)							
Owned by WHATELY SCHOOL HOUSE of 34 A EAST MAIN ST., MILLERS FALLS, MA. 01349							
(name of owner) LLC. (address of owner)							
Name of applicant: ROBERT OBEAR Signature of applicant.							
(print or type)							
Mailing address of applicant: 34 A EAST MAIN ST., MILLERS FALLS, MA. 01349							
Phone No. of applicant: 413-537-5953Email of applicant: obearconstruction@gmail.com							
Relationship to owner: Manager							

^{*}The full cost of advertising all legal notices required to hold a public hearing by the Zoning Board of Appeals shall be the responsibility of the applicant. The applicant shall make full payment of the advertisement costs prior to the opening of the public hearing. If the applicant does not make full payment of the advertising costs prior to the opening of the public hearing then the Zoning Board of Appeals shall open the public hearing and immediately continue the public hearing to a date, time and place certain. The payment of all advertising costs shall be in addition to any other fees charged by the Zoning Board of Appeals. The advertising costs will vary by application and will be provided to the applicant once the legal ad is submitted to the newspaper and the newspaper provides the quote. The applicant will be informed of that cost and the payment can be made payable to the Town of Whately.

INSTRUCTIONS FOR PETITIONERS

FILING TO APPEAR BEFORE THE ZONING BOARD OF APPEALS

- 1. Familiarize yourself with sections of the Zoning By-Law pertinent to your petition. You may represent yourself or have someone represent you.
- 2. One copy of the application with the correct fee: \$175 for Residential/Agricultural Use; \$225 for Commercial/Industrial Use is to be given to the Town Clerk. Each petitioner is urged to discuss the application with the Building Commissioner first. At that time the Building Commissioner may inform the petitioner of the requirement that all plans must have the stamp of the registered engineer or surveyor (this may be waived).
- 3. Be informed that review fees and/or legal fees can and will be assessed for the Zoning Board of Appeals to evaluate the project, at the sole and absolute discretion of the Zoning Board of Appeals.
- 4. The Petitioner must list all owners' names and current addresses of property abutting the premises, and the owners' names and current addresses of land immediately adjoining the land of the Abutters (within 300 feet). Also, the names and current addresses of the owners of land across all highways. Petitioners will need to provide a list of all abutters within 300 feet of the proposed project that is certified by the town assessors.
- 5. If the petition is an appeal from a decision of the Building Commissioner, the Board of Selectmen or any other permit granting authority, such appeal to the Zoning Board of Appeals shall be taken within 30 days from the date of the order or decision that is being appealed.
- 6. To be granted a variance, a Petitioner must establish that special conditions exist affecting the parcel of land or building, that literal enforcement of the Zoning By-Law would involve substantial hardship, financial or otherwise, and that the variance may be granted without detriment to the public good and without nullifying or substantially derogating from .the intent of the By-Law. Be prepared to present this data at the public hearing. It is strongly suggested that this data be prepared in writing and submitted to the Board at the hearing. It is emphasized that all of the foregoing requirements must be satisfied before the Board of Appeals is authorized under the laws of the Commonwealth to grant a variance.

In order to expedite consideration of your petition, include all factors that may be relevant to the question of hardship, financial or otherwise, including, but not limited to, purchase price, when purchased, mortgage indebtedness, expenses of maintenance and upkeep, income, taxes, etc. The Petitioner should present all facts indicating why a hardship exists and how it may be overcome by the granting of the variance.

7. If your petition before the Zoning Board of Appeals requests a Special Permit rather than a Variance, be prepared to present data that tends to indicate that the public convenience and welfare will be substantially served by granting the petition requested; that the petition requested will not tend to impair the status of the neighborhood; that .the permission requested will be in harmony with the general purposes and intent of the regulations in the Zoning By-Laws. You should also include in your application any copies of existing Special Permits for the parcel of which you have knowledge.

ZONING BOARD OF APPEALS TOWN OF WHATELY

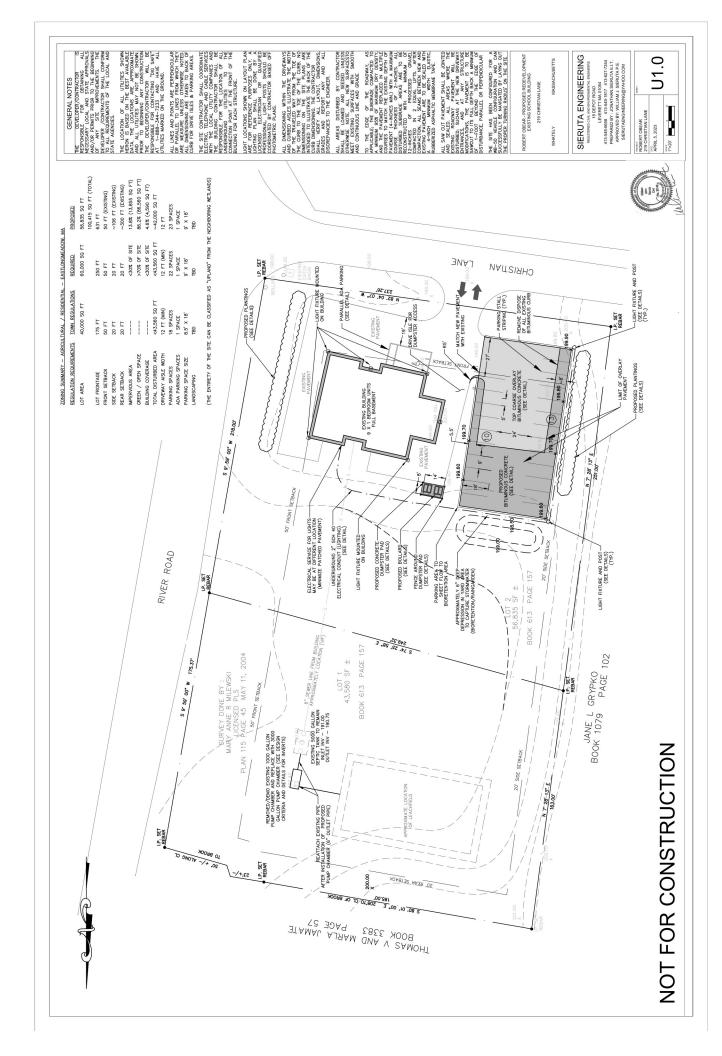
Copies of the Zoning By-Laws are available at the Town Clerk's office for a small fee.

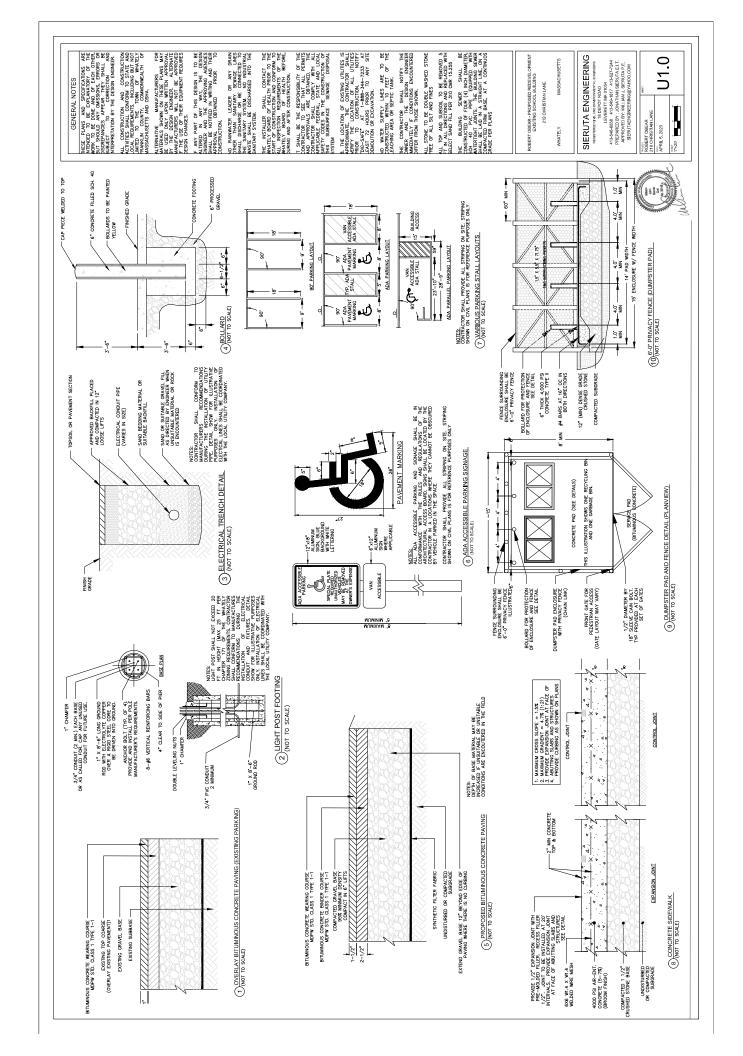
The petition must be filed with the Town Clerk together with the filing fee.

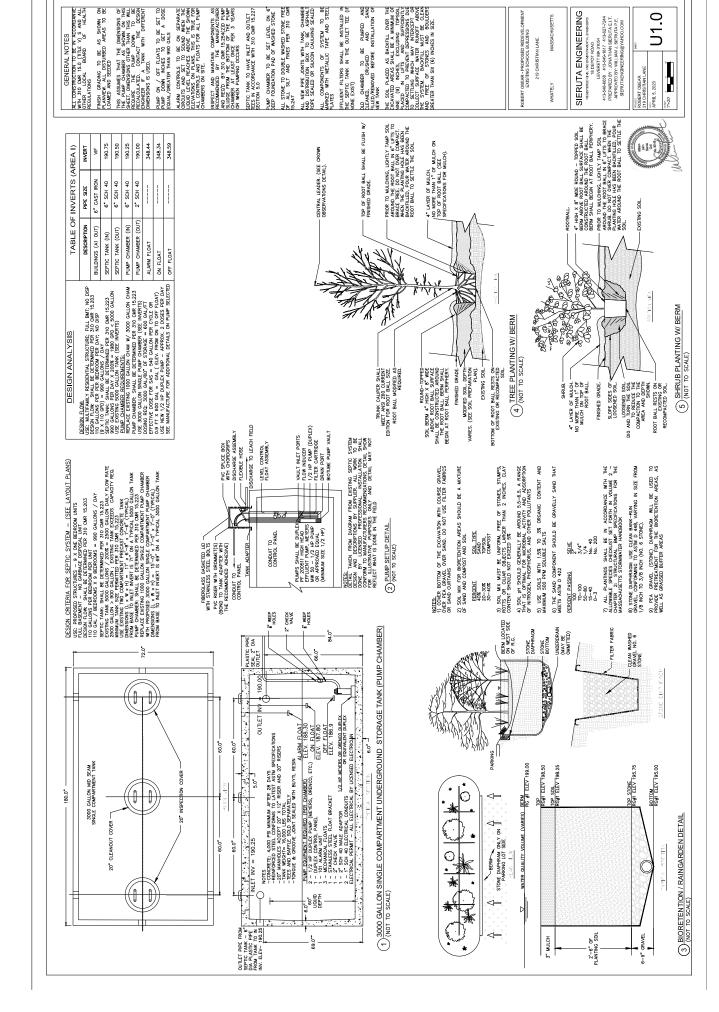
(PLEASE USE A SEPARATE PIECE OF PAPER FOR ADDITIONAL ROOM)

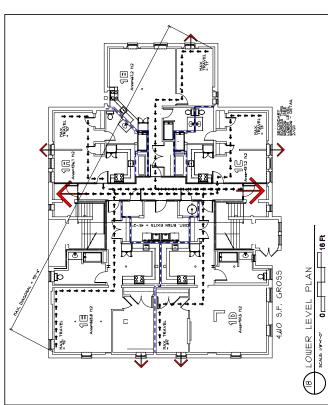
ABUTTERS

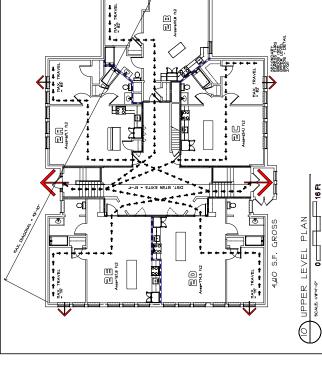
TIBETIERS











9TH EDITION MASSACHUSETTS BUILDING CODE

- NARRATIVE: TO INCLUDE:
- D CHANGE OF OCCUPANCY FROM BUSNESS (B) TO APARTHENTS (R-2).
 2) RENOVATION FOR 5, APARTHENTS ON EACH OF TWO LEVELS TO INCLUDE NEW KITCHENS, BATHROOMS, AND CLOSETS.
- 3) NEU LAUNDRY ROOM ON LOWER LEYEL.
 4) NEU ECRESS CORRIDOR AND STARUAY ENCLOSARE FOR LOWER LEYEL.
 5) PROVISION OR AM JUTOMATIC REE, BPROMALER SYSTEM THROUGHOUT IS BY OTHERS AND WILL BE SUBMITTED SEPARATELY.

International Building Code IBC 2015

2-STORY BULDING WITH WINCOURTED ATTICE)
HANDS REGURDAL, ELEMENTS INCLUDE THE FOLLOWING
KORPA WOOD JOINS AND THESEES,
HORSELVEN THE POLICY AND WOOD STUD
BEARING, MAN TO THE THESE AND WOOD STUD
EXTERNOR WALLS DRICK AND STUCCO. RESIDENTIAL: APPARTMENT, GROUP R2. BUSINESS, OFFICE, GROUP B. ORIGINAL BUILDING USAGE AND USE GROUPS PROPOSED USE (304.1);

TYPE VB COMBUSTIBLE, UNPROTECTED. TYPE OF CONSTRUCTION (TABLE LOI):

ALLOWABLE NO. OF STORIES: R2

R2 / TYPE VB BUILDING FLOOR AREA: FULLY SPRINKLED BUILDING:

1,000 SF 440 SF 1,000 SF TABULAR BUILDING LIMITATIONS R-2 FRONTAGE INCREASE (IF)
TOTAL ALLOWABLE
BUILDING LIMITATIONS (A_A)

EXTERIOR NONLOAD-BEARING WALLS (TABLE 402); SEPARATION DISTANCE 330' EXTERIOR LOAD-BEARING WALLS (TABLE 402); SEPARATION DISTANCE GREATER THAN 30'

INTERIOR LOAD-BEARING WALLS,

NON-BEARNG WALLS AND PARTITIONS.
STRUCTURAL MEMBERS SUPPORTING WALL:
ELLOR CONSTRUCTON INCLUDING BEAMS.
ROOF CONSTRUCTON INCLUDING SUPPORTING
BEAMS AND JOSTS.

ALLOWED EXISTING 35 FT. R2 / TYPE VB *€0* FT. BUILDING HEIGHT & NO. OF STORIES: TTABLES 504.3 t 504.4 ALLOWABLE BUILDING HEIGHT ABOVE GRADE, FULLY SPRINKLED BUILDINGS:

30 MIN. 30 MIN. I HOUR

UNIT SEPARATION (FIRE PARTITION) (420.2 --) 108.3, EXCEPT. 2, SPRINKLERS) CORRIDORS (TABLE 1020.1);

STAIRWAYS (SHAFTS [113.4],

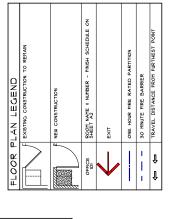
EXIT ACCESS & TRAVEL DISTANCE (2 EXITS)

FIRE RESISTANCE RATING OF BUILDING ELEMENTS
BUILDING ELEMENT TABLE 401 UOND
PRINARY STRUCTURAL FRAME
O
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E	MAX. DIAG.	MAX. DISTA EXITS SHAL MAXIMUM DIA SPRINKLED GOOTLI, EXC	MAX, DISTANCE BETUEEN EXITS SHALL BE 1/3 THE MAXIMUM DIAGONAL FOR SPRINKLED OCCUPANCES.		ACTUAL DISTANCE BETWEEN EXITS
UPPER LEVEL	4310.		31'-4"		51'-4"
LOUER LEVEL	.9Eb		31'-2"		45:-2"
OCCUPANT LOAD					
TABLE 10041.23	'	AREA	AREA/ OCCUPANT	000	OCCUPANTS
RESIDENTIAL (PER FLOOR)		4,410	200 SF	~	23
NUMBER OF EXITS	'				
		ŭ.	REQUIRED	ACTUAL	4
MINITUM NUMBER OF EXITS PER PLOOR (TABLE 1004.3.1)	PER	~£	1-500 OCC.	2	

EXIT ACCESS & TRAVEL DISTANCE (I EXIT ACCESS DOORWAY)

ACTUAL TRAVEL DISTANCE	*OOL	-O-,LL	13,-0,	840.	95'-0"	830.	82'-0"	82'-0"	74O"	79'-0"
MAX. TRAVEL DISTANCE ITABLE KOC.2.0	125'	125,	125,	125,	125′	125'	125,	125,	125,	125,
	AI TN	JNT IB	INT IC	OI LIN	INT IE	JNT 2A	JNT 2B	JNT 2C	OZ TNI	JVT 26



_____6F

2) WINDOW EGRESS

SCALE: 3/8"=1"-0"

EXTERIOR

3.-2

DRAWINGS	
$\bigcirc \mathbb{H}$	E
LIST	CODE REVI
	9

- LOWER LEVEL ARCHITECTURAL PLAN ¥
- PARTITION TYPES AND DOOR SCHEDULE UPPER LEVIEL ARCHITECTURAL PLAN Ø

Obear Construction Company, Inc. 219 Christian Lane, Whately, MA Apartment Renovations East School Apartments

COMMANY, RA-ROUTE 9 DESIGN
CONSULING ARCHIECT
CONSULING ARCHIECT
NORTHANCTON INA ODGO
NORTHANCTON INA ODGO
STEWN IN STREET
A STEWN IN STREET
A SERCHIECT
A STREET
A SERCHIECT
A STREET



* we + wr 6/29/23

033

RENOVATION FOR OBEAR
CONST.
UHATELY SCHOOL APTS.
UNATION FOR OBEAR <u>5</u> STD, ACD STD, JACL

