



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

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Project Address 35 Tioga Way Marblehead, MA 01945

Assessor Map(s) 153 Parcel Number(s) 3B-0

OWNER INFORMATION

Signature _____ date _____

Name (printed) Chew and Spell Properties LLC

Address 47 Bayview Road Marblehead, MA 01945

Phone Numbers: home _____ work _____

E-mail _____ fax see contact info below

APPLICANT or REPRESENTATIVE INFORMATION (if different from owner)

Signature [Signature] date 10/6/2025

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

Address 2 Hooper Street Marblehead, MA 01945

Phone Numbers: home _____ work 781 631 8830

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 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) [Signature] 10-6-2025

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

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

Town of Marblehead
ZBA-APPLICATION
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Revision Date: 12-02-2020

Project Address 35 Tioga Way Marblehead, MA 01945 **Map(s) / Parcel(s)** 153/3B-0

NET OPEN AREA (NOA)

	<u>EXISTING</u>	<u>PROPOSED</u>
Lot area = A	12,389	12,389
Area of features		
footprint of accessory building(s)	0	0
footprint of building	2876	2876
footprint of deck(s), porch(es), step(s), bulkhead(s)	70	70
number of required parking spaces <u>19</u> x (9' x 18' per space)	3078	3078
area of pond(s), or tidal area(s) below MHW	0	0
other areas (explain) _____	0	0
Sum of features = B	6024	6024
Net Open Area (NOA) = (A - B)	6365	6365

GROSS FLOOR AREA (GFA)

accessory structure(s)	0	0
basement or cellar (area >5' in height)	0	0
1st floor (12' or less in height) <small>NOTE: [for heights exceeding</small>	2876	2876
2nd floor (12' or less in height) <small>12' see definition</small>	2626	2626
3rd floor (12' or less in height) <small>of STORY §200-7]</small>	0	0
4th floor (12' or less in height)	0	0
attic (area >5' in height)	0	0
area under deck (if >5' in height)	0	0
roofed porch(es)	0	0
Gross Floor Area (GFA) = sum of the above areas	5502	5502

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Proposed total change in GFA = (proposed GFA - existing GFA) = 0

Percent change in GFA = (proposed total change in GFA ÷ existing GFA) x 100 = 0 %

Existing Open Area Ratio = (existing NOA ÷ existing GFA) = 1.16

Proposed Open Area Ratio = (proposed NOA ÷ proposed GFA) = 1.16

This worksheet applies 1. plan by/dated North Shore Survey Inc. February 25, 2025
to the following plan(s): 2. plan by/dated Sullivan Structures LLC February 17, 2025
3. plan by/dated _____

Building Official  **Date** 10-6-2025

Town of Marblehead
ZBA-APPLICATION
Page 2 of 3

Revision Date: 12-02-2020

Project Address 35 Tioga Way Marblehead, MA 01945 Map(s) / Parcel(s) 153/3B-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) light manufacturing

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

Yes No (explain) _____

PROPOSED CHANGE OF USE

No Yes (explain) dog obedience school and day care facility

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

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

Yes No (explain) no construction proposed

Building Official [Signature] Date 10-6-2025

PROJECT DESCRIPTION & RELIEF REQUESTED

The Applicant requests that the Zoning Board of Appeals vary the application of the present Zoning By-Law by allowing a Special Permit for a change of use from a light manufacturing/factory use to a use as a Dog Obedience School and Dog Day Care Facility, on a dimensionally conforming Lot with a pre-existing non-conforming structure having less than required Rear Yard Set Back and less than required Parking, located at **35 TIOGA WAY in a UNRESTRICTED DISTRICT**. There is no exterior construction proposed.

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