

TOWN OF TEWKSBURY

APPLICATION TO THE ZONING BOARD OF APPEALS

Applicant: Mark + Lisa Paradis Mailing Address 1456 Whipple Road

Applicant Email: maplmp1@aol.com Phone Number: 978-710-6287

1. Application is hereby made: (check one or more and fill in appropriate blanks)

- (a) For a variance from the requirements of Section 5.3.1 E3 of the Zoning Bylaw.
- (b) For a special permit under Section _____ of the Zoning Bylaw.
- (c) As a party aggrieved, for review of a decision made by the Building Inspector and/or other authorities.

In a letter dated _____ regarding an application to _____

2. (a) Premises affected are 1456 Whipple Road

(b) Premises affected are vacant land with frontage on public way known as _____

3. (a) Premises affected in Zoning District R40 The premises has an area 15,304 sq. ft.

Frontage of 110 ft. Side yard setback of 23.7 ft. and _____ ft.

Front yard setback of 72.8 ft. Rear yard setback of ~~23.1~~ 14.1 ft.

(b) Assessors Map 56 Lot 28

4. Name and address of owner (if joint ownership, give all names):

Mark Paradis and Lisa Paradis

1456 Whipple Road

5. If applicable: Size of proposed structure: _____ ft. x _____ ft. Height: _____ stories / _____ ft.

Total floor area: _____ sq.

6. Description of proposed work and/or use: above ground pool 18ft Round

7. (a) Has the applicant made a previous appeal involving this property to this Board: NO

If "yes", give date of appeal: _____

(b) Has the applicant appeared before any other Town Boards involving this property: NO

If "yes" give date, name of Board and reason: _____

8. Deed recorded in ~~Middlesex~~ North Registry of Deeds, Book 27379 Page 96
OR Registry District of the Land Court Cert. No. _____ Book _____ Page _____

9. The reasons for the change that I request are as follows: (Use additional sheet if necessary)

House is at an angle on lot. If pool is installed 15 ft off
abutters property, the pool will sit against my back stairs.
Pool will not be visible since yard is fenced in. Pool needed
for physical therapy - non-weight bearing exercises for MS.

Information submitted is true to the best of my knowledge:

Signature of Applicant: [Signature] Date: 2-2-23

Owner's Signature (if other than Applicant): Rosa M Parades Date: 2-2-23

THE FILING FEE MUST ACCOMPANY THIS APPLICATION
Make checks payable to the Town of Tewksbury

2023 FEB -2 PM 1:37
TOWN CLERK
BOARD OF REGISTRARS
TEWKSBURY, MA

41



Town of Tewksbury

OFFICE OF BUILDING COMMISSIONER
999 WHIPPLE ROAD
TEWKSBURY, MASSACHUSETTS 01876
(978) 640-4430
fax. (978) 640-4434

Mark Bertonassi
Building Commissioner, CBO

Leo Bettencourt
Local Inspector

January 13, 2023

Mark Paradis
Lisa Paradis
1456 Whipple Rd
Tewksbury, MA 01876

RE: 1456 Whipple Rd
Map 56, Lot 28

Please be advised I must refuse your application for an above ground pool at the above referenced premises.

According to the certified plot plan from Edward J. Farrell, PLS, dated August 16, 2022, the above ground pool would be in the front setback of the existing house. Prior to the issuance of a building permit, you must first obtain the following from the Tewksbury Zoning Board of Appeals:

1. A variance from Section 5.3.1 E 3 Accessory Structures – *A detached accessory structure shall be located on the same lot and behind the front building line of the principal building; and further, it shall not be located nearer than 10 feet from the principal building and shall be located at least 10 feet from any side or rear lot line.*

This decision and/or order may affect your legal rights. In regard to zoning matters, you have the right to file an appeal with the Zoning Board of Appeals pursuant to Massachusetts General Laws, Chapter 40A, § 8 and 15. Any appeal under section eight as a party aggrieved, to a permit granting authority shall be taken within thirty days from the date of the order or decision, which is being appealed.

Very truly yours,

Leo Bettencourt
Local Building Inspector

2023 FEB -2 PM 1:37
TOWN CLERK
BOARD OF REGISTRARS
TEWKSBURY, MA

February 1, 2023

Tewksbury Zoning Board of Appeals

Dear Board Members,

We are seeking a Variance to Zoning Bylaw Section 5.3.1 E 3 Accessory Structures. The Variance is for an 18 foot round above ground swimming pool. Our house sits at an angle on our lot, we are looking to put the pool in the side yard, in keeping with the 15ft abutter bylaw, the pool would sit against our back stairs. We are looking to move the pool forward partway into the front yard. Without this relief, we would not be able to install the pool which will be detrimental to my (Lisa) physical health. I (Lisa) have multiple sclerosis and the pool is needed for non-weight bearing physical therapy.

If granted, there would be no detriment to the public good or otherwise derogate from the intention of the Zoning Bylaw. That side of the house is completely fenced in and the pool would not be visible to anyone. (Pictures provided upon request).

We appreciate your consideration.

Very Respectfully,


Mark A. Paradis


Lisa M. Paradis

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TOWN CLERK
BOARD OF REGISTRARS
TEWKSBURY, MA

Middlesex North Registry of Deeds
Electronically Recorded Document

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Recording Information

Document Number : 32079
Document Type : DEED
Recorded Date : June 14, 2013
Recorded Time : 11:24:38 AM

Recorded Book and Page : 27379 / 96
Number of Pages(including cover sheet) : 3
Receipt Number : 631259
Recording Fee (including excise) : \$1,160.12

MASSACHUSETTS EXCISE TAX
Middlesex North ROD #14 001
Date: 06/14/2013 11:24 AM
Ctr# 053118 18970 Doc# 00032079
Fee: \$1,035.12 cons: \$227,000.00

2013 FEB -2 PM 1:38
TOWN CLERK
BOARD OF REGISTRARS
TEWKSBURY, MA

Middlesex North Registry of Deeds
Richard P. Howe Jr., Register
360 Gorham Street
Lowell, Massachusetts 01852
978/322-9000
www.lowelldeeds.com

MASSACHUSETTS QUITCLAIM DEED

We, Maria L Dinis and Mark Imonti, being married to each other and Jorge Dinis and Maria G Dinis, being married to each other, of Tewksbury, Middlesex County, Massachusetts, for consideration paid, and in full consideration of TWO HUNDRED TWENTY-SEVEN THOUSAND AND 00/100 Dollars (U.S. \$227,000.00) grant to Lisa Paradis and Mark Paradis, Tenants by the Entirety, with *quitclaim covenants* the following property in Middlesex County, Massachusetts:

A Certain parcel of land with the buildings and improvements thereon situated in Tewksbury, Middlesex County, Massachusetts being shown as Lot 1 on a plan entitled "proposed Subdiviosn plan of Land in Tewksbury MA prepared for John Limoli Scale 1"-40', September 6, 1989, William G Troy and Associates, 936 East Street, Tewksbury Mass., bounded and described as follows:

Beginning at a point on the Northeasterly side of Whipple Road,

- Thence N 33 degrees 20' 10" E, 100' by said road;
- Thence N 57 degrees 28' 58" E 160 to Westerly Corner of Parcel A
- Thence S 33 degrees 20'30" E 71.92' by said Parcel A to a Point on Lot 2;
- Thence S 29 degrees 39' 45' W, 15.56' by said Lot 2;
- Thence S 39 degrees 47' 45' W, 58.51' still by Lot 2;
- Thence S 49 degrees 13' 55" W, 90.98 still by Lot 2 to the point of beginning.

Said Lot 1 Contains 15,304 square feet of land more or less

For Grantors title see deed from Matthew P O'Brien and Lisa A O'Brien to Maria L. Dinis and Mark Imonti and Jorge Dinis and Maria G. Dinis recorded in Book 18930 Page 249 at the Middlesex North Registry of Deeds.

The Grantor's release all rights of Homestead in the subject property.

LAW OFFICE OF
MICHAEL J. NEWHOUSE & ASSOCIATES, P.C.
20 MIDDLESEX AVENUE
WILMINGTON, MASSACHUSETTS 01887

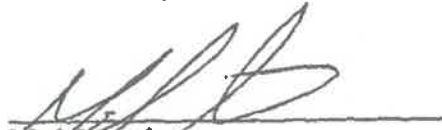
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TOWN CLERK
BOARD OF REGISTRARS
TEWKSBURY, MA

Witness my/our hand(s) and seal(s) this 13th day of June, 2013.



Maria L Dinis



Mark Imonti



Jorge Dinis



Maria G Dinis

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 13th day of June, 2013, before me, the undersigned notary public, personally appeared Maria L Dinis, Mark Imonti, Jorge Dinis and Maria G Dinis, proved to me through satisfactory evidence of identification, which was/were Mass. driver's license(s) or [] _____, to be the person(s) whose name(s) is/are signed on the preceding or attached document, and acknowledged to me that he/she they signed it voluntarily for its stated purpose.


Notary Public, Michael J. Neuhouser

2013 FEB -2 PM 1:30

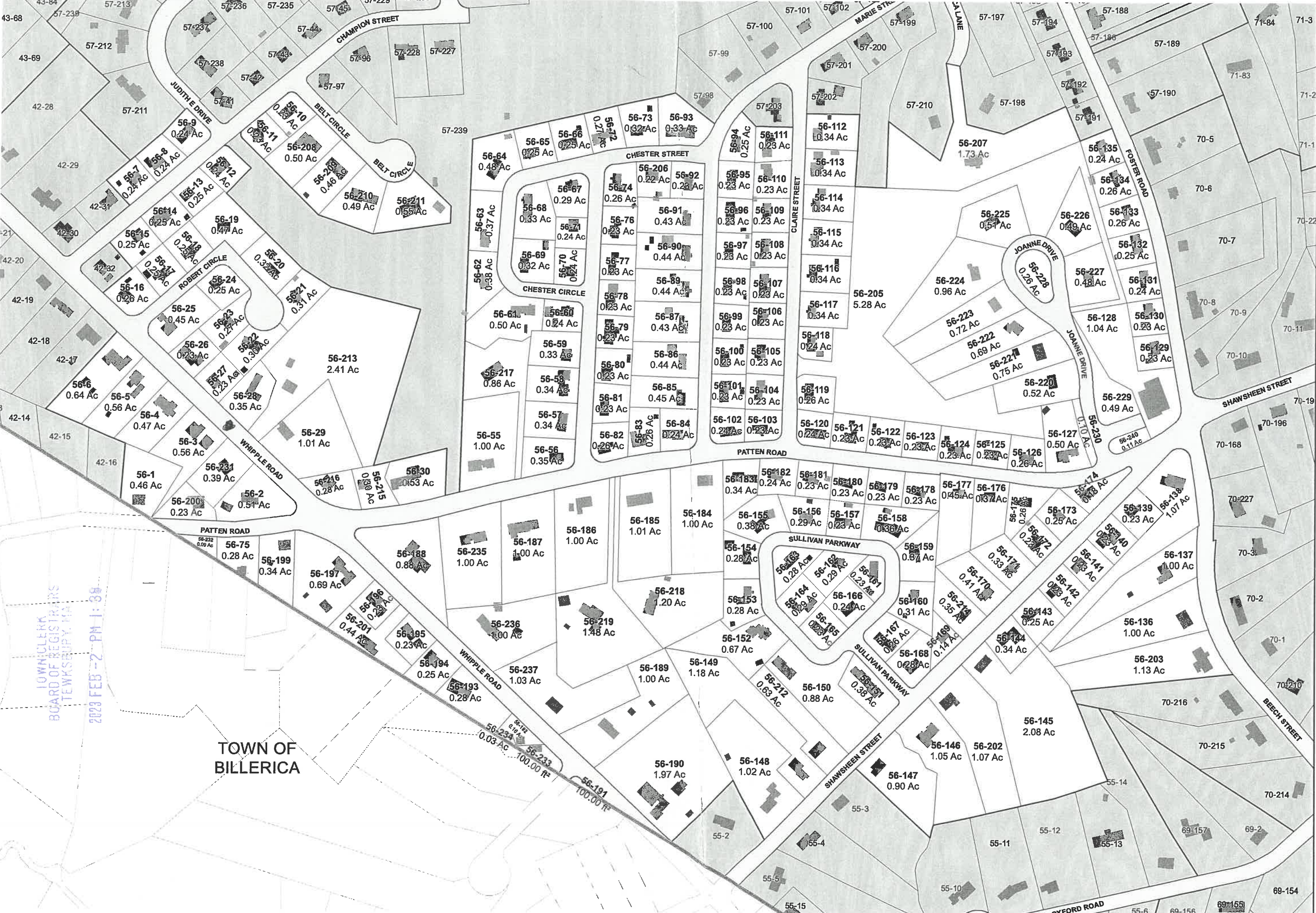
TOWN CLERK
BOARD OF REGISTRARS
TEWKSBURY, MA

Town of Tewksbury Abutters List

Map/Lot	Abutter	Abutter	Address	Town	ST	Zip	Book/Page	Location
56-5	HICKEY DIANE I & GREENWOOD ROBERT E		1441 WHIPPLE RD	TEWKSBURY	MA	01876	31485/0227	1441 WHIPPLE RD
56-21	CONTI LISA M		12 ROBERT CR	TEWKSBURY	MA	01876	30677/0271	12 ROBERT CR
56-213	LIMOLI JOHN JR & NOREEN TRS	JOHN LIMOLI JR & NOREEN LIMOLI REV TR	12833 LAKEVIEW AV	CLERMONT	FL	34711	22473/0179	1458 WHIPPLE RD
56-231	DEPAULA ANDRE	TELLIER BRITTANY	1467 WHIPPLE RD	TEWKSBURY	MA	01876	28306/0213	1467 WHIPPLE RD
56-23	PETERS KATHLEEN A & JAMES E		9 ROBERT CR	TEWKSBURY	MA	01876	8080/0235	9 ROBERT CR
56-29	CEDORCHUK MICHAEL J	CEDORCHUK DIANE M	1460 WHIPPLE ROAD	TEWKSBURY	MA	01876	2086/0072	1460 WHIPPLE RD
56-4	CUNNINGHAM JENNIFER		1449 WHIPPLE RD	TEWKSBURY	MA	01876	15408/0205	1449 WHIPPLE RD
56-1	CONTALONIS THOMAS J JR	CONTALONIS MAUREEN E	231 PATTEN RD	TEWKSBURY	MA	01876	10733/0252	231 PATTEN RD
56-6	LANDERS TIMOTHY J & DEBORAH L TR	2013 LANDERS FAMILY TRUST	1433 WHIPPLE RD	TEWKSBURY	MA	01876	28133/0169	1433 WHIPPLE RD
56-19	ALDRED FRANCIS J II & ANNIE M		8 ROBERT CR	TEWKSBURY	MA	01876	26814/0124	8 ROBERT CR
56-25	WILLIAMS SANDRA E	WILLIAMS RONALD J	1436 WHIPPLE ROAD	TEWKSBURY	MA	01876	06269/0262	1436 WHIPPLE RD
56-215	GHIMIRE RAMESH & MUNA		191 PATTEN RD	TEWKSBURY	MA	01876	37026/0023	191 PATTEN RD
57-239	TOWN OF TEWKSBURY	C/O CONSERVATION COMMISSION	1009 MAIN ST	TEWKSBURY	MA	01876	06100/0055	170 JUDITH E DR/BEHIND
56-20	CLEVENGER LOVELL	DOHERTY KATHRYN	10 ROBERT CR	TEWKSBURY	MA	01876	27555/0108	10 ROBERT CR
56-27	STASKYWICZ KENNETH	STASKYWICZ KIMBERLY	1448 WHIPPLE RD	TEWKSBURY	MA	01876	16436/0076	1448 WHIPPLE RD
56-199	BURKE MICHAEL D & GAIL M		208 PATTEN RD	TEWKSBURY	MA	01876	10649/0174	208 PATTEN RD
42-16	TOBEY ALAN E	BARRY CYNTHIA	28 PATTON RD	BILLERICA	MA	01821	9905/0001	PATTEN RD/OFF
56-22	LINSKEY MICHAEL S	LINSKEY CANDACE M	11 ROBERT CR	TEWKSBURY	MA	01876	04064/0228	11 ROBERT CR
56-24	SOLOSKI SHANE M & SPURRELL ALYSSA M		5 ROBERT CR	TEWKSBURY	MA	01876	33483/0287	5 ROBERT CR
56-28	PARADIS LISA & MARK	C/O LISA & MARK PARADIS	1456 WHIPPLE RD	TEWKSBURY	MA	01876	27379/0096	1456 WHIPPLE RD
56-200	CUMMINGS SUSAN L & KEVIN T		221 PATTEN RD	TEWKSBURY	MA	01876	13198/0079	221 PATTEN RD
56-2	ROUX CHARLES J	NEASOM LINDA L	213 PATTEN ROAD	TEWKSBURY	MA	01876	04283/0080	213 PATTEN RD
56-26	PETTENGILL KEITH J & JEANIE M		1442 WHIPPLE RD	TEWKSBURY	MA	01876	9221/0179	1442 WHIPPLE RD
56-75	FAVAREAU DARRELL L	FAVAREAU LAURIE J	214 PATTEN RD	TEWKSBURY	MA	01876	10523/0190	214 PATTEN RD
56-216	NABUKENYA VALENTINA K		1470 WHIPPLE RD	TEWKSBURY	MA	01876	34836/0121	1470 WHIPPLE RD
56-3	MILLER ROBERT J & FLORENCE E	MILLER ARTHUR F	1451 WHIPPLE ROAD	TEWKSBURY	MA	01876	04143/0110	1457 WHIPPLE RD

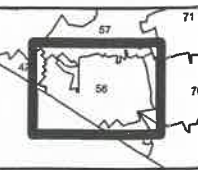
2023 FEB -2 PM 1:39

TOWN CLERK
BOARD OF REGISTRARS
TEWKSBURY, MA



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 TEWKSBURY, MA
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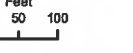
TOWN OF
BILLERICA



Map Direction



Map Scale



Legend

- Property
- Public Right-Of-Way
- Private Right-Of-Way
- Railroad Right-Of-Way
- Building - MassGIS
- Lake, Pond, or River

19-3 (Example) Parcel ID Map-Block
 2 Ac (Example) Land Area in Acres

CGIS MAPPING, LLC
 143 Front Street, Suite 863
 Andover, MA 02738
 Phone: (508) 916-7795
 www.cgismapping.com
 Map compiled in August 2021.
 PDF file created on 8/27/2021.

Disclaimer
 This map is for assessment and planning purpose only. It is not intended to be used for description, conveyance, authoritative definition of legal boundary or property title. This is not a survey product. Users are encouraged to examine the documentation or metadata associated with the data on which this map is based for information related to its accuracy, date of creation and limitation.

TOWN OF TEWKSBURY
 Massachusetts

Fiscal Year
 2022

Tax Map
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