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Halifax Zoning Board of Appeals
Halifax, MA

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Decision Form

2008 SEP 22 A 10:33

Land Owner Third Estates, LLC

HALIFAX TOWN CLERK

Book 32861 Page 76

Petition # 704

Action Taken: Approved Denied

Applicant Third Estates, LLC
c/o Walter Greaney, Manager

Board of Appeals:

Robert J. Sawyer - yes
Alfred W. Walker - yes
Jean P. Reilly - yes

Debra A. Vinkham - yes
Ralph J. Adams - yes

Dated 9-8-2008

We here by certify that copies of this decision were filed with the Town Clerk, Planning Board, Board of Health and Building Inspector on _____.

If substantial use or construction permitted by (this) (these) (special permit)(s) (Variances)(s) has not commenced within (one year) (two years) from the date on which a copy of this decision is filed with the Town Clerk, excluding the amount of time required for the appeal period to expire and the amount of time required to pursue and await the determination of any such appeal, then (this) (these) (special permit)(s) (variance)(s) shall expire.

Any person aggrieved by a decision of the Board of Appeals has the right to appeal such decision to the Superior Court or District Court of the Commonwealth of Massachusetts pursuant to Massachusetts General Laws, Chapter 40A, Section 17, by filing such appeal within twenty (20) days after the date on which the decision was filed with the Town Clerk.

This decision shall not take effect until:

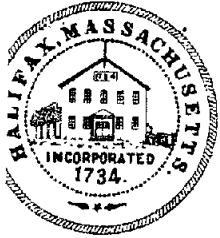
- A copy of this decision certified by the Town Clerk to the effect that twenty (20) days have elapsed since the decision was filed in the Office of the Town Clerk without any appeal filed has been dismissed or denied has been recorded in the Plymouth County Registry of Deeds or with the Assistant Registrar of the Land Court for Plymouth County, and
- A certified copy indicating such Registry recording has been filed with the Board.

Certified as (a) above

Marcia K. Cole
Town Clerk

Oct. 22, 2008
Date

Mail to Shrenberger Assoc.
28 New Driftway
Scituate, MA 02566



Town of Halifax Commonwealth of Massachusetts

Zoning Board of Appeals

499 Plymouth • MA 02338 • 781-293-

RECEIVED

2008 SEP 22 A 10: 33

HALIFAX TOWN CLERK

September 22, 2008

Third Estates, LLC
Attn: Walter Greaney, III / Manager
95 Old Barn Pathe
Marshfield, MA 02050

Re: Petition #704, Third Estates, LLC, Hilda Lane, Halifax, MA

At a meeting held on Monday, September 8, 2008, the Halifax Zoning Board of Appeals voted to grant your petition (#704) for a special permit to construct nineteen (19) attached homes in a multifamily development and three (3) variances to: i) reduce the required 75 feet front setback for housing units nos. 15 & 16 to not less than a 50 feet front setback; ii) reduce the required 100 feet between any 2 buildings for housing units nos. 9 and 10 to fourteen (14) feet and all other units have a fifteen (15) feet or greater separation & iii) to permit 2 parking spaces in the required 30 foot side yard vegetated buffer from the abutting property for housing units nos. 1 & 2; of which all is shown on the submitted Site Plan. The dwelling is to be built on 21.75 +/- acre parcel of land on Hilda Lane. Said property is owned by Third Estates LLC as shown on Assessor's Map #120, Lots 8T, 4T, 3T, 2T, 1T & 7T in accordance with the Zoning By-laws of the Town of Halifax under Section 167-7D (2) Specific Use Regulations, page 16726.2.2, Section 167-12A(5) Density Regulations for Specific Uses.

The Zoning Board of Appeals grants this petition with the following conditions:

1. The applicant will adhere to the agreements made with each abutter(s) of the abutting property, as so stated in the copies of the written agreements. A copy of each written agreement made by Walter T. Greaney, III, Manager of Third Estates, LLC and abutter (s) were released to the Zoning Board of Appeals at the public hearing meeting on September 8, 2008 by the abutter(s).
2. A memo dated September 2, 2008, addressed to Debra Tinkham, Chair, from William H. Ohrenberger, III of Ohrenberger Associates (attorney representing the applicant) was received and stamped into the records on September 3, 2008 by the Zoning Board of Appeals, accompanied by a revised set of Site Plans. The memo addressed issues raised by the Board in six (6) bullet points (-see attached memo), which was reflected on the revised Site Plan and therefore, the Approved Site Plan.
3. The special permit and variances are granted to the applicant with the stipulation that the applicant is within compliance of the conditions set forth by the remaining Boards and/or Committees in the Town of Halifax, whether the conditions are pre-existing or forthcoming.

Town of Halifax Commonwealth of Massachusetts

Zoning Board of Appeals

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Please be advised that all variances and/or special permits shall comply with all the rules and regulations and codes of the Town of Halifax.

This decision shall not take effect until:

- (a) A copy of this decision certified by the Town Clerk to the effect that twenty (20) days have elapsed since this decision was filed in the office of the Town Clerks (9/16/08) without any appeal having been dismissed or denied has been recorded in the Plymouth County Registry of Deeds, or with the Assistant Registrar of the Land Court for Plymouth County, and
- (b) A certified copy indicating such Registry Recording has been filed with the Board.

Sincerely,

Debra Tinkham

Debra Tinkham, Chairman
Zoning Board of Appeals

Cc: Town Clerk

Board of Assessors

Building Inspector

Board of Selectmen

Board of Health

Water Department

Planning Board

Conservation Commission

Abutting Planning Boards



TOWN OF HALIFAX

TOWN CLERK / TREASURER

499 PLYMOUTH STREET HALIFAX, MA 02338

TEL: 781-293-7970 FAX: 781-294-7684

Date: October 22, 2018

Petition Number: 704

This is to certify that twenty (20) days have elapsed since the filing of the above decision with this office, and no appeal has been filed.

Attest: Marcia K Cole
Marcia K Cole, Town Clerk