



TOWN SEAL  
tel: 781-631-1529

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Revision Date: 08-01-2025

# Town of Marblehead ZONING BOARD OF APPEALS

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

## ZBA APPLICATION PAGE 1 of 3

RECEIVED  
MARBLEHEAD  
TOWN CLERK  
2025 NOV 12 AM 9:56  
Town Clerk

Project Address 35 Harris Street Marblehead, MA 01945

Assessor Map(s) 149 Parcel Number(s) 16-0

### OWNER INFORMATION

Signature [Signature] date 11/10/25

Name (printed) MARBLEHEAD REAL ESTATE LLC

Address 2 Hooper Street Marblehead, MA 01945

Phone Numbers: home \_\_\_\_\_ work see contact info below

E-mail \_\_\_\_\_ fax \_\_\_\_\_

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

Signature [Signature] date 11/10/25

Name (printed) Matthew Wolverton, Law Offices of Lausier & Lausier LLC

Address 2 Hooper Street Marblehead, MA 01945

Phone Numbers: home \_\_\_\_\_ work 781 631 8830 x2

E-mail matt@lausierlaw.com fax 781 631 8840

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

SEE ATTACHED DESCRIPTION

Reviewed by  
Building Department  
For Zoning Board  
Of Appeals

- 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 Community Development & Planning 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) [Signature] 11-12-2025
2. Town Clerk's stamp (upper right corner)

View Bylaws - (Chapter 200, Zoning) - online at: <https://marbleheadma.gov/>

Town of Marblehead  
**ZBA-APPLICATION**

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Revision Date: 12-02-2020

Project Address 35 Harris Street

Map(s) / Parcel(s) 149/16-0

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

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

**CURRENT USE** (explain) two family residential dwelling

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

Yes  No  (explain)

**PROPOSED CHANGE OF USE**

No  Yes  (explain) single family residence

**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

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**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"/>

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

Yes  No  (explain)

Building Official

Date 11-12-2025

Town of Marblehead  
ZBA-APPLICATION  
 Page 3 of 3

Revision Date: 12-02-2020

Project Address 35 Harris Street Map(s) / Parcel(s) 149 - 16

**NET OPEN AREA (NOA)**

**EXISTING**

**PROPOSED**

Lot area = A	<u>5260</u>	<u>5260</u>
<b>Area of features</b>		
footprint of accessory building(s)	<u>61 SF</u>	<u>0 SF</u>
footprint of building	<u>910 SF</u>	<u>1377 SF</u>
footprint of deck(s), porch(es), step(s), bulkhead(s)	<u>136 SF</u>	<u>0 SF</u>
number of required parking spaces _____ x (9'x18' per space)	<u>648 SF</u>	<u>324 SF</u>
area of pond(s), or tidal area(s) below MHW	<u>0 SF</u>	<u>0 SF</u>
other areas (explain) _____	<u>0</u>	<u>0 SF</u>
<b>Sum of features = B</b>	<u>1755</u>	<u>1701 SF</u>
<b>Net Open Area (NOA) = (A - B)</b>	<u>3505 SF</u>	<u>3559 SF</u>

**GROSS FLOOR AREA (GFA)**

accessory structure(s)	<u>61</u>	<u>0</u>
basement or cellar (area > 5' in height)	<u>144 SF</u>	<u>747 SF</u>
1st floor (12' or less in height) <b>NOTE:</b> [for heights exceeding	<u>910 SF</u>	<u>1101 SF</u>
2nd floor (12' or less in height) 12' see definition	<u>910 SF</u>	<u>1068 SF</u>
3rd floor (12' or less in height) of STORY ~200-7]	<u>247</u>	<u>451 SF</u>
4th floor (12' or less in height)	<u>0</u>	<u>0</u>
attic (area > 5' in height)	<u>0</u>	<u>0</u>
area under deck (if > 5' in height)	<u>124</u>	<u>0 SF</u>
roofed porch(es)	<u>0 SF</u>	<u>0 SF</u>
<b>Gross Floor Area (GFA) = sum of the above areas</b>	<u>2396 SF</u>	<u>3367 SF</u>

**Proposed total change in GFA** = (proposed GFA - existing GFA) = 971 SF

**Percent change in GFA** = (proposed total change in GFA / existing GFA) x 100 = 40.53 %

**Existing Open Area Ratio** = (existing NOA / existing GFA) = 1.46

**Proposed Open Area Ratio** = (proposed NOA / proposed GFA) = 1.06

This worksheet applies to the following plan(s):

1. plan by/dated	<u>Bosworth Architec</u>	<u>30-Oct-25</u>
2. plan by/dated	<u>North Shore Survey</u>	<u>7-Oct-25</u>
3. plan by/dated	_____	_____

Building Official



Date 11-12-2025

Reviewed by  
 Building Department  
 For Zoning Board  
 Of Appeals

**PROJECT DESCRIPTION & RELIEF REQUESTED**

35 Harris Street, Marblehead, MA 01945  
Marblehead Real Estate LLC

The Applicant requests that the Zoning Board of Appeals issue a Special Permit under the Zoning By-Laws allowing the construction of additions to pre-existing non-conforming two-family residence on a Lot with less than required Lot Area and Parking, located at **35 HARRIS STREET** in a **CENTRAL RESIDENCE DISTRICT**. The proposed construction will exceed the 10% expansion limits for a non-conforming building and will be located partially within the Side Yard Setback. In addition, Applicant requests a Special Permit for a change in use from a two-family residential dwelling to a single-family residential dwelling.

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