



TOWN SEAL  
tel: 781-631-1529

fax: 781-631-2617  
Revision Date: 12-02-20

# Town of Marblehead **ZONING BOARD OF APPEALS**

Mary A. Alley Municipal Building  
7 Widger Road, Marblehead, MA 01945

## **ZBA APPLICATION** PAGE 1 of 3

2025 AUG 27 PM 3: 31  
Town Clerk

Project Address 45 Norman Street

Assessor Map(s) 170

Parcel Number(s) 2

### **OWNER INFORMATION**

Signature \_\_\_\_\_ date 8/27/2025

Name (printed) Ramsay and Lisa Hoguet

Address 45 Norman Street, Marblehead, MA 01945

Phone Numbers: home (617) 283-6811

work \_\_\_\_\_

E-mail rhoguet@gmail.com

fax \_\_\_\_\_

### **APPLICANT or REPRESENTATIVE INFORMATION** (if different from owner)

Signature \_\_\_\_\_ date 8/27/2025

Name (printed) Jeff Tucker, AIA, ASLA c/o Tucker Architecture

Address 56 Atlantic Avenue, Marblehead, MA

Phone Numbers: home \_\_\_\_\_

Reviewed by \_\_\_\_\_

work (781) 631-3546

E-mail jeff@tuckerarch.com

Building Department:  
For Zoning Board  
Of Appeals

fax \_\_\_\_\_

### **PROJECT DESCRIPTION & RELIEF REQUESTED** (attach additional page if necessary)

This is an amendment to a prior special permit by the ZBA. The changes are as follows:

Raise the previously approved house by 1'. This is to mitigate surface water concerns on site. The proposed height will remain less than the maximum required.

Change in the gross floor area and open space calculations resulting from successful removal of additional ledge

- Please schedule a Zoning / Application review with the Building Department by calling 781-631-2220.
- Obtain the Town Clerk's stamp and submit 12 copies of each of the following to the Town Engineer's Office:
  - the signed and stamped application (3 pages);
  - current survey plan (not older than 90 days) as prepared by a Registered Professional Land Surveyor;
  - the project design plans as required;
  - check for the applicable fee payable to the Town of Marblehead.
- Any relevant permit(s) that were previously issued must be available for review by the Board of Appeals at the scheduled hearing. (Section 3(D), Board of Zoning Appeals Rules & Regulations).

### **REQUIRED SIGNATURES**

1. Building Commissioner (pages 1, 2 and 3) \_\_\_\_\_

2. Town Clerk's stamp (upper right corner) \_\_\_\_\_

**View Bylaws - (Chapter 200, Zoning) - online at: [www.marblehead.org/](http://www.marblehead.org/)**

**Town of Marblehead**  
**ZBA-APPLICATION**  
Page 2 of 3

Revision Date: 12-02-2020

Project Address 45 Norman Street

Map(s) / Parcel(s) 170 / 2

**ZONING DISTRICT** (circle all that apply)

B B1 BR CR SCR ECR GR SGR **SR** SSR ESR SESR HBR U SU

**CURRENT USE** (explain) Single Family Dwelling

**CURRENT USE CONFORMS TO ZONING** (Article IV, Table 1)

Yes ☒ No ☐ (explain) \_\_\_\_\_

**PROPOSED CHANGE OF USE**

No ☒ Yes ☐ (explain) \_\_\_\_\_

**PROPOSED CONSTRUCTION QUALIFIES AS "Building New"** (§200-7) Yes ☒ No ☐

**EXISTING DIMENSIONAL NON-CONFORMITIES** (check all that apply)

- ☒ Lot Area - Less than required (§200-7 and Table 2)
- ☒ Lot Width - Less than required (§200-7)
- ☒ Frontage - Less than required (§200-7 and Table 2)
- ☒ Front Yard Setback - Less than required (Table 2)
- ☐ Rear Yard Setback - Less than required (Table 2)
- ☒ Side Yard Setback - Less than required (Table 2)
- ☐ Height - Exceeds maximum allowed (§200-7 and Table 2)
- ☐ Open Area - Less than required (§200-7, §200-15.B(2) and Table 2)
- ☐ Parking - Less than required; undersized; tandem (§200-17 to §200-21) (circle all that apply)
- ☐ Other Non-conformities (explain) \_\_\_\_\_
- ☐ No Existing Dimensional Non-conformities

**NEW DIMENSIONAL NON-CONFORMITIES** (check all that apply)

- ☐ Lot Area - Less than required (§200-7 and Table 2)
- ☐ Lot Width - Less than required (§200-7)
- ☐ Frontage - Less than required (§200-7 and Table 2)
- ☒ Front Yard Setback - Less than required (Table 2)
- ☐ Rear Yard Setback - Less than required (Table 2)
- ☒ Side Yard Setback - Less than required (Table 2)
- ☐ Height - Exceeds maximum allowed (§200-7 and Table 2)
- ☒ Open Area - Less than required (§200-7, §200-15.B(2) and Table 2)
- ☐ Parking - Less than required; undersized; tandem (§200-17 to §200-21) (circle all that apply)
- ☒ Exceeds 10% Expansion Limits for Non-conforming Building (§200-30.D)
- ☐ Other Non-conformities (explain) \_\_\_\_\_
- ☐ No New Dimensional Non-conformities

**ADDITIONAL HEARINGS REQUIRED**

Conservation Commission	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Historic District Commission	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Planning Board	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

**DESIGN & SURVEY PLANS MEET -ZBA- RULES & REGULATIONS** (Sections 3(A) and 3(C))

Yes ☒ No ☐ (explain) \_\_\_\_\_

Building Official \_\_\_\_\_

Date 8-27-2025

**Town of Marblehead**  
**ZBA-APPLICATION**

Page 3 of 3

Revision Date: 12-02-2020

Project Address \_\_\_\_\_ Map(s) / Parcel(s) \_\_\_\_\_

**NET OPEN AREA (NOA)**

**Lot area = A**

**Area of features**

footprint of accessory building(s)

footprint of building

footprint of deck(s), porch(es), step(s), bulkhead(s)

number of required parking spaces 2 x (9'x 18' per space)

area of pond(s), or tidal area(s) below MHW

other areas (explain) \_\_\_\_\_

**Sum of features = B**

**Net Open Area (NOA) = (A - B)**

**GROSS FLOOR AREA (GFA)**

accessory structure(s)

basement or cellar (area >5' in height)

1st floor (12' or less in height) **NOTE:** [for heights exceeding

2nd floor (12' or less in height) 12' see definition

3rd floor (12' or less in height) of STORY §200-7]

4th floor (12' or less in height)

attic (area >5' in height)

area under deck (if >5' in height)

roofed porch(es)

**Gross Floor Area (GFA) = sum of the above areas**

**Proposed total change in GFA = (proposed GFA - existing GFA)**

**Percent change in GFA = (proposed total change in GFA ÷ existing GFA) x 100**

**Existing Open Area Ratio = (existing NOA ÷ existing GFA)**

**Proposed Open Area Ratio = (proposed NOA ÷ proposed GFA)**

**This worksheet applies 1. plan by/dated Tucker Architecture 8/27/2025**

**to the following plan(s): 2. plan by/dated North Shore Survey 8/27/2025**

**3. plan by/dated \_\_\_\_\_**

**Building Official** \_\_\_\_\_

**Date** \_\_\_\_\_

8-27-2025

This space reserved for the Registry of Deeds

**TOWN OF MARBLEHEAD  
DECISION OF  
THE BOARD OF APPEALS**

**on  
Application of  
Ramsey Hoguet  
For 45 Norman Street  
Marblehead, MA**

THIS COPY NOT  
TO BE RECORDED  
AT THE  
REGISTRY OF DEEDS

Report of Facts, Findings, and Decision of the Board of Appeals on the petition of:

**Ramsey Hoguet  
(the "Petitioner")**

**Title Reference: Book 18880 Page 459**

Requesting a Special Permit under the Zoning By-Laws approving the addition to the existing single-family dwelling on a nonconforming lot with less than the required lot area, lot width, frontage, front yard setback and side yard setback. The property is located at **45 Norman Street** in a **Single Residence and the Historic District**.

All statutory requirements relating to publication and notice were duly complied with, including timely publication in the Marblehead Curreant, a local newspaper. Notice to all persons deemed by the Board to be affected by the petition, as required by Section 17 of Chapter 40A of the General Laws of the Commonwealth and the provisions of the Marblehead Zoning By-Laws, was given.

The Public Hearing was called to order at or after 8:30PM during a ZOOM CONFERENCE MEETING due to COVID 19 restrictions, on March 26, 2024. The Board Members present and sitting on the hearing were:

Chairman:	William Moriarty
Members:	Alan Lipkind
	Benjamin LaBrecque
	Willaim Barlow
	Leon Drachman

**Reviewed by  
Building Department  
For Zoning Board  
Of Appeals**

The following documents were filed with the Petition and constitute a part of the permanent record of the Board:

The Plot Plan entitled "Zoning Board of Appeals Plan, 45 Norman Street, Marblehead, Property of Ramsey & Lisa Hoguet" dated January 12, 2024, prepared by North Shore Survey Corporation. (the "Plan")

Architectural Plans and Renderings prepared by Tucker Architecture dated 1/11/2024 scale 1/4" = 1'-0" consisting of the following sheets:

CVR	Cover Sheet
X 1	Existing Basement Plan
1	Proposed Basement Plan
X2	Existing First Floor Plan
2	Proposed First Floor Plan
3	Proposed Second Floor Plan
X5	Existing Roof Plan
5	Proposed Roof Plan
6	Existing and Proposed Elevations Left Side
7	Existing and Proposed Elevations Front
8	Existing and Proposed Elevations Right Side
9	Existing and Proposed Elevations Back

The Petitioner was represented by its attorney Paul M. Lynch and its architect Jeff Tucker

Attorney Lynch represented to the Board that the application was for a Special Permit to replace the existing single-family dwelling with a reconstructed single-family dwelling on a lot with less than the required lot area, frontage, lot width and front and side yard setbacks.

Attorney Lynch explained to the Board that the Applicant was granted a Special Permit on September 26, 2023, with basically the same footprint and design.

Upon examination of the foundation in preparation for construction it was discovered that the foundation was not structurally sound to support the new dwelling. The proposal is to construct a new foundation which will be 5 to 4 feet from the left side line which is further than the approved 3 to 2.6 feet which will solve some building code issues.

The footprint will be reduced by 155 square feet which will increase the open area ration from .78 to .83.

After the Petitioner's presentations, the Board opened the hearing to public comment.

No one spoke in support or opposition.

Attorney Lynch represented to the Board that all abutters were in support.

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

Thereafter, upon motion duly made and seconded, the Board voted to close the public comment portion of the hearing. After discussion amongst the Board Members, the Board made the following findings and decision:

### Findings of the Board

The Board made the following determinations and findings:

1. That all statutory requirements relating to publication and notice were duly complied with.
2. That all submitted plans and specifications meet the requirements of the Rules and Regulations of the Board.
3. That based upon the plans and specifications, and the information presented to the Board, the criteria set forth in ARTICLE IX, § 200-36B of the Marblehead Zoning By-Laws, consisting of the following, have been satisfied:
  - a. The general purposes and intent of the By-Law are met; *the zoning district provides for single family dwellings as a matter of right and provides for dimensional relief by Special Permit* and
  - b. The specific site is an appropriate location for such use or building *as it is a single-family dwelling in a residential district.*
  - c. the building is in keeping with the size and design of houses in the neighborhood; and,
  - d. There will be no nuisance or serious hazard to vehicles or pedestrians *as there is adequate parking on the premises and there will be no change to vehicle access;* and
  - e. Adequate and appropriate facilities will be provided for the proper operation of the proposed use. *All necessary utilities presently exist on the property.*

### Decision

Whereupon the Board, after discussion and comments that the project met the Special Permit criteria, voted: To grant a Special Permit with the following conditions:

- This Special Permit is issued on the condition that there shall be no construction at any time following the vote of the Board of Appeals which either differs from the construction set forth on the drawings approved and stamped by the Board of Appeals by that vote, or which is inconsistent with this Decision and these conditions, without the Petitioner obtaining prior written approval from the Board of Appeals for such construction.
- This Special Permit is issued on the condition that no demolition, building or occupancy permit, whether temporary, conditional or permanent, shall issue for the proposed work approved by this Decision unless and until a copy of this four (4) page Decision, in its entirety, and not merely the conditions, bearing the certification of the Town Clerk that twenty (20) days have elapsed after the Decision has been filed in the office of the Town Clerk and either that no appeal has been filed, or that an appeal has been filed within such time, has been



recorded in the Essex South District Registry of Deeds and indexed in the Grantor Index under the name of the owner of record or is filed for registration, if the land is registered, and noted on the Owner's Certificate of Title, all as required by Massachusetts General Laws Chapter 40A. The application for and/or issuance of any such permit prior to the recording of the endorsed copy of this Decision shall render the Special Permit granted herein null and void.

- This Special Permit is issued on the condition that no Certificate of Occupancy shall be issued by the office of the Building Inspector if any of the construction either differs from the construction set forth on the drawings approved and stamped by the Board of Appeals by that vote, or which is inconsistent with this Decision and these conditions, without the Petitioner obtaining prior written approval from the Board of Appeals for such construction.
- If the Petitioner shall exercise any rights of construction under a duly appealed Special Permit such rights shall be at the Petitioner's sole risk that a court will reverse the Special Permit and that any construction performed under the Special Permit may be ordered undone.
- There shall be no future alterations, changes, or additions whatsoever, including additions of less than 10%, to any structure, or any new structure constructed or placed on the property, except pursuant to a Special Permit granted by the Board of Appeals.

The votes by the Board Members granting the Special Permit were:

Chairman:	William Moriarty	YES
Members:	Alan Lipkind	YES
	William Barlow	YES
	Benjamin LaBrecque	YES
	Leon Drachman	YES

BOARD OF APPEALS  
TOWN OF MARBLEHEAD

By:   
William Moriarty, Chairman

Decision filed with Town Clerk \_\_\_\_\_, on \_\_\_\_\_ at \_\_\_\_\_

2020 APR 17 AM 10:41

RECEIVED  
TOWN OF MARBLEHEAD  
APR 17 2020

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals