



ZONING BOARD OF APPEALS
WHATELY, MASSACHUSETTS

Updated 05-2021

TOWN OF WHATELY
TOWN CLERK

2023 FEB 22 AM 8:31

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) _____ Variance X Special Permit _____ Appeal

to do the following: renovate the Whately School House into nine upscale residential housing units

on premises located at 219 Christian Lane, Whately
(street address)
21-0-30

Zone _____ (Map and Parcel No.)

Owned by Whately School House, LLC. of 34 A East Main Street, Millers Falls, MA. 01349
(name of owner) (address of owner)

Name of applicant: Robert Obeat Signature of applicant: 
(print or type)

Mailing address of applicant: same as owner
34 A East Main Street, Millers Falls, MA. 01349

Phone No. of applicant: 413-537-5953 Email 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.
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.



Whately, MA
February 1, 2023

Abutters List Report

Subject Property:

Parcel Number: 21-0-30
CAMA Number: 21-0-30
Property Address: 219 CHRISTIAN LN

Mailing Address: WHATELY SCHOOL HOUSE, LLC.
34 A EAST MAIN STREET
MILLERS FALLS, MA. 01349

Abutters:

Parcel Number: 21-0-16
CAMA Number: 21-0-16
Property Address: 213 CHRISTIAN LN

Mailing Address: GRYBKO JANE H LIFE EST GRYBKO
BRIAN C
213 CHRISTIAN LANE
S DEERFIELD, MA 01373

Parcel Number: 21-0-26-1
CAMA Number: 21-0-26-1
Property Address: 180 RIVER RD

Mailing Address: CLARK MICHAEL F & KATHLEEN R
180 RIVER RD
S DEERFIELD, MA 01373

Parcel Number: 21-0-28
CAMA Number: 21-0-28
Property Address: 186 RIVER RD

Mailing Address: SYCAMORE TREE INVESTMENT TRUST
TILLBERG RICHARD, REISS ANTHOU
186 RIVER RD
S DEERFIELD, MA 01373

Parcel Number: 21-0-29
CAMA Number: 21-0-29
Property Address: 185 RIVER RD

Mailing Address: MAYER KRISTIN L
185 RIVER RD
S DEERFIELD, MA 01373

Parcel Number: 21-0-31
CAMA Number: 21-0-31
Property Address: 176 RIVER RD

Mailing Address: BECHTA GRETCHEN ROSENLUND
DEBRA LIFE EST
139 CHRISTIAN LN
S DEERFIELD, MA 01373

Parcel Number: 21-0-32
CAMA Number: 21-0-32
Property Address: 173 RIVER RD

Mailing Address: MIKELIS STEPHEN P
173A RIVER ROAD
S DEERFIELD, MA 01373

Parcel Number: 21-0-33-5
CAMA Number: 21-0-33-5
Property Address: S/S CHRISTIAN LN

Mailing Address: MIKELIS STEPHEN P
173A RIVER RD
S DEERFIELD, MA 01373

Parcel Number: 21-0-33-6
CAMA Number: 21-0-33-6
Property Address: S/S CHRISTIAN LN

Mailing Address: ORLOSKI 2013 IRREVOC TRUST
HERZIG CHRIS, ORLOSKI KARRIE
214 CHRISTIAN LN
S DEERFIELD, MA 01373



www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

Impact Statement for the Whately School House Special Permit Application

Owner: Whately School House, LLC.

Representative: Robert Obear, Manager and Developer, Whately School House, LLC (see resume attached)

Address: 34 A East Main Street, Millers Falls, MA. 01349

Telephone: 413-537-5953

Preparer: Robert Obear

Impact Statement:

The renovation of the Whately School House pertains to renovating the property into a residential nine-unit building. Our commitment to create nine one-bedroom units of upscale residential housing which will be marketed to Franklin, Hamden, and Hampshire County residents with an average income of \$70,600-\$74,100 annually.

The exterior building has wonderful character with the intention to leave much of the existing exterior envelop as is. We will attempt minor changes to enhance and promote a residential appeal. These improvements shall include exterior cleaning and painting, repair of existing windows and doors, if necessary, or provide for replacements that are compatible, repair or replace trim if needed, window treatments and landscaping inviting a residential atmosphere. To enhance a residential feel, we will maintain the pavement area in order to provide the required 14 tenant parking spaces with an additional few for visitors per code and Town bylaws. To improve on the current stark landscaping, we vision adding shrubbery around the parking areas, allow for large scale planters, and trees for a more home-like feel.

Interior renovations will include the creation of nine units for residential living space. The units will provide for open concept living room/kitchen space and add a separation wall for the bedroom and bathroom in most areas. The open concept floor plan allows for spacious and more desirable living for residents. Recycling and rubbish removal will be provided onsite, utilization of existing asphalt with minor changes and additions as mentioned above. Other amenities will include on site laundry, lawn and snow care and maintenance staff for all necessary repairs, capital improvements, security system and emergency service.

Our goal is to use energy efficient fixtures, heating, and water systems to the best of our ability. The developer reserves the right to alter or modify his planned use if the market demand changes. We reserve the right to apply for any allowable uses in the future in addition to or in place of the initial intended and described use.

We pride ourselves on unique preservation while creating useful spaces for residential and commercial uses. We are excited at the opportunity to again preserve the Erving Graded School.

Thank you for your consideration, Robert Obear

Our basic construction timetable is as follows:

Building Clean-up – 90 days

- BEGIN ASSESSING DEMOLITION NEEDS
- CREATE FINAL REDEVELOPMENT PLAN FOR PERMITTING
- BEGIN PERMIT PROCESS

Removal of deteriorated structural elements – 160 days

- BEGIN INTERIOR DEMOLITION
- CLEAN OUT OF BASEMENT AREA
- PERMITTING FOR SPRINKLER SYSTEM
- ASSESS EXTERIOR REPAIRS/REPLACEMENTS
- OTHER SELECTIVE DEMO

Replacement of components – 161 - 210 days

- ADDRESS WINDOW REPAIR/REPLACEMENT
- REPAIR AND PAINT EXTERIOR and TRIM
- REPAIR/REPLACEMENT EXTERIOR DOORS

Utility permitting and final work– 210 - PLUS

- SPRINKLER SYSTEM INSTALLATION
- UPDATE ELECTRICAL SERVICE/FIXTURES
- UPDATE PLUMBING SERVICE/FIXTURES
- UPDATE HVAC SYSTEMS
- FRAMING/INSULATION INTERIOR WALLS
- FLOORING REPAIRS
- INSTALL BATHROOM FIXTURES
- INSTALL KITCHEN CABINETS/COUNTERTOPS
- PAINTING
- FINAL PLUMBING
- FINAL ELECTRICAL
- FINAL HVAC
- FINAL RENOVATION COMMON SPACES, FINAL LANDSCAPING
- PLACE ON MARKET – 16-20 months to complete the property

Robert G. Obear Jr.

34 A East Main Street, Millers Falls, Ma 01349 | 413-537-5953 | rgobear@gmail.com

Responsibilities

- President of Obear Construction Co Inc. 12 full time employees and 5 part/full-time subcontractors
- Managing Principal of Pioneer Valley Redevelopers LLC
- Massachusetts court approved Receiver
- Manager Chief of Operations Millers Falls Laundry Company

CURRENT PROJECTS

- Custom built million-dollar home at 530 Federal Street in Montague
- Renovation of 633 Bernardston Road in Greenfield, large single-family home for resale
- Railroad Salvage Annex Project, Turners Falls Ma, 18 Unit Mixed Use Mill Renovation
- Currently holding appointments as Receiver on 3 properties
- Renovation and Redevelopment of the Historic Whatley School House at 219 Christian Lane Whatley, MA. Renovating into nine high-end residential units
- Permitting for renovation of 17 Moore Street in Erving, MA. Old town library renovating into a single-family home
- Permitting and final design for 18 Pleasant Street in Erving, MA. Old grammar school renovating into four high end residential units
- Renovating three residential properties in Northfield, Montague, and Deerfield. Two will be added to the existing rental portfolio and one sold
- Renovating a single-family home for resale in Westhampton, MA.
- Renovating a two-family home for resale 46-48 Church Street, Greenfield, MA
- Renovating a single-family home for resale at 292 Deerfield Street, Greenfield, MA

Skills & Abilities

MANAGEMENT

- Currently managing operations for a medium sized construction firm, Obear Construction Co Inc. Day to day activities include, scheduling, employee management, tax- compliance, purchasing, sales and business development.
- Principle of Pioneer Valley Redevelopers LLC, a residential real estate re-developer, specializing in land development, and single/multi residential homes, the restoration of blighted neighborhoods, and management of residential multi-family units.

SALES

- Primary role in marketing for Obear Construction Co Inc. Creating new leads and turnover into client relationships
- Marketing and sales of rehabilitated homes and rental units
- Management of social media websites and accounts for Obear Construction Co, and Pioneer Valley Redevelopers
- Market research and identification of properties for investment.

COMMUNICATION

- Daily management of client relationships, Employee relations, and dispute resolution.
- Tenant management, rental agreements,

LEADERSHIP

- 2011 – Present Montague MA, Planning Board Member
- 2020- Present Zoning Board of Appeals

Completed Projects

PIONEER VALLEY REDEVELOPERS LLC 2015 THRU 2022

- Triplex renovation and remarketed as rental 62Morse Village Rd Wendell, Ma
- Whole house renovation and conversion to rental 1 Elm St Wendell, Ma and sold
- Duplex renovation and conversion to rental property 142-144 Maple St. Warren, Ma
- Purchase and remarketed 3 site subdivision 332,334,336 Long Plain Rd Leverett, Ma
- Whole house renovation and sale of 72 Mechanic St Orange Ma through receivership program
- Renovation and sale of four family at 132 Davis Street, Greenfield, MA
- Development of multiple residential properties and conversion to rental stock
- Renovation and sale of a three-family unit at 111 L Street, Turners Falls, MA through receivership program
- Renovation of a two unit residential and one commercial space at 22 West Main Street, Millers Falls, MA

COMPLETED PROJECTS 2015 THRU 2022

OBEAR CONSTRUCTION CO. INC.

- Whole house renovation and sale 133 School Street, Greenfield, Ma
- Restoration and renovation of 11-unit residential building at 38 East Main Street, Millers Falls, MA
- Custom home renovation 218 Burnham Road, Northfield, MA
- Renovation of 22 West Main Street, Millers Falls, MA
- Renovation and sale of 59 River Road, Whately, MA
- Renovation and sale of 72 Prospect Street, Greenfield, MA
- Restoration and renovation of 4 residential and 4 commercial space building at 41 East Main Street, Millers Falls, MA
- Triplex renovation and remarketed as rental 62Morse Village Rd Wendell, Ma
- Whole house renovation and conversion to rental 1 Elm St Wendell, Ma then sold
- Duplex renovation and conversion to rental property 142-144 Maple St. Warren, Ma then sold
- Purchase and remarketed 3 site subdivision 332,334,336 Long Plain Rd Leverett, Ma
- Whole house renovation and sale of 72 Mechanic St Orange Ma
- Renovation and sale of four family at 132 Davis Street, Greenfield, MA
- Renovation and sale of a single-family at 37 Elm Street, Greenfield, MA
- Development of multiple residential properties and conversion to rental stock
- Renovation and sale of a three-family unit at 111 L Street, Turners Falls, MA
- Railroad Salvage Annex Project, Turners Falls Ma, 18 Unit Mixed Use Mill Renovation
- Currently holding appointments as Receiver on 216 Elm Street Greenfield, 100 Fairview Street Greenfield, and 89 West Street Orange.
- Renovation of 268 school St Athol, Ma. 7unit building
- Renovation of 26, 30, 34, and 34R East Main Street in Millers Falls, MA into 13 commercial/residential units