



Application to the ZONING BOARD OF APPEALS TOWN OF OXFORD

The undersigned hereby applies for a Variance in accordance
(Variance, Special Permit, Appeal)

with the Oxford Zoning By-Law, adopted October 7, 1987, as amended, according to the following statements:

Applicant's Name: Shawn Conway Phone # 774-314-0483

Address: 12 Charlton St. Oxford MA

Owner's Name: Sean Conway Phone # 617-571-1723

Address: 2 Heritage Rd

Owners Signature: Sean G

Property Location: 2 Heritage Rd Zoning District: R2

Map / Parcel: Map 25A / Parcel B21

Registry of Deeds: 59943 / 138
(Book) (Page)

This application is brought forth in accordance with the following provisions of the Oxford Zoning By-Laws:

Chapter: X Section: XVI

Table: IV Item: Frontage

Description of the variance, special permit or appeal applying
for: Applying for Variance to build Garage in back Yard. We have 21.3' to Dana Rd.
Garage is 30' x 30'.

Attach a plan of the property including the exact location and dimensions of features which apply. If this application is for an appeal of an administrative decision, attach a copy of the decision.

Application Fee - \$130.00 includes up to eight (8) abutters. Additional 46.5 cents per abutter over eight (8). The application fee must accompany this application. Amount paid: \$ 144.95

Signature of Applicant: Shawn Conway Date: 3/21/24

SUBMIT ENTIRE APPLICATION TO THE TOWN CLERK

Board of Appeals
Town of Oxford
Oxford, Massachusetts 01540-1760



To the applicants of the Zoning Board of Appeals,

You are hereby advised of the following provisions of the Oxford Zoning By-Laws:

Appeals. Appeals to the Zoning Board of Appeals must be filed within twenty (20) days from the date or order of decision which is being appealed specifying the grounds thereof.

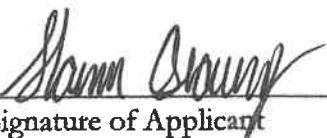
Variances. In order to grant a variance from the requirements of this By-Law, the Zoning Board of Appeals must find that all of the following conditions have been met:

- (a) There are unique circumstances relating to the soil conditions, shape or topography of such land or structures, that
- (b) Especially affect such land or structures but do not generally affect the zoning district in which it is located, and that
- (c) A literal enforcement of the provisions of this By-Law would involve substantial hardship, financial or otherwise, but not of a personal nature, to the petitioner or appellant, and that
- (d) Desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the purposes of this By-Law.

Special Permits. Special Permits may be issued only for uses which are in harmony with the general purpose and intent of this By-Law and shall be subject to general or specific provisions set forth herein. In addition, conditions, safeguards and limitations on time and use may be imposed by the Board when issuing a special permit. In granting the special permit, the Board shall determine if the following conditions have been met:

- (a) The site is an appropriate location for the use or structure,
- (b) The soils are suitable for on-site sewerage disposal,
- (c) An adequate water supply can be provided,
- (d) The use as developed will not adversely affect the neighborhood, and
- (e) There will be no nuisance or serious hazard to vehicles or pedestrians.

In accordance with Chapter 40A, Section 15 of the Massachusetts General Laws, you are hereby advised that any person aggrieved by the decision of the Board, relative to this matter, must file an appeal, as provided for in Section 17 of said Chapter 40A, within twenty (20) days after the date of the filing of this decision in the office of the Town Clerk.


Signature of Applicant

3/21/24
Date

*Please note this page must accompany page 1 as it is part of the application.



TO THE APPLICANT:

Please furnish the following information and return to the appropriate board, office, department, commission or division of the Town of Oxford (pursuant to Chapter 53, Section 1 through 5, General By-Laws, Town of Oxford):

APPLICANT or
PRINCIPLE OF ORGANIZATION. Shawn Conway

Address: 12 Charlton St. Oxford MA

PROPERTY
OWNER: Sean G Sean Conway

Address: 2 Heritage Rd

Board of Assessors:

Property Location: 2 Heritage Rd.

Please list parcel owned by above applicant:

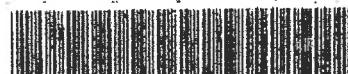
Map: 25A Parcel: B21 Date Purchased 1/16/2019
Assessor's Office 3/21/2024
Date

Tax Collector
Tax Status: 1st half due 12/23 outstanding 411- ^{2nd half due}

Personal Property Tax

Kyle H.
Treasurer/Collector's Office

3/21/24
Date



2019 00004524

Bk: 59943 Pg: 138

Page: 1 of 2 01/16/2019 01:15 PM WD

QUITCLAIM DEED

I, Sean E. Conway, of 2 Heritage Road, Oxford, Worcester County, Massachusetts 01540, individually;

for consideration paid, and in full consideration Less than One Hundred Dollars

grant to Sean E. Conway and Jussara Lemos Conway née Jussara dos Santos Lemos, of 2 Heritage Road, Oxford, Worcester, County, Massachusetts as husband and wife, as tenants by the entirety.

with quitclaim covenants

The land with all buildings and improvements thereon situated in Oxford, County of Worcester, Massachusetts, located on the northerly side of Dana Road, bounded and described as follows:

BEGINNING at a point on the northerly side of Dana Road at the southwest corner of Lot #3;
 THENCE northerly by Lot #2, 115.20 feet to a point;
 THENCE easterly by land now or formerly of the Rolling Hills Estates of Oxford, Inc., 102.00 feet to a point;
 THENCE southerly 123.50 feet by Lot #4 to the northerly side of Dana Road;
 THENCE westerly along Dana Road, 63.00 feet to a point;
 THENCE N. 76 degrees, 50' W along Dana Road for a distance of 39.00 feet to the point of beginning.

The above described premises is known as Lot #3 on a Plan by Walter Brown dated September 12, 1968 and recorded with the Worcester District Registry of Deeds in Plan Book 324, Plan 54 and containing 12,189 square feet.

And the land with the buildings thereon situated in Oxford, Worcester County, Massachusetts located on the northerly side of Dana Road, bounded and described as follows:

BEGINNING at a point on the northerly side of Dana Road at the southwest corner of Lot #4;
 THENCE northerly by Lot #3, 123.50 feet to a point;
 THENCE easterly by land now or formerly of Rolling Hills Estates of Oxford, Inc., 100.00 feet to a point;
 THENCE southerly by Lot #5, 137.80 feet to the northerly side of Dana Road;

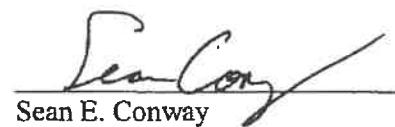
2 Heritage Road, Oxford, Massachusetts 01540

THENCE westerly along Dana Road 100 feet, to the point of beginning.

The above described premises is known as Lot #4 on aforementioned plan and contains 12,782 square feet.

Being the same premises conveyed in deed to Sean Conway to the Grantor dated October 4, 2010 and recorded with the Worcester District Registry of Deeds, Book 46422 Page 254.

Witness our hands and seals this 16 day of January 2019.

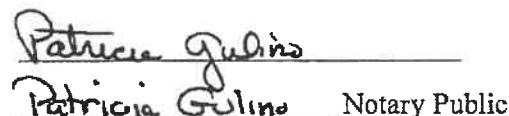


Sean E. Conway

Commonwealth of Massachusetts

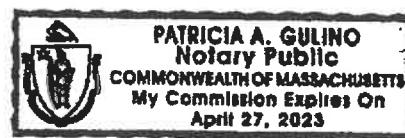
Worcester, ss.

On this 16 day of January 2019, before me, the undersigned Notary Public, personally appeared **Sean E. Conway**, proved to me through satisfactory evidence of identification which was photographic identification with signature issued by a federal or state governmental agency, oath or affirmation of a credible witness, personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document(s), and acknowledged to me that said person signed it voluntarily for its stated purpose.



Patricia A. Gulino
Notary Public

My Commission Expires:



TOWN OF OXFORD
ABUTTERS LIST

Property Map/Parcel: Map 25A Parcel B21

Property Location: 2 HERITAGE RD

Property Owners: SEAN CONWAY
JUSSARA LEMOS CONWAY

Owners' Mailing Address: 2 HERITAGE RD
OXFORD, MA 01540

Requested By: SHAWN COSWAY

Purpose of Request: Zoning Board

Date of Request: MARCH 4, 2024

The following is a list of abutters to the property designated on the application for appeal.

"Parties in interest" shall mean the petitioner, abutters, owners of land directly opposite on any public or private street or way, and abutters within **three hundred feet** of the property line of the petitioner as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town; the planning board of the city or town, and the planning board of every abutting city or town.

Certified By: John E. Pitts

Date Certified: March 4, 2024

Abutters listing ZBA 300ft Map25A B21

BLOCK	LOT	MAP	LOCATION	ADDRESS	CITY	STATE	ZIP	OWNER	OWNER 2
A03		2		67 DANA RD	67 DANA RD	OXFORD	MA	01540-1703	BOLNER, TRACEY J.
A06	"	28		0 DANA RD	57 BROWN RD	OXFORD	MA	01540-1801	JAMES G BOLNER
A07	"	25A	5 HERITAGE RD	57 BROWN RD	OXFORD	MA	01540-1783	PAMELA TARA	
A08	"	28	88 DANA RD	5 HERITAGE RD	OXFORD	MA	01540	SULLIVAN, PATRICK M.	
A08	"	25A	3 HERITAGE RD	88 DANA RD	OXFORD	MA	01540-1732	DYER, JULIANNE J.	
A09	"	28	78 DANA RD	25 SUTTON AVE	OXFORD	MA	01540-1706	BETTY CAPLETT BUILDERS, INC.	
A09	"	25A	1 HERITAGE RD	78 DANA RD	OXFORD	MA	01540-1763	CULLINAN, JOSEPH	
A09	"	01	28	74 DANA RD	OXFORD	MA	01540-1708	GROH, CHERYL D.	
A09	"	02	28	80R DANA RD	OXFORD	MA	01540-1703	GIONET, DAVID R.	
A09	"	03	28	76 DANA RD	78 DANA ROAD	OXFORD	MA	01540	CULLINAN, JOSEPH
A10	"	28	80 DANA RD	80 DANA RD	OXFORD	MA	01540-1706	GIONET, RÉALTY TRUST	
A10	"	25A	69 DANA RD	74 DANA RD	OXFORD	MA	01540-1703	RICHARD A & ARLENE M GIONET, TRUSTEE	
B15	"	25A	11 DANA DR	78 DANA ROAD	OXFORD	MA	01540-1701	BERGSTRÖM, NIKOLE L.	
B16	"	25A	9 DANA DR	11 DANA DR	OXFORD	MA	01540-1701	AMÉRO, GREGORY	
B17	"	25A	7 DANA DR	9 DANA DR	OXFORD	MA	01540-1701	CULLINAN, JOSEPH	
B18	"	25A	0 DANA DR	8 SPRING CIRCLE	SHREWSBURY	MA	01545	GIONET, RÉALTY TRUST	
B19	"	25A	78 DANA RD	328 MAIN ST	OXFORD	MA	01540-1750	RICHARD A & ARLENE M GIONET, TRUSTEE	
B24	"	25A	2 HERITAGE RD	79 DANA RD	OXFORD	MA	01540-1705	TERESA CUNNINGHAM	
B24	"	01	25A	2 HERITAGE RD	OXFORD	MA	01540	LEAR PICCARELLI	
B22	"	25A	0 HERITAGE RD	328 MAIN ST	OXFORD	MA	01540-1750	LEONARD CUNNINGHAM	
B22	"	25A	4 HERITAGE RD	4 HERITAGE RD	OXFORD	MA	01540-1762	LEONARD CUNNINGHAM	
B23	"	25A	6 HERITAGE RD	1 ANGELL ST	OXFORD	MA	01540-1601	CHRISTINE MCCABE	
B24	"	25A	8 HERITAGE RD	8 HERITAGE RD	OXFORD	MA	01540-1762	DEBORAH LILLÉY, SUSAN	
B38	"	01	25	83 DANA RD	83 DANA RD	OXFORD	MA	01540	GREENE, CINDY M.
B38	"	02	25	10 DANA DR	10 DANA DR	OXFORD	MA	01540-1702	ST PETER, JOSHUA E.
B38	"	03	25	12 DANA DR	12 DANA DR	OXFORD	MA	01540-1702	BOUCHER, JOSEPH P.
Court	"	25						THOMAS, WESLEY A.	TINA N. LORIA



TOWN OF OXFORD

Zoning Determination Letter

325 Main Street
Oxford, MA 01540
(508) 457-9046
building@oxfordma.us

ZD-24-13

Location: 2 HERITAGE RD OXFORD MA **Zoning District:** R-2

Date February 14, 2024

Property Owner CONWAY, SEAN E
2 HERITAGE RD
OXFORD MA 01540 **Applicant** Sean Cosway
5 Holly Street
lhrconstruction508@gmail.com

Reason: Build a 30' X 30' (900 square foot) ground level garage within the front yard setback.

Your Request has been: Denied

Requirements for Approval: Variance from Zoning Board of Appeals

2 Heritage Road is a legal nonconforming corner lot in the Suburban Residential Zoning District (R-2). A Certified Plot Plan dated February 12, 2024, by Spatial DATA & Design has the proposed building at the closest point to the front setback at 21.3 feet. The required front setback in the R-2 Zoning District is 50 feet. This is a violation of the Oxford Zoning Bylaw Chapter X, Table IV Dimensional Requirements.

Chapter XVI Definitions, Frontage: That portion of a lot contiguous with a street or street right of way line and providing access thereto. For the purposes of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage and yards shall be provided as indicated under "Yards" in this Chapter. A lot shall only be deemed to have frontage along any street to which it has both legal and physical access.

Comments: Please seek Zoning relief through the Oxford Zoning Boards of Appeals.

Patrick Dahlgren
Zoning Enforcement Officer