

REQUEST FOR DETERMINATION  
NON-CONFORMING USE, LOT OR STRUCTURE  
ONE AND TWO FAMILY DWELLINGS  
(2013)

RECEIVED  
FEB 26 2017  
ZONING BOARD  
OF APPEALS

TOWN OF STURBRIDGE  
ZONING BOARD OF APPEALS

Property Owner George & Rebecca Kondylis  
 Property Address 47 Seneca Lane  
 Mailing Address 19 Brigham Road Berlin, MA 01503  
 Telephone (978) 838-0028 Email kondylismd@gmail.com  
 Deed Reference 58038 / 275 Purchase Date November 14, 2017  
 Assessor's Map # 568-02118-047 \$25.00 Fee/Check # 2006

cell  
(508)843-6566

1. Complete the required, existing and proposed conditions:  
 Zoning District Suburban Residential

	Zoning Requirements	Existing Conditions		Proposed Conditions	
Minimum Lot Area	.75 ACRE	.40 ACRE		.40 ACRE	
Minimum Frontage	125'	60'		60'	
Maximum % Lot Coverage	15	3.26		3.99	
Minimum Front Setback	30'	160'		160'	
Minimum Side Setbacks	15'	15'	15'	15'	15'
Minimum Rear Setback	15'	24'		26'	
Maximum Mean Height Allowed	35'	26'		28'	
Maximum # of Stories Allowed	2	2		2	

Services available to the subject property:	Existing	Proposed
Type of water services (i.e. municipal water or private well)	Private	Private
Type of sewage disposal (i.e. municipal sewage disposal or private septic system)	Sewer	Sewer
Type of storm drainage (i.e. sewers, ditches, swales or other means)	None	Cultec drywell system for roof rain drainage from downspouts.

2. Is this property presently compliant with Title V?

Yes                       No

3. Attach the following and check off:

A Plot Plan Survey, prepared by a Massachusetts licensed land surveyor, including lot lines, a foundation survey of all existing structures and proposed new structures, with setbacks; and the location of wells, septic fields or septic systems.

A current abutter's list, available from the Town Assessor's Office.

A certificate of Taxes Paid from the Director of Taxes.

4. Describe the current usage of this lot:

Residential lot containing a single family home with a detached garage.  
Home and garage to be razed and rebuilt.

5. Describe the character of the abutting properties, neighborhood and zoning district:

The surrounding area is a residential neighborhood consisting of year-round residences of similar size

6. Describe the proposed construction, identifying all items for which a building permit will be applied, including any demolition, reconstruction and new construction, the location and description of any footprint additions, additional

removed and replaced with pervious patio and deck above.

floors, accessory attached or unattached buildings, driveways, lot clearings and plantings. Current house and garage to be demolished and rebuilt on existing footprint on new foundations. Retaining walls to be repaired in current position. Cultee drywell system installed to capture roof rain water runoff. Shallow well to be removed and drilled well installed. Concrete pad

**NOTE TO THE APPLICANT:** This ZBA Determination is valid only for those construction activities identified on this application. Any additional building permit applications or activities relating to this property will nullify any determinations under this application. Any misstatement of facts in the application may be grounds for nullification and revocation of the determination. The applicant is responsible for the cost of Public Hearing Notices, to be paid at the Hearing.

[Signature]  
Signature of Owner

2/23/18  
Date

**DETERMINATION**

Based on the facts presented on this application and after a Site Inspection and Public Hearing, the Zoning Board of Appeals, by majority vote at its meeting on

\_\_\_\_\_ find that this application:

\_\_\_ Does not intensify the existing or create additional non-conformities and the owner may apply for a building permit for the described activities as shown on the attached survey forthwith.

\_\_\_ The ZBA includes the following directives and clarifications to the Building Inspector

OR

\_\_\_ Does increase the non-conforming nature and requires a

\_\_\_ Special Permit and a

\_\_\_ Variance from the Zoning Board of Appeals including but not limited to the following:

\_\_\_\_\_  
Zoning Board Chairman

\_\_\_\_\_  
Date



# Town of Sturbridge

Ann P. Murphy, MAA. - Principal Assessor

RECEIVED  
FEB 28 2018

ABUTTER LIST REQUEST  
(Please allow 10 days for final list)

ZONING BOARD  
OF APPEALS

PARCEL ADDRESS REQUESTED 47 Seneca Lane

OWNER OF RECORD George & Rebecca Kondylis

CONTACT PERSON Rebecca Kondylis (508) 843-6565

SIGNATURE Rebecca Kondylis

DATE 2/23/18 TELEPHONE # (508) 843-6565

COST: \$5.00 FOR EACH PARCEL REQUESTED  
\$3.00 PER SHEET OF MAILING LABELS

Direct Abutter

Conservation (200')

Planning / Zoning Board of Appeals (300')

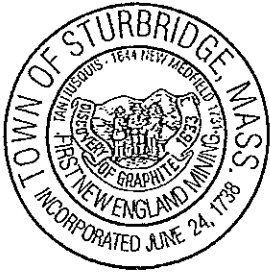
Board of Selectmen  Forest Cutting (200')

Liquor License (Contact assessors office for requirements)

Miscellaneous (Contact assessors office for instructions)

Town Hall, 308 Main Street  
Sturbridge, MA 01566

Telephone (508) 347-2503  
Fax (508) 347-2521  
Email: amurphy@town.sturbridge.ma.us



# Town of Sturbridge

Barbara A. Barry, Finance Director

Department/Board/Committee: Zoning Board of Appeals

Please verify outstanding tax/fee status for the following property owner:

Property Owner: George + Rebecca Kondylis

Property Location: 47 Seneca Lane

The license/permit may be released.

The license/permit may not be released.

Deborah S Morse  
Finance Department

2/26/18  
Date



**Notification to Abutters Under the  
Massachusetts Wetlands Protection Act**

**(This form must be completed and copies sent, by certified mail, certificate of mailing or hand-delivered, to all abutters within 200 feet of the location of the project)**

*In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following:*

- A. The name of the Applicant is George & Rebecca Kondylis.
- B. The Applicant has filed a Notice of Intent (NOI) with the Sturbridge Conservation Commission.
- C. The address or location of the lot where the activity is proposed is 47 Seneca Lane, Sturbridge.
- D. The Applicant proposes to raze the existing house and foundation and construct a new foundation and home in the same footprint as the existing home.
- E. Copies of the NOI may be obtained or examined by calling Glenn E. Krevosky of EBT Environmental Consultants, Inc., 601 Main Street, North Oxford, MA 01537 at (508)987-0979 between the hours of 9:00 am and 3:30 pm, Monday through Friday.
- F. Information regarding the date, time and place of the Public Hearing may be obtained by contacting the Sturbridge Conservation Commission at (508)347-2506 between the hours of 8am to 4pm, Monday through Friday.

***PLEASE NOTE:***

- 1. Notice of the public hearing, including its date, time and place will be published at least five (5) business days in advance in The Southbridge News.
- 2. Notice of the public hearing including date, time and place will be posted in the Town Hall not less than forty-eight (48) hours in advance.
- 3. You also may contact the Department of Environmental Protection (DEP) Regional Office for more information about this application or the Wetlands Protection Act. To contact the DEP:

**CENTRAL REGION: (508) 792-7650**

**NORTHEAST REGION: (617) 654-6500**

**WESTERN REGION: (413) 784-1100**

**SOUTHEAST REGION: (508) 946-2700**

11/22/17

**6A**

Parcel ID	Owner	Owner Address	Owner City	Owner State	Owner Zip	Property Address
568-02118-049	CONDON NEAL T	49 SENECA LANE	STURBRIDGE	MA	01566	49 SENECA LANE
202-02417-070	INHABITANTS OF STURBRIDGE	308 MAIN STREET	STURBRIDGE	MA	01566	70 CEDAR STREET
103-02418-043	JULIANO BRIAN R	107 HAMPDEN ROAD	SOMERS	CT	06071-1249	43 ABRAMS DRIVE
568-02418-045	SENECA LANE REALTY TRUST	P.O. BOX 1104	STURBRIDGE	MA	01566	45 SENECA LANE
568-02418-051	SEXTON STEVEN M	51 SENECA LANE	STURBRIDGE	MA	01566	51 SENECA LANE
202-02416-060	STURBRIDGE TOWN OF	308 MAIN STREET	STURBRIDGE	MA	01566	60 CEDAR STREET
	BOARD OF ASSESSORS					
Above persons listed are record owners as they appear on the most recent applicable tax list.						
Assessors are not responsible for errors or omissions. RE: M.G.L. - Chapter 40A, Section 11						
Abutters List -	Conservation Commission - 200'					
RE: 47 SENECA LANE						
Certified Copy						
Assessor:	<i>Ann P. Murphy</i>					
Date:	<i>11-22-2017</i>					



**AFFIDAVIT OF SERVICE**

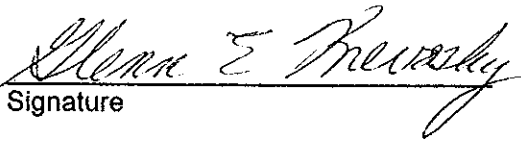
**UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT  
AND TOWN OF STURBRIDGE WETLAND PROTECTION BYLAW**

(To be submitted to the Massachusetts Department of Environmental Protection & the Conservation Commission when filling a Notice of Intent)

I, Glenn E. Krevosky, hereby certify under the pains and penalties of perjury that on November 22, 2017, I gave notification to abutters within 200 feet of the proposed project in compliance with the second paragraph of the Massachusetts General Laws, Chapter 131, Section 40 and the DEP Guide to Abutter Notification, dated April 8, 1994, in connection with the following matter:

A Notice of Intent application filed under the Massachusetts Wetlands Protection Act and The Town of Sturbridge Wetland Protection Bylaw by EBT Environmental Consultants, Inc., 601 Main Street, North Oxford, MA 01537, with the Leicester Conservation Commission on November 22, 2017 for a property located at, 47 Seneca Lane.

The form of the notification and the list of the abutters to whom it was given and their addresses are attached to this Affidavit of Service.

  
Signature

11-22-17  
Date

**7A**

# 47 SENECA LANE

**Location** 47 SENECA LANE

**Mblu** 568-/0 2118/- 047/ /

**Acct#** 568-02118-047

**Owner** JACQUES ALPHONSE A

**Assessment** \$256,700

**Appraisal** \$256,700

**PID** 3276

**Building Count** 1

## Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2018	\$82,700	\$174,000	\$256,700
Assessment			
Valuation Year	Improvements	Land	Total
2018	\$82,700	\$174,000	\$256,700

## Owner of Record

**Owner** JACQUES ALPHONSE A  
**Co-Owner** JR & MILDRED A  
**Address** PO BOX 85  
 FISKDALE, MA 01518-0085

**Sale Price** \$0  
**Certificate**  
**Book & Page** 04087/0553  
**Sale Date** 01/27/1960

## Ownership History

Ownership History				
Owner	Sale Price	Certificate	Book & Page	Sale Date
JACQUES ALPHONSE A	\$0		04087/0553	01/27/1960

## Building Information

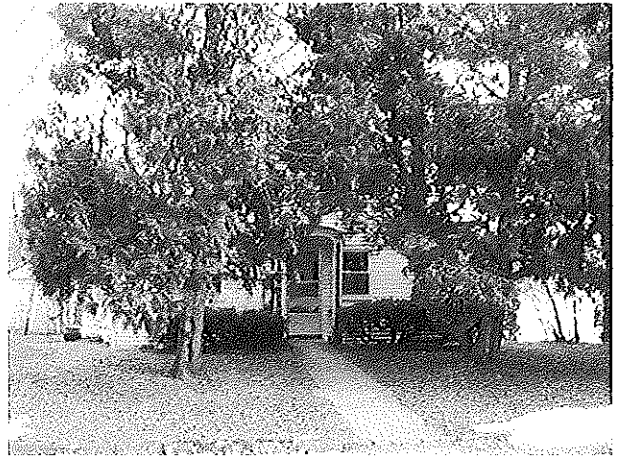
### Building 1 : Section 1

**Year Built:** 1910  
**Living Area:** 925  
**Replacement Cost:** \$136,913  
**Building Percent** 59  
**Good:**  
**Replacement Cost**  
**Less Depreciation:** \$80,800

Building Attributes	
Field	Description

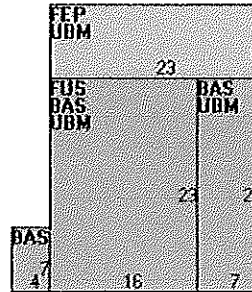
Style	Conventional
Model	Residential
Grade:	Average
Stories:	2 Stories
Occupancy	1
Exterior Wall 1	Vinyl Siding
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Flr 1	Pine/Soft Wood
Interior Flr 2	
Heat Fuel	Oil
Heat Type:	Hot Water
AC Type:	None
Total Bedrooms:	2 Bedrooms
Total Bthrms:	1
Total Half Baths:	0
Total Xtra Fixtrs:	
Total Rooms:	4
Bath Style:	Average
Kitchen Style:	Average

### Building Photo



(<http://images.vgsl.com/photos/SturbridgeMAPhotos//\01\00\0>)

### Building Layout



Building Sub-Areas (sq ft)			Legend	
Code	Description	Gross Area	Living Area	
BAS	First Floor	557	557	
FUS	Upper Story, Finished	368	368	
FEP	Porch, Enclosed, Finished	184	0	
UBM	Basement, Unfinished	713	0	
		1,822	925	

### Extra Features

Extra Features	Legend
No Data for Extra Features	

### Land

### Land Use

### Land Line Valuation

<b>Use Code</b>	1013	<b>Size (Acres)</b>	0.4
<b>Description</b>	SFR WATER R	<b>Frontage</b>	60
<b>Zone</b>	SR	<b>Depth</b>	
<b>Neighborhood</b>	0500	<b>Assessed Value</b>	\$174,000
<b>Alt Land Appr Category</b>	No	<b>Appraised Value</b>	\$174,000

### Outbuildings

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
FGR1	GARAGE-AVE			352 S.F.	\$1,900	1

### Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2017	\$79,200	\$167,100	\$246,300
2016	\$76,800	\$162,400	\$239,200
2015	\$72,900	\$162,400	\$235,300
2014	\$63,500	\$162,400	\$225,900
2013	\$61,500	\$186,500	\$248,000

Assessment			
Valuation Year	Improvements	Land	Total
2017	\$79,200	\$167,100	\$246,300
2016	\$76,800	\$162,400	\$239,200
2015	\$72,900	\$162,400	\$235,300
2014	\$63,500	\$162,400	\$225,900
2013	\$61,500	\$186,500	\$248,000

# Worcester South District Registry of Deeds Electronically Recorded Document

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## Recording Information

Document Number : 127440  
Document Type : DEED  
Recorded Date : November 14, 2017  
Recorded Time : 03:27:45 PM  
  
Recorded Book and Page : 58038 / 275  
Number of Pages(including cover sheet) : 4  
Receipt Number : 1040488  
Recording Fee (including excise) : \$991.40

\*\*\*\*\*  
MASSACHUSETTS EXCISE TAX  
Worcester District ROD #20 001  
Date: 11/14/2017 03:27 PM  
Ctrl# 175921 12420 Doc# 00127440  
Fee: \$866.40 Cons: \$190,000.00  
\*\*\*\*\*

Worcester South District Registry of Deeds  
Anthony J. Vigliotti, Register  
90 Front St  
Worcester, MA 01608  
(508) 798-7717

**Quitclaim Deed**

I, Mildred A. Jacques, being unmarried, of Worcester County, Massachusetts, in consideration of One Hundred Ninety Thousand and 00/100 (\$190,000.00) Dollars

*\* And any amendments thereto*

**GRANT TO** George D. Kondylis and Rebecca <sup>E</sup>Kondylis, Trustees of the Kondylis Joint Living Trust, under an unrecorded declaration of trust dated May 17, 2007<sup>1</sup>, and as evidenced by a Certificate of Trust dated May 17, 2007 and recorded July 9, 2008 at the Worcester County South District Registry of Deeds in Book 43072, Page 170, of 19 Brigham Road, Berlin, Worcester County, Massachusetts 01503 ; *see Certificate recorded herewith.*

**With QUITCLAIM COVENANTS**

A certain tract of land situated in Sturbridge, in said County of Worcester on the westerly shore of Cedar Pond, bounded as follow, to wit: -

Beginning at an iron pin in the ground on the westerly shore of said Pond at the S.E. corner of land to be conveyed being the N.E. corner of land formerly of one Allard;

Thence Westerly by the northerly line of land formerly of one Allard, about one hundred fifty (150) feet to a pin in the ground and thence continuing westerly in said northerly line of land formerly of one Allard, one hundred fifty (150) feet, to a pin in the ground at a driveway;

Thence Northerly by the easterly line of said driveway, sixty (60) feet to an iron pin in the ground at land now or formerly of Benonie Lapierre, et ali.;

Thence Easterly by land now or formerly of Benonie Lapierre, et ali., one hundred fifty (150) feet to a pin in the ground and thence easterly by land formerly of Gedeon Gregoire and now or

Property Address: 47 Seneca Lane, Sturbridge, MA 01566

formerly of said Benonie Lapierre, et ali., about one hundred fifty (150) feet to a pin in the ground on the westerly shore of said Pond;

Thence Southerly by the westerly shore of said Pond, about sixty (60) feet, to the pin in the ground at the point of beginning.

And as appurtenant to the granted premises the right to use, in common with others, a right of way, to and from the granted premises to and from the Brookfield Road, so-called, over land now or formerly of Alpheus E. Wight.

And as appurtenant to the granted premises the right to use, in common with others, a strip of land six (6) feet in width lying northerly of and adjoining the northerly line of the above described premises and extending easterly from the driveway leading from the Brookfield Road-so-called, over land now or formerly of Benonie Lapierre, et ali., a distance of one hundred fifty (150) feet and, said premises are subject to a reservation to Gedeon Gregoire and his heirs and assigns of a right to use in common with others a strip of land six (6) feet in width lying southerly of and immediately adjoining the northerly line of the land herein conveyed and extending easterly from the driveway leading from the Brookfield Road, so-called, over land herein conveyed, one hundred fifty (150) feet to other land of the Rydensky.

Said strip of land so granted and said strip of land so reserved are to be used as a driveway by Gedeon Gregoire, his heirs and assigns and by such other persons as may have right thereto.

I, Mildred A. Jacques, do hereby voluntarily release all of my rights of Homestead, if any, as set forth in M.G.L. Chapter 188 and state, under the pains and penalty of perjury, that there is/are no other person or persons entitled to any homestead rights other than those executing this deed.

For title see deed recorded in said Registry of Deeds in Book 4087, Page 553.

Executed as a sealed instrument this 24<sup>th</sup> day of October, 2017.

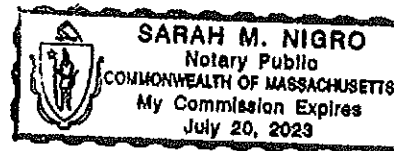
Mildred A. Jacques  
Mildred A. Jacques

Commonwealth of Massachusetts

Worcester, ss.

On 24 day of October, 2017, before me, the undersigned notary public, personally appeared Mildred A. Jacques, the above-named and proved to me through satisfactory evidence of identification being MA Drivers License, to be the person whose name is signed on this document, and acknowledged to me that he/she signed it voluntarily for its stated purpose and that the foregoing instrument is his/her free act and deed.

Sarah M Nigro  
Notary Public: Sarah M Nigro  
My Commission Expires: 7-20-23



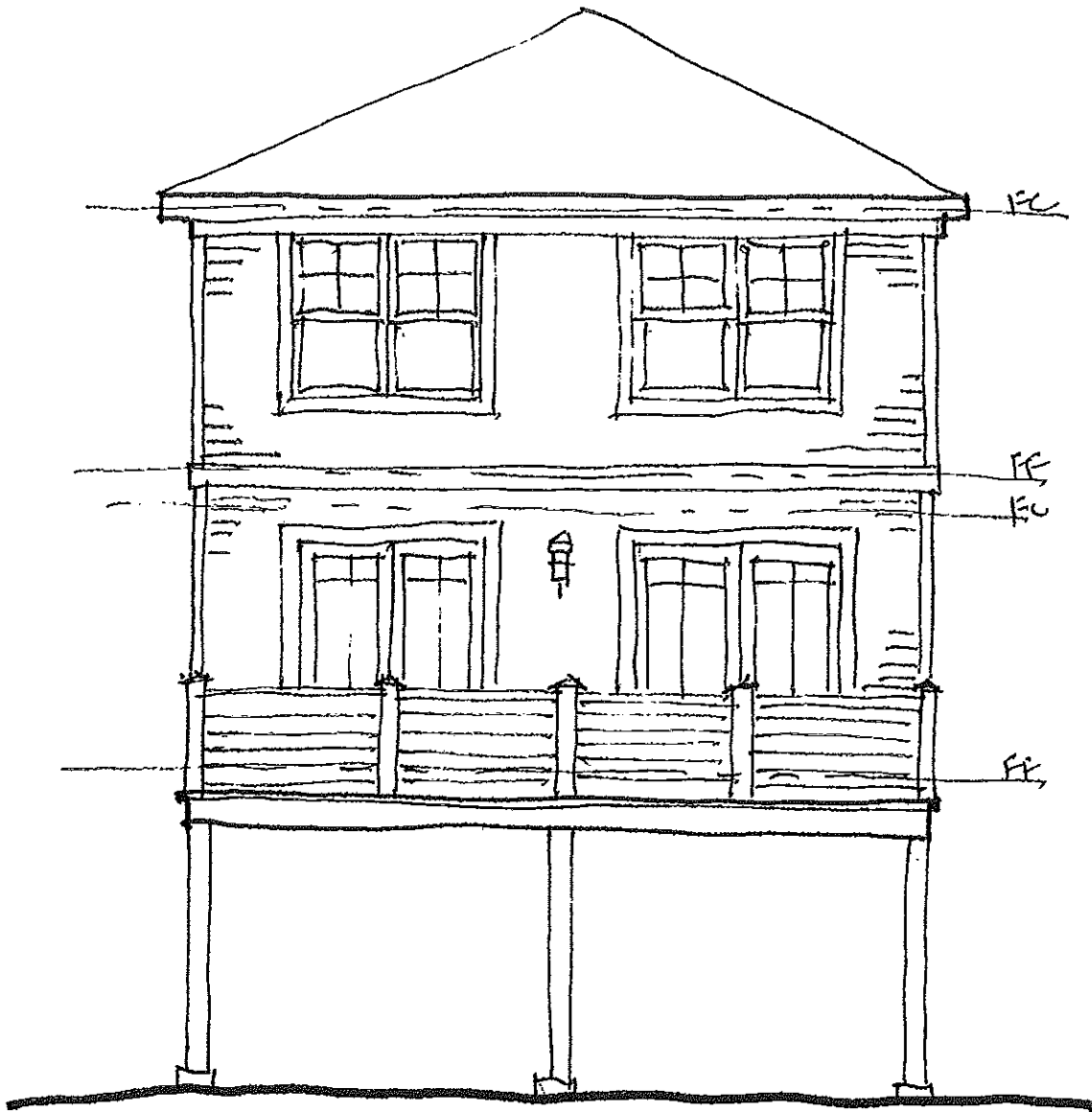
ATTEST: WORC Anthony J. Vigliotti, Register





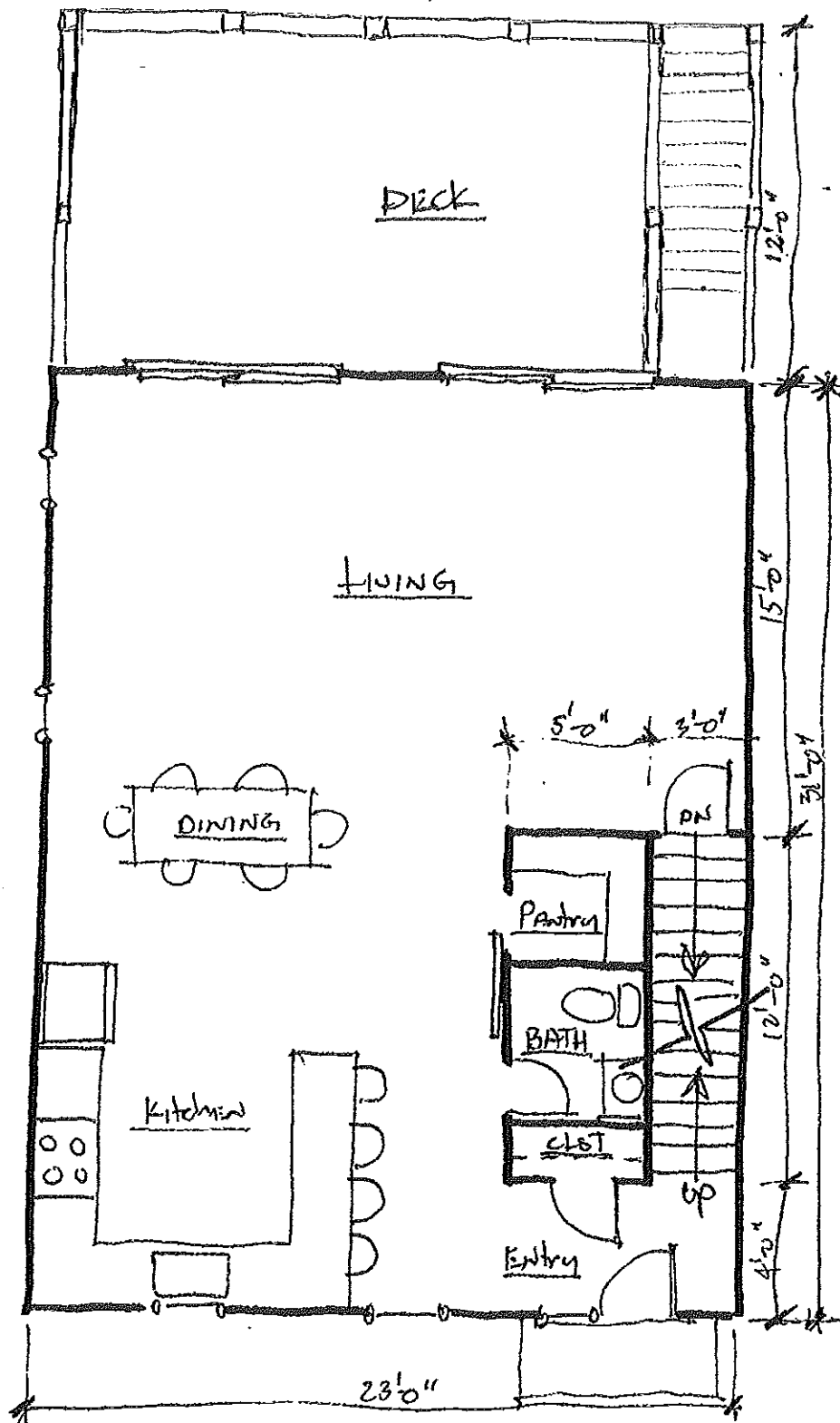
# Front Elevation

Scale  $\frac{3}{16}'' = 1'-0''$



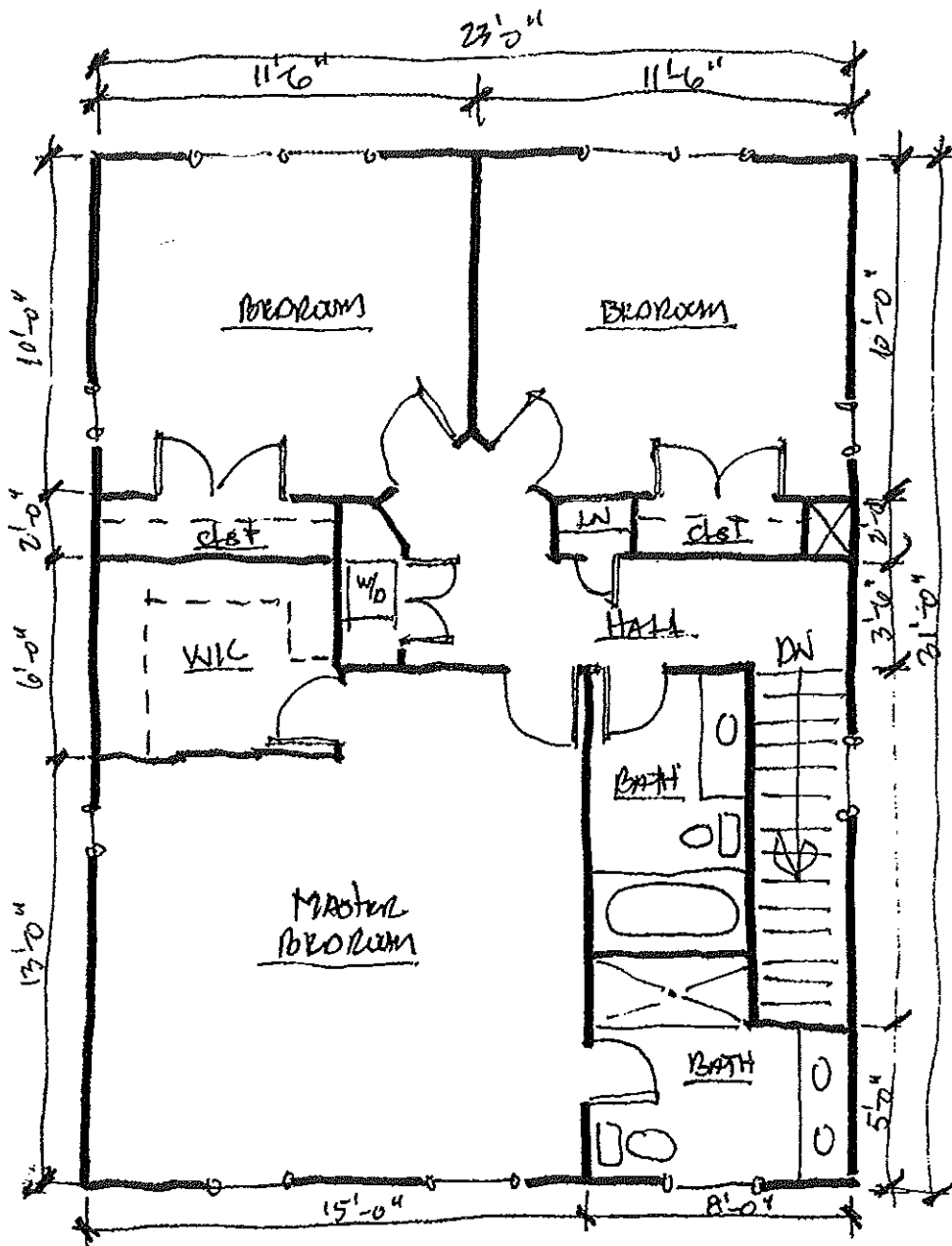
# Lake Side Elevation

Scale:  $3/16" = 1'-0"$



# First Floor Plan

SCALE 3/16" = 1'-0"



# SECOND FLOOR PLAN

SCALE:  $\frac{3}{16}'' = 1'-0''$