



# TOWN OF MEDFIELD

## BOARD OF APPEALS ON ZONING

159 Main Street, Medfield, MA 02052

### APPLICATION FOR HEARING

(TO BE FILLED OUT BY APPLICANT)

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

RECEIVED  
TOWN OF MEDFIELD, MASS

2020 AUG 11 A 8:40

OFFICE OF THE  
TOWN CLERK

Date 8/6/20

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

John R Chapple

1 The Puddock Lane Medfield, MA 02052

Phone 508-821-8808 Email johnchapple714@gmail.com

The record title of said  
property stands in the name of: John R Chapple / Sarah W. Holman

Whose address is: 1 The Puddock Ln Medfield, MA 02052  
Applicant is  
(owner, tenant, other): \_\_\_\_\_

Location of Property 1 The Puddock Ln Medfield, MA 02052

Deed duly recorded in the Norfolk County Registry of Deeds:

Book 27089 Page 378 (or) Land Court Certificate # \_\_\_\_\_

Year lot created 1974 Plan of Land recorded as Book 242 Page 256 Year 1974

Medfield Assessment Map 64 Lot 000 Zoning District RT Overlay? \_\_\_\_\_

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

See attached

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 M.G.L. Chpt. 40A §9 and/or Medfield Zoning Bylaw Section 300-9.1.C.2. &/or a  
determination under M.G.L. Chpt. 40A §9 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: \_\_\_\_\_

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 [Signature] Printed John R Chapple

(Owner) Signed [Signature] Printed John R Chapple

## Summary of Project

The project would consist of internal construction to existing areas of our home to create a Pilates studio and functional training area, an entrance with storage areas for clients and a bathroom with a shower for my clients to use after their sessions.

The set up is designed so that I would be able to see clients back to back but in a way that they would not pass each other to ensure social distancing.

Half of our garage would be converted into the Pilates and training area, the breeze way that connects the garage to the rest of the house will be turned into the entrance with seating and storage for clients. The adjacent room is currently unfinished and is used for storage, this room would be turned into a bathroom with a shower.

The project would be completely contained within the existing structure of the house, there will not be any signage outside or exterior lighting added. I would only be seeing one client at a time so there would be very little additional traffic in the neighborhood and the business would not produce any significant noise to the surrounding area.

**REQUIRED FINDINGS**

*to be filled out by applicant*

**UTILITIES:**

Notes:

Water:  Town  Well

Sewer:  Town  Septic System

\_\_\_\_\_  
\_\_\_\_\_

**FAMILY APARTMENTS:**

The Applicant acknowledges the provisions of Medfield Zoning Bylaw Section 300-14.10.1.(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:

\_\_\_\_\_

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?)*

The project would require construction internally, there would be no alterations to the outside of the existing structure.

(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.)*

The business would only service one client at a time and would increase traffic very minimally. The lot has adequate parking as is, no additional parking area would be required.

(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.)

All are adequate

(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.)

There will be no adverse effects upon other properties in the neighborhood.

(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.)

There is no need to clear trees or alter anything environmentally.

(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.)

The project is completely enclosed within the existing structure and would not cause any disturbance externally.

(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.)

The project would add one bathroom to the existing structure including one shower, one toilet and one sink.

(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.)

No need external lighting is needed, the use of the space will not produce any excessive noise, vibrations or odors.

(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.)

Public sewerage will be utilized.

**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?

Not applicable to this project

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

There will be no substantial hardships caused

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

There will be no alteration of the exterior property or property line and there for will not nullify or derogate the zoning bylaws

RECEIVED AND RECORDED  
NORFOLK COUNTY  
REGISTRY OF DEEDS  
DEDHAM, MA

Bk 30256 Pg 107 #90599  
07-31-2012 @ 12:39p

CERTIFY

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

MASSACHUSETTS STATE EXCISE TAX  
Norfolk Registry of Deeds  
Date: 07-31-2012 @ 12:39pm  
Clk#: 1426 Doc#: 90599  
Fee: \$2,608.32 Cons: \$572,000.00

### QUITCLAIM DEED

We, Adam Goldstein and Marissa Goldstein, husband and wife, of Medfield, Norfolk County, Massachusetts,

for consideration paid and in full consideration of FIVE HUNDRED SEVENTY TWO THOUSAND DOLLARS (\$572,000.00), the receipt of which is hereby acknowledged,

grant to John Chapple and Sarah Holman as joint tenants with rights of survivorship, of 1 The Paddock Lane, Medfield, MA,

With Quitclaim Covenants

The land, with the buildings thereon in Medfield, Norfolk County, Massachusetts, bounded and described as follows:

WESTERLY by Blacksmith Drive as shown on the plan herein after mentioned, now called The Paddock Lane by two lines measuring 78.10 feet, and 96.90 feet, respectively;

NORTHEASTERLY by Lot B, as shown on said plan, 303.24 feet;

EASTERLY by Lot 106, as indicated on said plan, 60.76 feet;

SOUTHERLY by Colonial Road by two lines measuring 120.97 feet, and 138.61 feet respectively; and

SOUTHWESTERLY by the curved junction of Colonial Road and said The Paddock Lane 43.46 feet.

Containing 40,001 square feet of land according to said plan and being shown as Lot C on a plan entitled "Plan of Land in Medfield Mass.", dated Jan. 28, 1997, Revised 1/31/74, by Cheney Engineering Co. Inc., duly recorded with Norfolk County Registry of Deeds in Plan Book 242 as Plan No. 256 of 1974.

Said premises are conveyed subject to a Taking by the Town of Medfield for the layout of said The Paddock Lane as set forth in an instrument recorded with said Deeds in Book 5139, Page 567; and subject to a sewer and drain easement, as shown on said plan; and subject to the

Premises: 1 The Paddock Lane, Medfield, MA

conditions set forth in an order of Medfield Conservation Commission as set forth in an instrument recorded with said Deeds in Book 5158, Page 321 as affected by Certificate of Compliance recorded at Book 8185, Page 589.

The premises are conveyed subject to and with the benefit of all easements, restrictions, rights of way, takings, reservations, exceptions and covenants contained in the deed to the grantor herein and in all other instruments of record, to the extent now in force and applicable, but not intending hereby to recreate or extend restrictions, reservations, exceptions and covenants previously terminated or expired.

For title see dated May 19, 2010 and recorded with the Norfolk Registry of Deeds in Book 27684, Page 328.

[signatures on following page]

Witness our hands and seals this 30<sup>th</sup> day of July, 2012

[Signature]  
Adam Goldstein

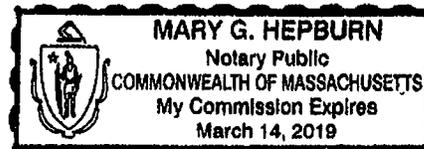
COMMONWEALTH OF MASSACHUSETTS

Middlesex , ss

On this 30<sup>th</sup> day of July, 2012, before me, the undersigned notary public, personally appeared Adam Goldstein, proved to me through satisfactory evidence of identification, which was driver's license, 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.

[Signature]  
Notary Public  
My Commission expires:

[Signature]  
Marissa Goldstein

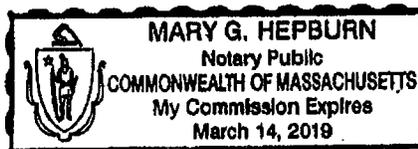


COMMONWEALTH OF MASSACHUSETTS

Middlesex , ss

On this 30<sup>th</sup> day of July, 2012, before me, the undersigned notary public, personally appeared Marissa Goldstein, proved to me through satisfactory evidence of identification, which was driver's license, 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.

[Signature]  
Notary Public  
My Commission expires:



NOT AN OFFICIAL OF THE COMMONWEALTH OF MASSACHUSETTS NOT AN OFFICIAL OF THE COMMONWEALTH OF MASSACHUSETTS

ORDER

WETLAND PROTECTION ACT

G.L.c.131 s.40

FILE NUMBER: 214-8

PROJECT LOCATION: Medfield

TO: Henry Heald, Trustee for Heald Homes Trust. CERT. MAIL NO:

RE: NOTICE OF INTENT AND PLANS DATED: 7/1/1975 DATE OF RECEIPT BY CONSERVATION COMMISSION 7/3/75 DATE OF PUBLIC HEARING: 7/17/1975

Pursuant to the authority of G.L. c.131 s.40, the Medfield Conservation Commission has considered your notice of intent and plans submitted therewith, and has determined that the area on which the proposed work is to be done is significant to one or more of the interests described in the said act. The Medfield Conservation Commission hereby orders that the following conditions are necessary and all work must be performed in strict conformance therewith:

CONDITIONS

- 1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this order.
2. This order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, by-laws and/or regulations.
4. The work authorized hereunder shall be completed within one (1) year from the date of this order. The order may be extended by the issuing authority for one or more additional one-year periods upon application to the said issuing authority at least thirty days prior to the expiration date of the order or its extension.
5. Any fill used in connection with this project shall be clean fill, containing no trash, refuse, rubbish or debris, including, without limiting the generality of the foregoing, lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles or parts of any of the foregoing.
6. No work may be commenced until all appeal periods have elapsed from the order of the Conservation Commission or from a final order by the Department of Natural Resources has elapsed.

"D"

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C O P Y

PAGE 2

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C O P Y

FILE NO. 214-8CONDITIONS CONTINUED

7. No work shall be undertaken until the final Order, with respect to the proposed project, has been recorded in the Registry of Deeds for the district in which the land is located. Copy to be furnished to issuer of this Order showing book and page.
8. Upon completion of the work described herein, the applicant shall forthwith request, in writing, that a Certificate of Compliance be issued stating that the work has been satisfactorily completed.
9. A sign shall be displayed at the site not less than two square feet or more than three square feet bearing the words, "Massachusetts Department of Natural Resources, File Number 214-8".
10. Where the Department of Natural Resources is requested to make a determination and to issue a superseding order, the Conservation Commission shall be a party to all agency proceedings and hearings before the Department of Natural Resources.
11. The work shall conform to the following described plans and additional conditions:
  - a. That homes be connected with the Town sewer system.
  - b. That no filling or dredging occur below the 136' contour as depicted on Norwood Engineering Co.'s maps dated May 30, 1975 as submitted at the hearing on July 17th.
  - c. That there be no continuance of Surrey Lane beyond the 138' contour crossing said Lane; and furthermore that the developer remove any and all fill that may have already been placed beyond the 138' contour line crossing the path of Surrey Lane so that a damming effect would not occur in the serious flood.

NOT  
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OFFICIAL  
COPY

NOT  
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OFFICIAL  
COPY

CONDITIONS CONTINUED

PAGE 3

FILE NO. 214-8

The applicant, any person aggrieved by this order, any owner of land abutting the land upon which the proposed work is to be done, or any ten residents of the city or town in which such land is located, are hereby notified of their right to appeal this order to the Department of Natural Resources, provided the request is made in writing and by certified mail to the Department of Natural Resources within ten (10) days from the issuance of this order.

ISSUED BY Medfield Conservation Comm.

*Mario Pederzini*  
 Mario Pederzini

*Robert Kinsman*  
 Robert Kinsman

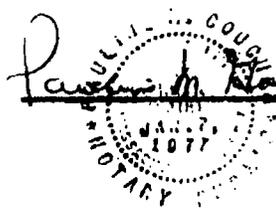
*Jane E. Minesinger*  
 Jane Minesinger

*Hanson Robbins*  
 Hanson Robbins

*William Walsh*  
 William Walsh

On this 29th day of July 1975, before me personally <sup>*William Walsh*</sup> appeared ~~*Mario Pederzini, Robert Kinsman, Jane E. Minesinger, Hanson Robbins*~~ to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

*Pauline M. Kowler* My commission expires: *January 7, 1977*



## COMMONWEALTH OF MASSACHUSETTS

567

NORFOLK, ss

TOWN OF MEDFIELD

## ORDER OF TAKING

THE PADDOCK LANE

June 24, 1975

## IN THE BOARD OF SELECTMEN:

WHEREAS at their 1975 Annual Town Meeting, duly called, the voters of the Town of Medfield unanimously voted to accept the layout of The Paddock Lane as laid out by Order of the Board of Selectmen dated April 9, 1975 as shown on a plan entitled "Acceptance Plan of a Portion of The Paddock Lane Sta. 21+32.00 to Sta. 25+ 19.46 Medfield, Mass." Scale: 1 inch = 40 feet by Cheney Engineering Co., Inc., Needham, Mass. dated Nov. 11, 1974 to be filed herewith;

NOW THEREFORE acting under the provisions of Massachusetts General Laws Chapter 79 and Chapter 82 and all other Acts thereto enabling, the Board of Selectmen of the Town of Medfield adjudges that public necessity and convenience require that the Town of Medfield acquire by eminent domain for purposes of a public way those parcels of land as shown on said plan.

IT IS NOW ORDERED that there be and hereby is taken by eminent domain for purposes of a public way, all right, title and interest in those parcels of land shown on said plan including all trees and buildings.

No betterments are to be assessed in connection with this taking and no damages are awarded.

The owners and parcels to be taken are as follows:

SUPPOSED OWNERSTITLE REFERENCE

Heald Homes Trust, Henry M. Heald, Jr.,  
Trustee  
96 The Paddock Lane (Lot B)  
Medfield, Mass.  
Morse: None

Book 3823 Page 439

Heald Homes Trust, Henry M. Heald, Jr.,  
Trustee  
102 The Paddock Lane (Lot C)  
Medfield, Mass.  
Trees: None

Book 3822 Page 120

Commonwealth of Massachusetts

Edward J. & Lois Ann Stittmeller  
101 The Paddock Lane (Lot 50)  
Medfield, Mass.  
Trees: None

Book 5012 Page 106

Francis J. Tenney, Wilhelmina M. Tenney  
& Judith A. Merrill  
97 The Paddock Lane (Lot E)  
Medfield, Mass.  
Trees: Needham Cooperative Park

Book 5105 Page 230

William J., 2nd & Carol O. Ertton  
105 The Paddock Lane (Lot 58)  
Medfield, Mass.  
Trees: Natick Federal Savings and Loan  
Association

Book 4924 Page 312

Included in this taking is a drain easement 20 feet in width the centerline of which begins at a point on the easterly side of The Paddock Lane and runs S 70 3/4 E 312.71± feet to a brook and

A second drain easement 20 feet in width the centerline of which begins at a point on the westerly side of The Paddock Lane and runs N 81 1/4 W 102.86 feet to a point, thence S 70 3/4 W 86.17 feet, all as shown on said plan.

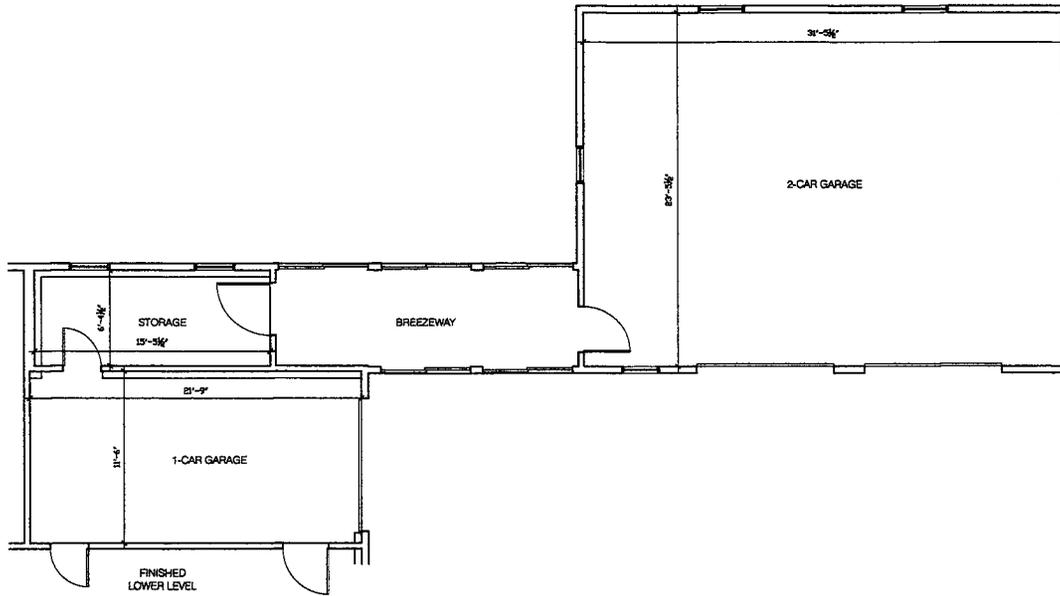
I hereby certify that the foregoing is a true copy of an Order passed by the Board of Selectmen of the Town of Medfield.

*R. Edward Board*  
Clerk of the Board of Selectmen  
Town of Medfield  
Town Hall  
Medfield, Massachusetts 02052

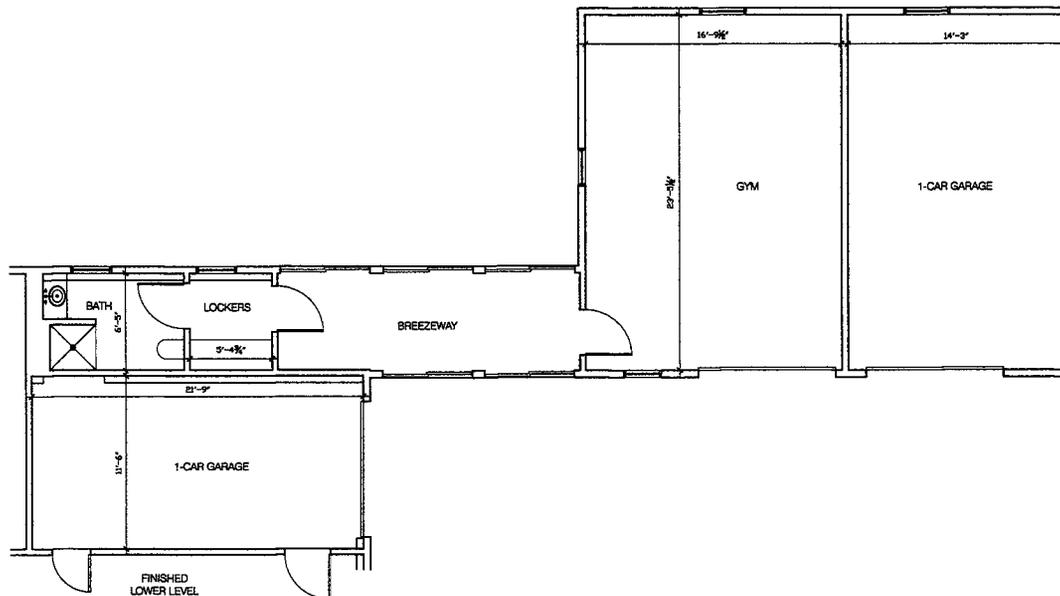
Recorded June 30, 1975 at 10h. 38m. A. M.







EXISTING



PROPOSED

dog

3 Castle Avenue  
 Medfield, MA 02052  
 P: 617.429.2730  
 F: 617.419.1102

Project:  
 Gym  
 1 The Paddock Lane  
 Medfield, MA 02052

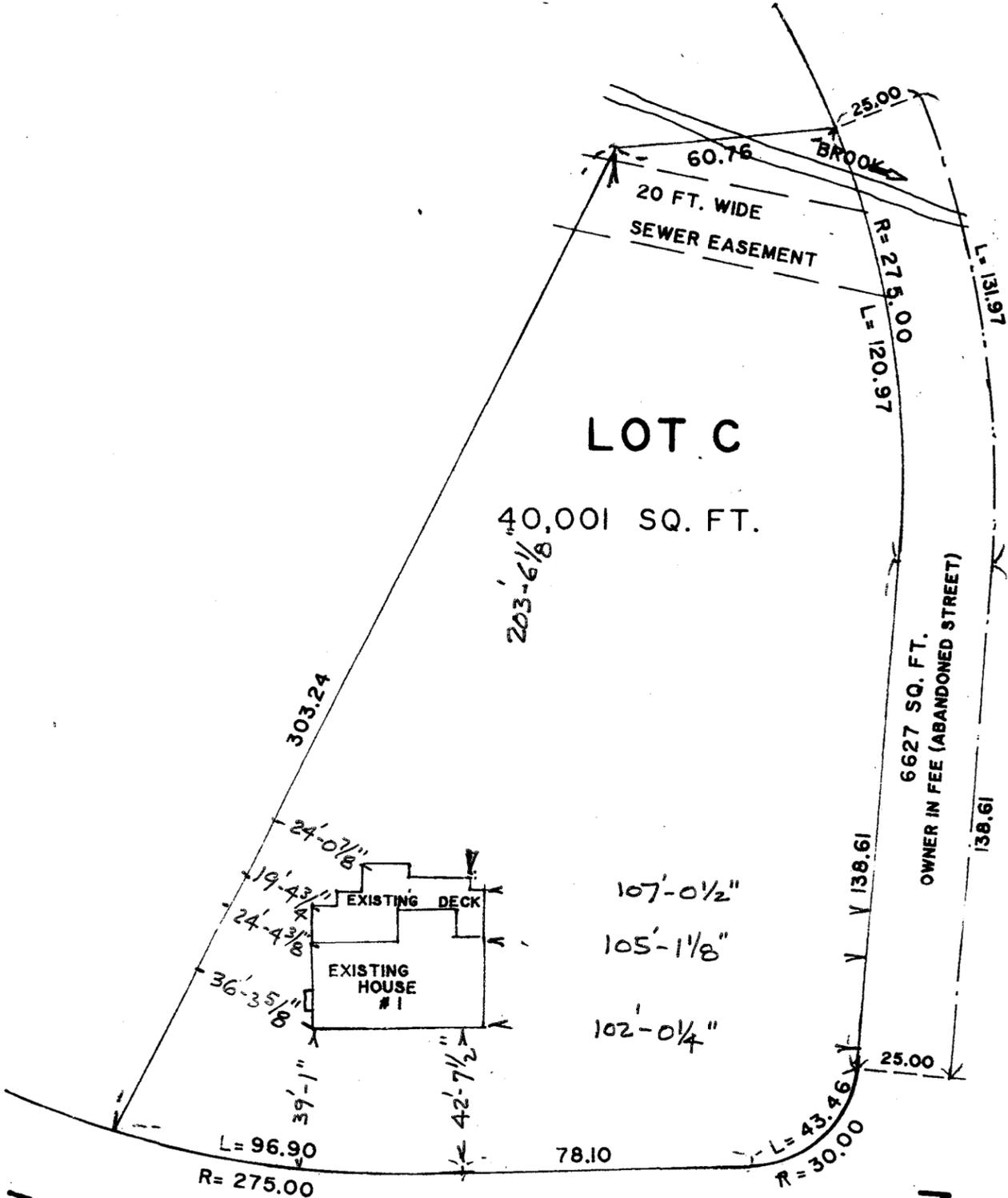
Drawing:  
 Existing & Proposed  
 Floor Plans

Scale: 1/4" = 1'-0"

Date: 08.05.20

Note:

Sheet: A-1



THE PADDOCK LANE

SURREY RUN

I CERTIFY THAT THE HOUSE ON THE ABOVE PLAN IS LOCATED AS SHOWN AND COMPLIES WITH THE ZONING LAWS OF THE TOWN OF MEDFIELD

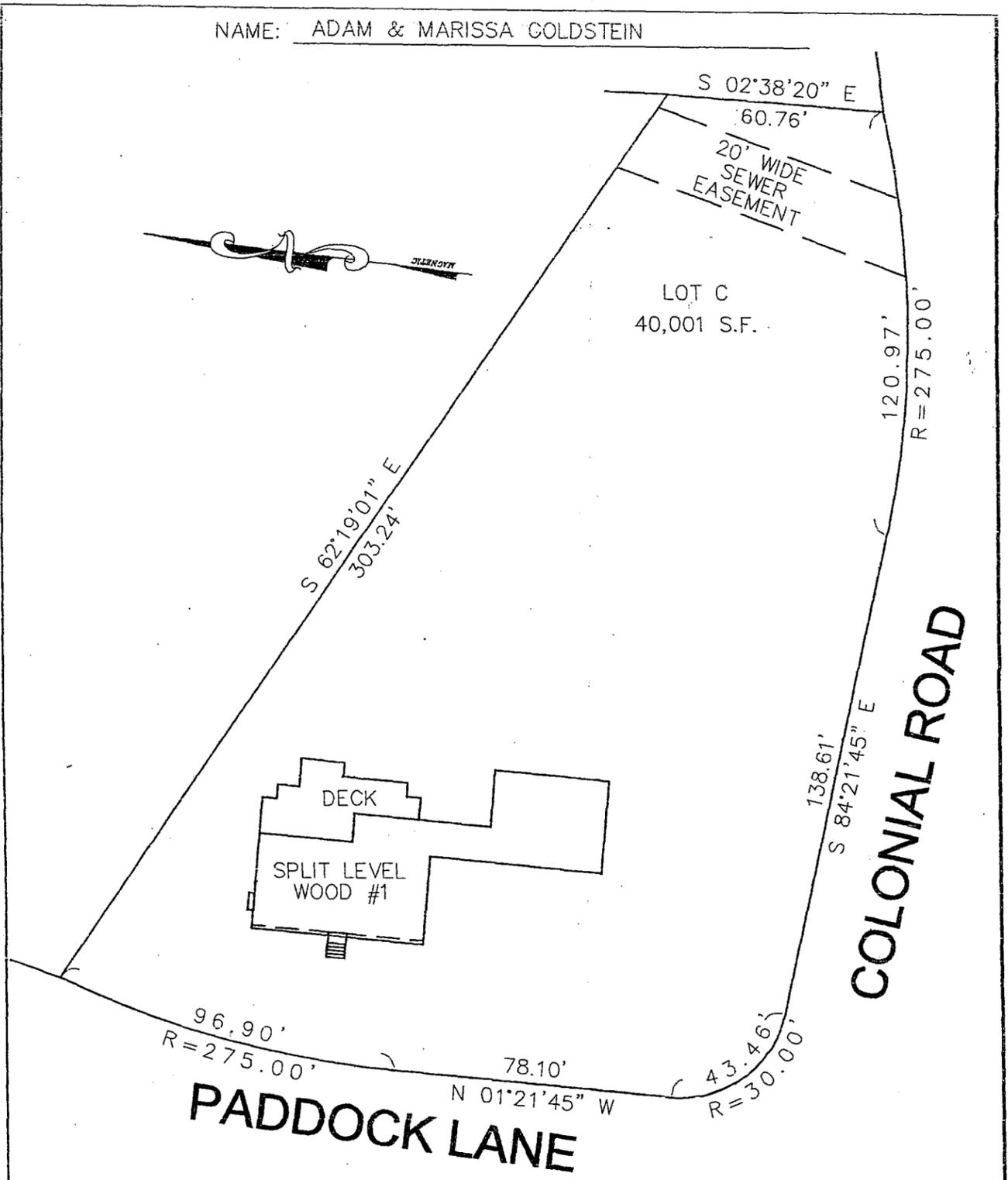
*Sidney R. Vaughan*

**PLOT PLAN OF LAND IN MEDFIELD, MASS.**

SCALE : 1" = 40 FT. / 187  
 CHENEY ENGINEERING CO., INC  
 32 JUNCTION ST., NEEDHAM, MASS

NOTE : THIS PLAN IS NOT TO BE RECORDED OR USED TO ESTABLISH PROPERTY LINES

NAME: ADAM & MARISSA GOLDSTEIN



TO THE ( ) AND ITS TITLE INSURERS.

I CERTIFY THAT THE BUILDINGS SHOWN DO ( ) CONFORM TO SETBACK REQUIREMENTS I.E. (FRONT, SIDE & REAR ONLY) OF MEDFIELD WHEN CONSTRUCTED, OR ARE EXEMPT FROM VIOLATION ENFORCEMENT ACTION UNDER MASS. G.L. TITLE VI, CHAPTER 40A, SECTION 7, UNLESS OTHERWISE NOTED. I FURTHER CERTIFY THAT THIS PROPERTY IS NOT LOCATED IN THE ESTABLISHED FLOOD HAZARD AREA.

COMMUNITY PANEL NO. 2502420005B DATE: 7-16-1979  
 THIS COMPANY IS NOT RESPONSIBLE FOR ANY INDENTURES MADE SUBSEQUENT TO THE RECORDED DATE OF THE LATEST DEED OF RECORD.

MORTGAGE INSPECTION PLAN

LOCATED IN  
**MEDFIELD**  
 MASSACHUSETTS

DEED BOOK 27684  
 PAGE 328  
 CERT. NO. \_\_\_\_\_  
 PLAN BK. 242 PAGE \_\_\_\_\_  
 PLAN NO. 256 OF 1974  
 PROBATE NO. \_\_\_\_\_

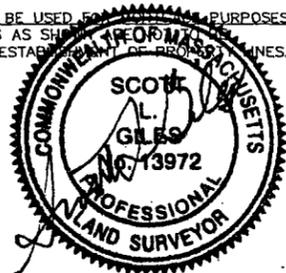
JULY 12, 2012

SCALE: 1" = 40'  
**BRADFORD ENGINEERING CO.**  
 P.O. BOX 1244  
 HAVERHILL, MA  
 TEL: (978) 373-2396

WHENEVER BUILDINGS ARE SHOWN LESS THAN ONE FOOT FROM THE PROPERTY LINE IT IS ADVISED THAT A MORE PRECISE SURVEY BE MADE TO VERIFY THESE MEASUREMENTS.

**NOTE:**  
 THIS CERTIFICATION IS BASED ON THE LOCATION OF SURVEY MARKERS OF OTHERS, AND DOES NOT REPRESENT A PROPERTY SURVEY. VERIFICATION OF SURVEY MARKERS USED AND OFFSETS, AS SHOWN, MAY BE ACCOMPLISHED ONLY BY AN ACCURATE INSTRUMENT SURVEY, DRIVEWAYS ARE NOT DEPICTED ON THIS PLAN.

THIS CERTIFICATION TO BE USED FOR \_\_\_\_\_ PURPOSES ONLY.  
 OFFSETS AS SHOWN \_\_\_\_\_  
 USED FOR THE ESTABLISHMENT OF PROPERTY LINES.



SCOTT L. GILES 11/8/12 PLS #13972