



Doherty, Dugan, Cannon,  
Raymond & Weil, P.C.

Edward V. Cannon, Jr.  
evc@ddcrwlaw.com

124 Grove Street, Suite 220  
Franklin, MA 02038  
TEL. NO. (508) 541-3000  
FAX NO. (508) 541-3008

July 9, 2020

Town of Medfield  
Zoning Board of Appeals  
459 Main Street  
Medfield, MA 02052

RE: Mr. & Mrs. Ryan Oremus  
6 Walden Court, Medfield, MA

Dear Board:

Enclosed please find the application of Mr. & Mrs. Ryan Oremus for zoning relief from the Zoning Board of Appeals along with a check for \$300.00 for the filing fee.

Kindly file the same and schedule this matter for the Board's meeting in September.

Please call with any questions.

Thank you for your assistance.

Respectfully,

Edward V. Cannon, Jr.

F18-014

cc: Ryan & Courtney Oremus



**HAWTHORNE DRIVE**

# 8  
HAWTHORNE DRIVE

UTILITY BOXES

N 35°21'35" E 60.00'

BITUMINOUS ~ROADWAY~

L=75.13' R=425.00'

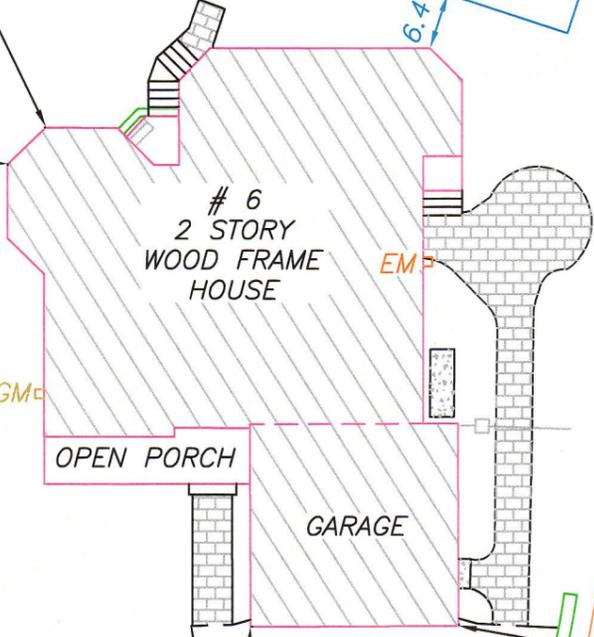
50.5'



NO #  
HAWTHORNE DRIVE

N 69°08'15" W 125.58'

40.9'



S 62°31'50" E 155.38'

# 8  
WALDEN COURT

10' WIDE SEWER EASEMENT

10'

BITUMINOUS DRIVEWAY

RETAINING WALL (TYPICAL)

S 23°16'28" W 104.00'

**WALDEN COURT**

TOWN OF MEDFIELD ZONING DIMENSIONAL REGULATIONS ZONE: RT

LOT AREA: 40,000 S.F.  
LOT FRONTAGE: 142'  
FRONT YARD SETBACK: 40'  
SIDE YARD SETBACK: 15'  
REAR YARD SETBACK: 50'

**EXISTING IMPERVIOUS AREA = (25.1%) 4,343.0 S.F.**  
**PROPOSED IMPERVIOUS AREA = (28.5%) 4,921.0 S.F.**

LEGEND:

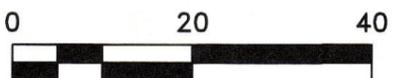
- = STAKE - SET
- = IRON ROD - FOUND
- = SEWER MANHOLE
- = DRAIN MANHOLE
- = CATCH BASIN

NOTES:

- ALL OFFSETS & DIMENSIONS ARE TO THE SIDING UNLESS OTHERWISE NOTED.
- LOT AREA = 17,245 SQ. FT.
- GM=GAS METER
- EL=ELECTRIC LINE
- EM=ELECTRIC METER



Dennis O'Brien P.L.S.



**D. O'BRIEN**  
LAND SURVEYING  
480 WEST CENTRAL STREET EST 1996  
FRANKLIN, MA 02038 508-541-0048

PLAN SHOWING PROPOSED POOL  
6 WALDEN COURT  
MEDFIELD, MA NORFOLK COUNTY

SCALE: 1:20	DATE: 5/14/2020	REVISED: 7/1/2020	DRAWN BY: W.M.N.	CHECKED BY: D.O.
----------------	--------------------	----------------------	---------------------	---------------------

VOID FOR LIGHT TO HEAVY BLUE WATERMARK IN PAPER. HEAVY SENSITIVE RESO. LOCK DISAPPEARS WHEN HEATED.

31304

**DOHERTY, DUGAN, CANNON,  
RAYMOND & WEIL, PC - OPERATING ACCOUNT**

124 GROVE STREET, SUITE 220  
FRANKLIN, MA 02038  
(608) 541-3000

ROCKLAND TRUST COMPANY  
MILFORD, MA 01757



53-447/113

Three Hundred \*\*\*\*\* DATE \*\*\*\*\* 00/100  
AMOUNT

Jul/ 9/2020 \$300.00

PAY  
TO THE  
ORDER  
OF

Town of Medfield  
459 Main Street  
Medfield  
MA  
02052



*[Handwritten Signature]*  
AUTHORIZED SIGNATURE

Filing fee for ZBA application

⑈03⑈304⑈ ⑈0⑈⑈304⑈478⑈

26602084⑈

Security features. Details on back.



# TOWN OF MEDFIELD

## BOARD OF APPEALS ON ZONING

459 Main Street, Medfield, MA 02052

### APPLICATION FOR HEARING

(TO BE FILLED OUT BY APPLICANT)

Phone: 508-906-3027  
Fax: 508-359-6182

Date 7/9/20

Name of Applicant  
or Appellant  
Mailing Address  
City, State, Zip

Ryan M. & Courtney C. Oremus  
6 Walden Ct., Medfield, MA 02052

Phone 508 541-3000 x 218 Email evc@ddcrwlaw.com

The record title of said  
property stands in the name of:

Ryan M. & Courtney Cannon Oremus

Whose address is: 6 Walden Ct.

Applicant is  
(owner, tenant, other): Owner

Location of Property 6 Walden Ct.

Deed duly recorded in the Norfolk County Registry of Deeds:

Book 300 33 Page 162 (or) Land Court Certificate # \_\_\_\_\_

Year lot created 1993 Plan of Land recorded as Book 414 Page 356 Year \_\_\_\_\_

Medfield Assessors Map 66 Lot 091 Zoning District RT Overlay? OSRD

Nature of application or appeal (Written summary of project; attach additional sheets if necessary):

See Exhibit A attached hereto and incorporated herein.

Applicable section(s) of Zoning Bylaw or General Law (State which, or if both, so state):

Use this box for additions/alterations to pre-existing non-conforming lots or structures:  
A special permit under MGL Chpt. 40A §9 and/or Medfield Zoning Bylaw Section 300-9.1.C.2. &/or a  
determination under M.G.L. Chpt. 40A §6 and/or Medfield Zoning Bylaw, Article 9, that proposed  
work will not be more nonconforming and/or a variance from Chapter 300b of the Zoning Bylaw.

Reviewed by Building Commissioner: Signed \_\_\_\_\_ Date: \_\_\_\_\_

I hereby request a hearing before the Board of Appeals with reference to the above application. In the event that a Variance or Special Permit or other form of decision required by law to be recorded is granted, I will record the same with the Norfolk Registry of Deeds or Land Court.

I have read and accept the rules and fees of the "Rules of the Medfield Board of Appeals."

(Applicant) Signed

Printed

Ryan M. & Courtney C. Oremus  
by their attorney

(Owner) Signed

Printed

Edward V. Cannon, Jr.

1330 N 5616 v. 09/13/19  
561137



## SECTION 6 FINDING WORKSHEET FOR ONE- & TWO-FAMILY RESIDENTIAL DWELLINGS

**For Single & Two-Family Dwellings (per Zoning Bylaw §300-9.1.C.1):** Please return this sheet with your building permit application to disclose if your lot or structure is nonconforming and to determine if your proposed plan requires a special permit by the ZBA. [Note: changes to structures or demolition of structures over 50 years old may require Historic Commission review pursuant to the Demolition Delay Bylaw]

Applicant's Name Ryan M. & Courtney C. Oremus Map 66 Lot 091

Locus Address 6 Walden Ct. Zoning District RT (OSRD)

Is this a teardown?  Yes /  No (teardowns may require ZBA review)

Aquifer Protection District?  Yes /  No [ If Yes:  Primary /  Secondary /  Well ]

The Aquifer Protection District may affect lot coverage thresholds. Please refer to Zoning Bylaw Article 16, check with your surveyor/engineer, or refer to the "maps" tab in the Assessors GIS Database.

*A note regarding plot plans:* Plot plans should be current, show all dimensions for compliance with current zoning, and be stamped by a Registered Land Surveyor. Mortgage plans are not acceptable.

MEASUREMENT (Refer to Article 2, Definitions, for various methodologies in calculating requirements)	REQUIRED (Refer to Chapter 300b and Chapter 300c)	EXISTING (Refer to your <u>existing</u> site plan)	√ Or X	PROPOSED (Refer to your <u>proposed</u> site plan)	√ Or X
Lot area	12,000	17,245	✓	17,245	✓
Frontage	80	104	✓	104	✓
Lot Width	100	106.3	✓	106.3	✓
Lot Depth	100	128.4	✓	128.4	✓
Perfect Square	80 x 80	128 x 104	✓	128 x 104	✓
<del>Side Front</del> Yard Setback	12	14.6	✓	12	✓
<del>Front Side</del> Yard Setback	20	41	✓	41	✓
Rear Yard Setback	30	56.5	✓	30	✓
Floor Area Ratio	Allowed	NO CHANGE			
% Lot Coverage	Allowed 15%	25.1%	X	28.5%	X
Building Height		NO CHANGE			

√ indicates that the dimension complies with current zoning / X indicates that the dimension does not comply with current zoning

THIS SECTION TO BE FILLED OUT BY THE BUILDING COMMISSIONER

- The proposed alteration will not increase the existing non-conforming nature of the structure.
- The proposed alteration will either intensify any existing nonconformities or result in additional nonconformities and requires a special permit from the Zoning Board of Appeals.

\_\_\_\_\_  
Building Commissioner

\_\_\_\_\_  
Date

cc: ZBA

Other notes:

**REQUIRED FINDINGS**  
*to be filled out by applicant*

**UTILITIES:**

Water:  Town  Well  
Sewer:  Town  Septic System

Notes:

---

---

**FAMILY APARTMENTS:**

The Applicant acknowledges the provisions of Medfield Zoning Bylaw Section 300-14.10.I.(3) & (4) that a family Apartment Special Permit is temporary and subject to conditions of approval, including but not limited to annual an affidavit under the pains and penalties of perjury that the person(s) listed continues to reside within the Family Apartment. Future use of the space is contemplated as:

N/A

Name of person(s) to occupy the family apartment: \_\_\_\_\_

**ALL SPECIAL PERMITS:**

The Board of Appeals may grant a special permit if it concludes that a special permit is warranted by the application and the evidence produced at the public hearing and if it makes the following specific findings of fact, pursuant to Medfield Zoning Bylaw Section 14.10:

(1) Overall design is consistent and compatible with the neighborhood, including as to factors of building orientation, scale, and massing. *(Describe the proposed construction in the context of the existing surroundings. If an addition, will the siding, windows, shingles etc. match existing. Does the proposal fit into the streetscape and larger area?)*

N/A

(2) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed such that the proposed use will not result in a public hazard due to substantially increased vehicular traffic or parking in the neighborhood. *(Describe additional vehicles and parking spaces required by the proposal as well as road access on public or private ways and any other information. Commercial or multi-family residential projects may require a traffic study prepared by a registered engineer.)*

N/A

(3) Drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development. *(Describe utility connections potential impacts to public wells, aquifers, municipal water mains, nearby private wells.)*

N/A

(4) The proposed use will not have any significant adverse effect upon properties in the neighborhood, including property values. *(Describe any aspects of the project that could be unsafe to those in and around the property i.e. manufacturing, research and design. Commercial or multi-family residential projects may require an analysis prepared by a real estate appraiser.)*

N/A

(5) Project will not adversely affect or cause substantial damage to any environmentally significant natural resource, habitat, or feature or, if it will, proposed mitigation, remediation, replication, or compensatory measures are adequate. *(Describe potential impacts to natural resources (tree clearing, proximity to wetlands, etc. If Conservation Commission approval is necessary, please attach approval to application.)*

N/A

(6) Number, height, bulk, location and siting of building(s) and structure(s) will not result in abutting properties being deprived of light or fresh air circulation or being exposed to flooding or subjected to excessive noise, odor, light, vibrations, or airborne particulates. *(Describe existing and proposed drainage systems and conditions. All stormwater should be collected/treated/infiltrated on-site. If Board of Health approval is necessary, please attach approval to application.)*

N/A

(7) Water consumption and sewer use, taking into consideration current and projected future local water supply and demand and wastewater treatment capacity, will not be excessive. *(Describe existing and proposed water and wastewater systems and conditions.)*

N/A

(8) The Proposed use will not create any hazard to public safety or health in the neighborhood. *(Describe proposed use and ancillary specifications relating to any noise or vibration producing conditions or mechanical systems, describe site lighting (all new lighting should be "dark-sky compliant"), and describe potential odors to be produced on site. Nuisance can be subjective but describe potential factors and mitigation measures.)*

N/A

(9) If public sewerage is not provided, plans for on-site sewage disposal systems are adequate and have been approved by the Board of Health. *(Describe existing and proposed wastewater systems and conditions.)*

N/A

**VARIANCES:** *(See MGL c. 40A Section 10)* Attach additional sheets if necessary.

1. What circumstances exist relating to the shape, topography, or soil conditions of the subject property, which do not generally affect other land in the zoning district?

N/A

2. What substantial hardship is caused by the circumstances listed above, when the Medfield Zoning Bylaw is applied?

N/A

3. State why you believe the grant of relief would not nullify or derogate from the intent of the Zoning Bylaw.

N/A

## Exhibit "A"

### 6 Walden Court, Medfield, MA

Ryan and Courtney Oremus (applicants/owners) seek a special permit under MGL c. 40A §9 and/or Medfield Zoning Bylaw §300-9.1.C.(2 or 3) and/or a finding under MGL c. 40A §6 for the proposed work consisting of installation of an in-ground swimming pool to further exceed maximum lot coverage where the existing lot coverage is 25.1% and the proposed lot coverage with the pool will be 28.5%. However, the applicants are prepared to install a recharge system which will increase the infiltration rate on the property such that the "effective maximum lot coverage" will end up being less than the current lot coverage of 25.1%.

The only manner by which locus is pre-existing non-conforming is because of the existing lot coverage. Otherwise, locus, with the inclusion of the proposed swimming pool, is in compliance with all of the zoning bylaw dimensional requirements. The extension of the maximum lot coverage on the property will not be "substantially more detrimental" to the neighborhood than the existing nonconforming lot coverage because with the inclusion of a system of recharge in the construction, the applicants will actually make their lot *more* conforming than it is now.

In this instance locus is, as are all of the lots within this Open Space Residential Development, a smaller lot by design. Consequently, the allowed maximum lot coverage when the lot was created was over 22%. However, it is important to understand that the trade-off to create these lots was that an extensive amount of open space was preserved and placed under control of the town. The net effect of creating such a subdivision pursuant to Bylaw Section 300 – 7 is that for the overall surrounding area the impervious surfaces added by the subdivision were much less than what could have been added by a conventional subdivision. The result for locus is that it will not comply with the current Bylaw requirement of 15% maximum lot coverage, so it is a non-conforming lot.

The proposed changes to locus will meet all of the setback requirements and will actually result in reducing the "net" maximum lot coverage. Further, the proposed use of a family swimming pool, does fit in nicely with the uses of the other homes in the neighborhood, so that the proposed changes will not be substantially more detrimental to the neighborhood than the current non-conforming use.

RECEIVED AND RECORDED  
NORFOLK COUNTY  
REGISTRY OF DEEDS  
DEDHAM, MA

MASSACHUSETTS STATE EXCISE TAX  
Norfolk Registry of Deeds  
Date: 06-01-2012 @ 02:30pm  
Ct1#: 1619 Doc#: 63212  
Fee: \$3,962.64 Cons: \$869,000.00

CERTIFY

*William P. O'Donnell*  
WILLIAM P. O'DONNELL, REGISTER

### QUITCLAIM DEED

**LAWRENCE PETRONE AND JEAN A. PETRONE, a married couple** of Medfield, Norfolk County, Massachusetts, for consideration paid and in full consideration of Eight Hundred Sixty Nine Thousand and 00/100 (\$869,000.00) Dollars grants to **RYAN M. OREMUS AND COURTNEY CANNON OREMUS, Husband and Wife as Tenants by the Entirety** of 6 Walden Court, Medfield, Massachusetts, with

#### Quitclaim Covenants

That certain parcel of land, with the buildings and other improvements thereon, known and numbered at 6 Walden Court, Medfield, Norfolk County, Massachusetts shown as Lot 14 on a plan entitled "Hawthorne Village Lotting Plan, Medfield, MA" dated May 27, 1993 prepared by Engineering Surveying & Planning Associates and recorded with the Norfolk County Registry of Deeds (the "Registry") in Plan Book 414, Plan No. 356 (the "Plan").

Said Lot contains 17,245 square feet of land according to said Plan.

Said premises are conveyed (1) subject to and with the benefit of all easements, restrictions, notices and other matters of record, including the easements shown on the Plan, insofar as in force and applicable and (2) subject to and with the benefit of all easements, restrictions, notices and other matters of record contained in a Grant of Easement recorded with the Registry in Book 10360, Page 680, (3) subject to and with the benefit of all easements, restrictions, notices and other matters of record contained in an Easement recorded in the Registry in Book 10425, Page 176, (4) subject to and with the benefit of all easements, restrictions, notices and other matters of record contained in an Order of Conditions from the Medfield Conservation Commission recorded with the Registry in Book 9982, Page 76, and (5) subject to an easement as shown on the Plan and recorded with the Registry in Book 10360, Page 681.

**PROPERTY ADDRESS: 6 WALDEN COURT, MEDFIELD, MA**

By acceptance and recording of this deed the Grantees agree for the Grantees and Grantee's successor in the title to comply with and be bounded by the terms of the Hawthorne Village Homeowners Trust recorded with the Registry in Book 10360, Page 696.

Meaning and intending to convey the same premises as set forth in deed of Robert A. Strickland and Jean Marie Strickland dated March 27, 1998, recorded with said Deeds in Book 12377, Page 401.

Witness our hands and seals this 21 day of May, 2012.

*Lawrence Petrone*  
Lawrence Petrone

*Jean A. Petrone*  
Jean A. Petrone

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

May 21, 2012

Then personally appeared the above named individuals proved to me through satisfactory evidence of identification, which was Massachusetts driver's licenses, to be the person whose names are signed on the preceding or attached document, and acknowledged the foregoing instrument to be their free act and deed, before me



MARY F. WALLACE-GRANDALL  
NOTARY PUBLIC  
COMMONWEALTH OF MASSACHUSETTS  
MY COMMISSION EXPIRES DECEMBER 9, 2016

*Mary F. Wallace-Grandall*  
Notary Public  
My Commission Expires: 12/9/16

Horvath Registry of Deeds  
 Southham, Mass. 19 93  
 Received \_\_\_\_\_  
 With \_\_\_\_\_  
 C.H.A. Realty Corporation  
 In Town of Medfield  
 Filed as No. 354 Book 19 93  
 P.L.R. by  
 About \_\_\_\_\_  
 Register

FOR REGISTRY USE

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED  
 IN CONFORMITY WITH THE RULES AND REGULATIONS  
 OF THE REGISTRARS OF DEEDS AND RECORDED UNDER  
 THE GENERAL LAWS CHAPTER 30A SECTION 18 A

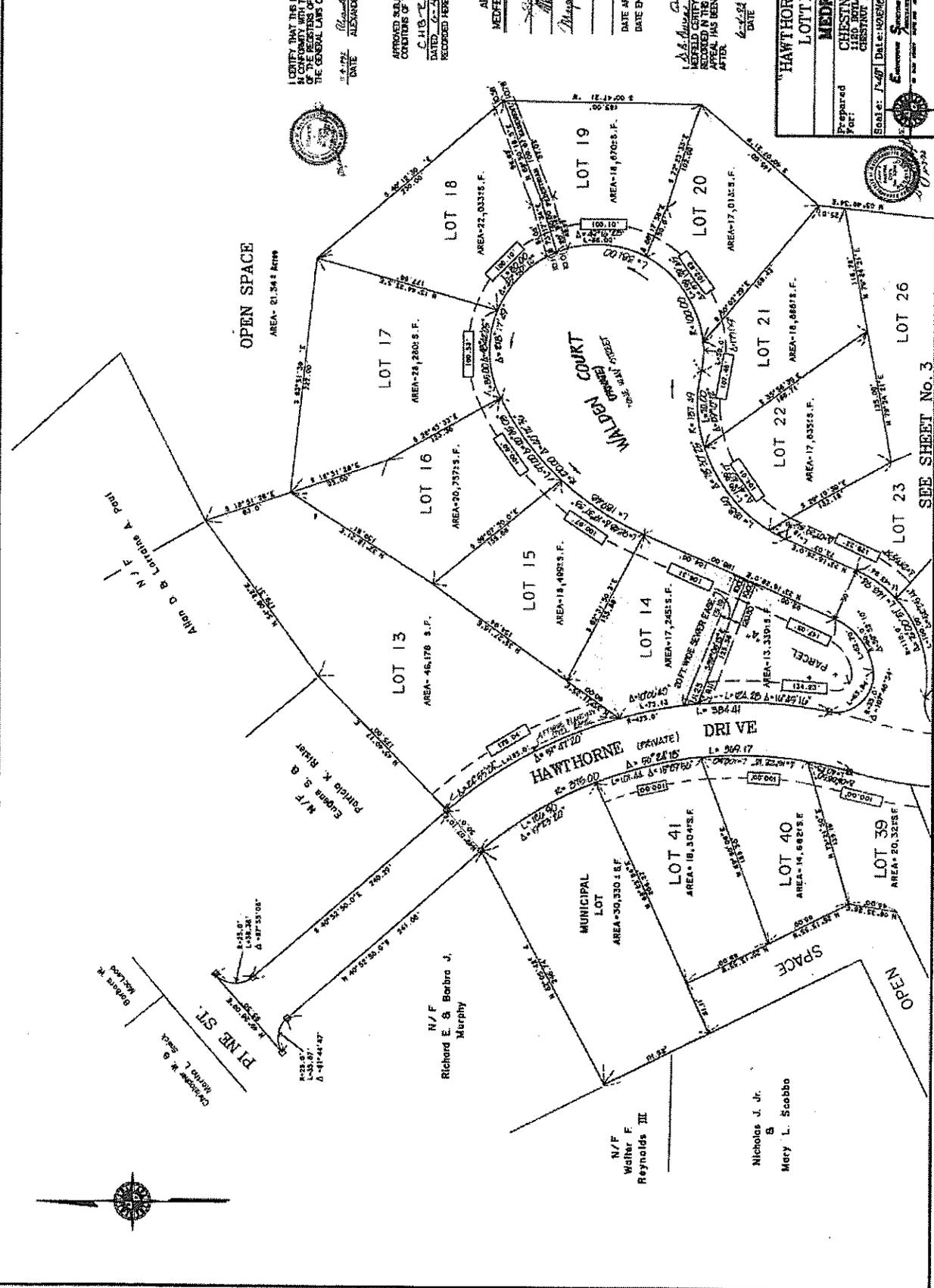
APPROVED SUBJECT TO TERMS AND  
 CONDITIONS OF THE COVENANT GIVEN BY  
 C.H.B. REALTY CORPORATION DATED  
 DATED 6-21-93 AND TO BE  
 RECORDED HERewith

APPROVED BY THE  
 MEDFIELD PLANNING BOARD

DATE APPROVED 6.21.93  
 DATE ENFORCED 6.21.93  
 BEING A MAJORITY

TOWN CLERK OF THE TOWN OF  
 MEDFIELD CERTIFY THAT NOTICE OF APPROVAL WAS  
 ASSIGNED IN THE OFFICE ON 6.21.93 AND NO  
 OBJECTION HAS BEEN RECEIVED FOR THIRTY DAYS THERE-  
 AFTER

**HAWTHORNE VILLAGE  
 LOTTING PLAN**  
**MEDFIELD, MA**  
 Prepared For:  
 CHESTNUT HILL BANK  
 1180 BOLLAND STREET  
 CHESTNUT HILL, MA 02167  
 Scale: 1/4" = 100' Date: NOVEMBER 2, 1992 Reel # 1000  
 JANUARY 7, 1993  
 JANUARY 22, 1993  
 BOOK 19 93  
 PAGE 2 of 19



SEE SHEET No. 3

## Unofficial Property Record Card - Medfield, MA

### General Property Data

Parcel ID 66-091	Account Number
Prior Parcel ID 3267 -950 4-	Property Location 6 WALDEN CT
Property Owner OREMUS RYAN M. OREMUS COURTNEY CANON	Property Use ONE FAMILY H
Mailing Address 6 WALDEN CT	Most Recent Sale Date 6/1/2012
City MEDFIELD	Legal Reference 30033-162
Mailing State MA Zip 02052	Grantor PETRONE LAWRENCE W T/E,
Parcel Zoning RT	Sale Price 869,000
	Land Area 0.396 acres

### Current Property Assessment

Card 1 Value	Building Value 481,300	Xtra Features Value 0	Land Value 384,300	Total Value 865,600
--------------	------------------------	-----------------------	--------------------	---------------------

### Building Description

Building Style COLONIAL # of Living Units 1 Year Built 1996 Building Grade Good Building Condition Good Finished Area (SF) 3155.5 Number Rooms 10 # of 3/4 Baths 0	Foundation Type CONCRETE Frame Type WOOD Roof Structure GABLE Roof Cover ASPHALT SH Siding CLAPBOARD Interior Walls DRYWALL # of Bedrooms 4 # of 1/2 Baths 1	Flooring Type HARDWOOD Basement Floor CONCRETE Heating Type FORCED H/A Heating Fuel GAS Air Conditioning 100% # of Bsmt Garages 0 # of Full Baths 4 # of Other Fixtures 3
---	---	--

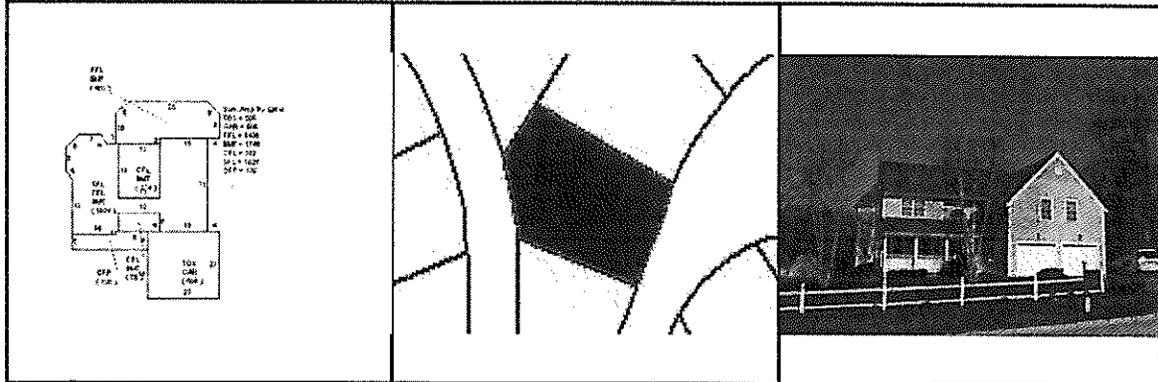
### Legal Description

LOT 14 PL 18 OF 1993

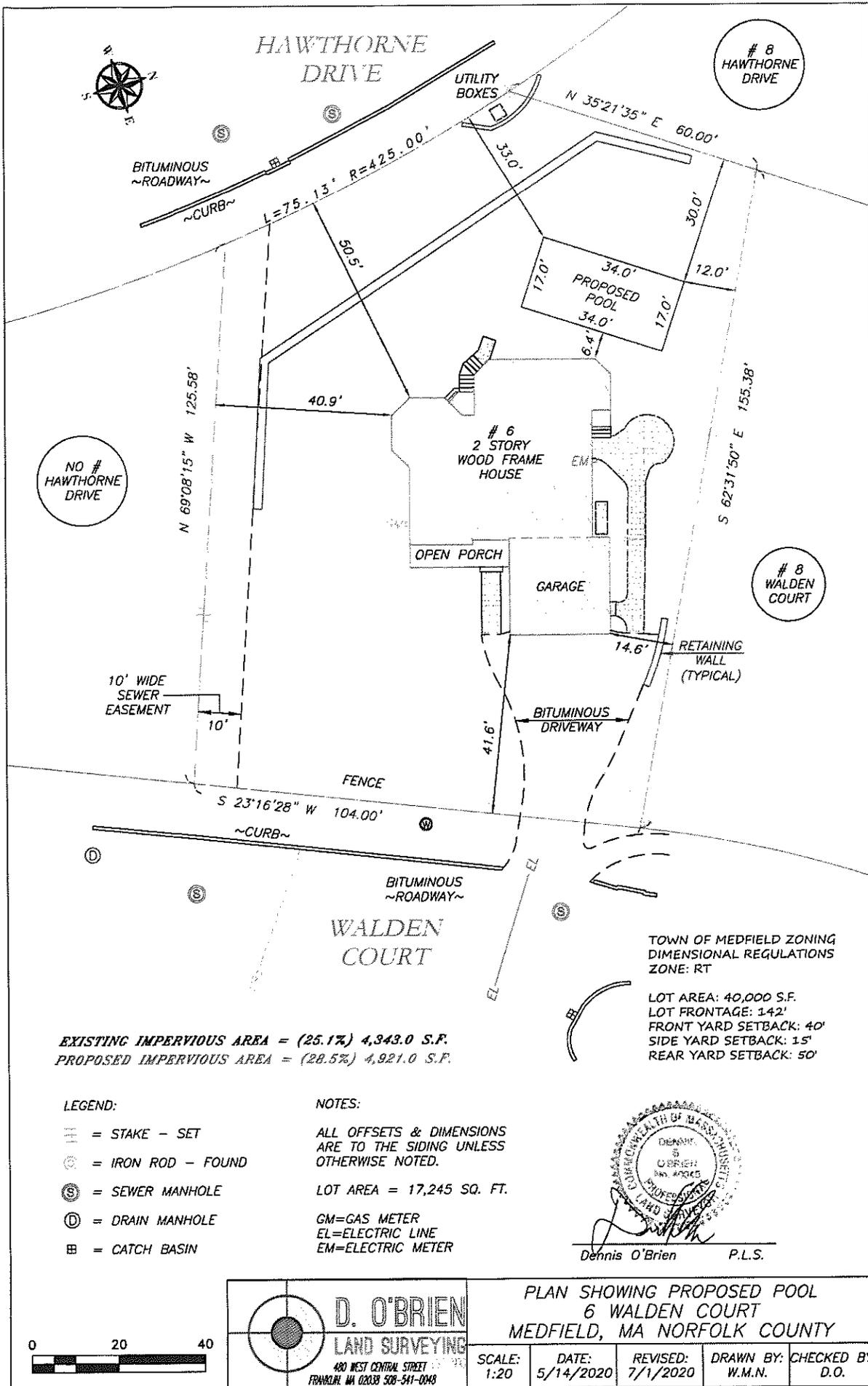
### Narrative Description of Property

This property contains 0.396 acres of land mainly classified as ONE FAMILY H with a(n) COLONIAL style building, built about 1996 , having CLAPBOARD exterior and ASPHALT SH roof cover, with 1 unit(s), 10 room(s), 4 bedroom(s), 4 bath(s), 1 half bath(s).

### Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.



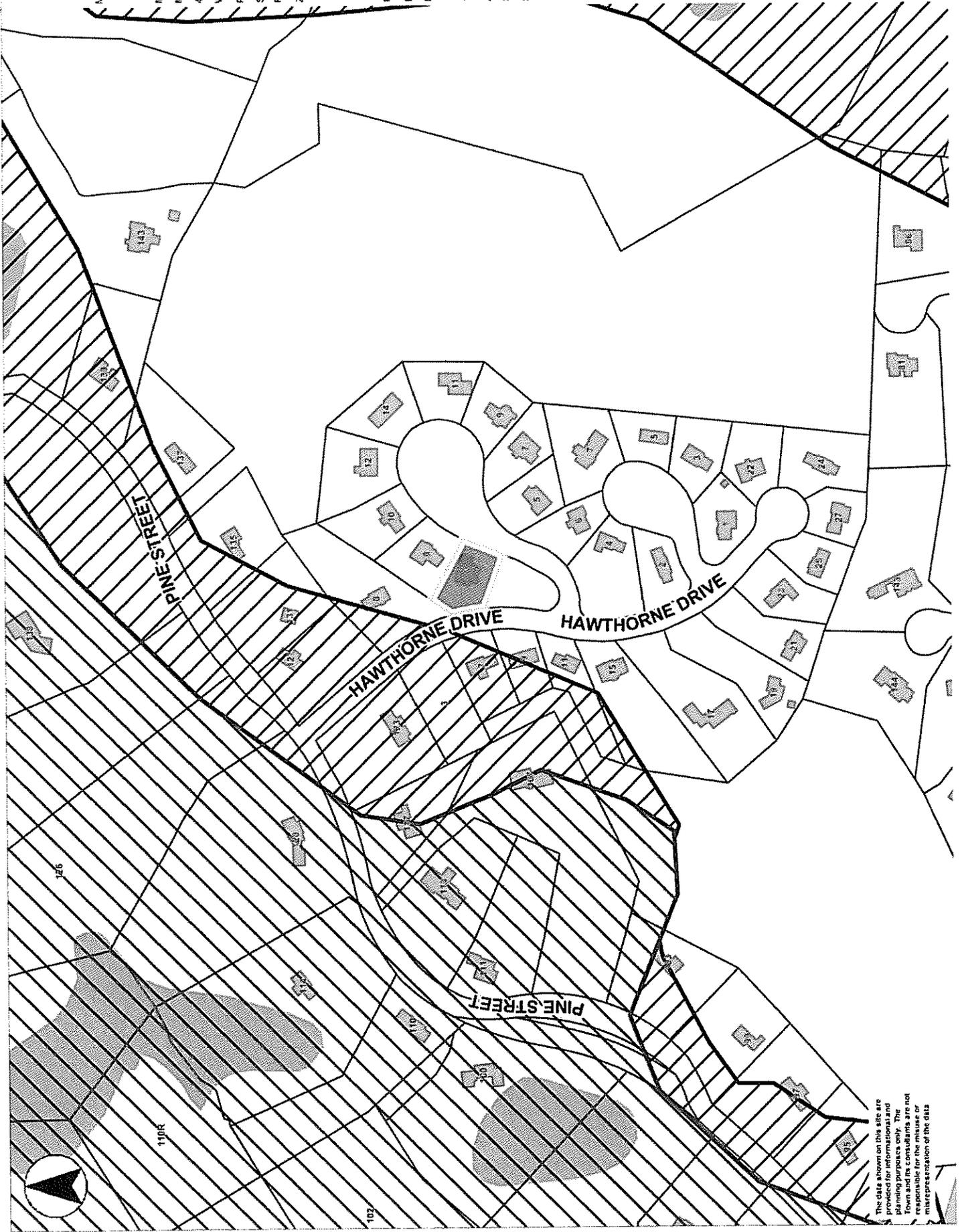
**D. O'BRIEN**  
 LAND SURVEYING  
 480 WEST CENTRAL STREET  
 FRAMINGHAM, MA 02038 508-541-0048

PLAN SHOWING PROPOSED POOL  
 6 WALDEN COURT  
 MEDFIELD, MA NORFOLK COUNTY

SCALE: 1:20	DATE: 5/14/2020	REVISED: 7/1/2020	DRAWN BY: W.M.N.	CHECKED BY: D.O.
-------------	-----------------	-------------------	------------------	------------------



- MA Firearm
- Fire Station
- Police Station
- Town Hall
- Public Library
- School
- MBTA Commuter Rail Stop
- MBTA Commuter Rail
- 400' Radius of No Construct
- Well Protection District
- Primary Aquifer Zone
- Secondary Aquifer Zone
- Flood Plain
- Zoning Districts
- Agricultural
- Business
- Business Industrial
- Industrial Extensive
- Residential Estate 8C
- Residential Urban 12
- Residential Suburban
- Residential Town 40R
- Parcels
- Buildings
- MA Highways
- Interstate
- US Highway
- Numbered Routes
- Town Boundary
- Abutting Towns
- Streets
- Streams



The data shown on this site are provided for informational purposes only. The data is not guaranteed to be accurate. For any use of the data, the user is responsible for the misuse or misrepresentation of the data.