

*TOWN OF ROCKLAND
ZONING BOARD OF APPEALS*

APPLICATION

AND

INSTRUCTIONS

FOR

A PUBLIC HEARING

*242 Union Street, Rockland, MA 02370
e-mail: zoning@rockland-ma.gov
Phone: 781.871.1874 extension 1195*

TOWN OF ROCKLAND
ZONING BOARD OF APPEALS
INSTRUCTION SHEET FOR A PUBLIC HEARING

A. This application when completed, must be filed with the Town Clerk together with:

- **FILING FEE - (Make check payable to the Town of Rockland)**
 - \$200.00 - Application For Special Permit/Section 6 Finding, Variance and/or Use Variance
 - \$200.00 - Application For an Appeal from the Decision of the Zoning Enforcement Officer
- **FILING FEE - Comprehensive Permits (Chapter 40B)**
See Comprehensive Permit Rules and Regulations for additional requirements
 - For Limited Dividend Organizations: \$2,000.00 flat fee plus \$100.00/ unit
 - For Non-Profit Organizations: \$1,500.00 flat fee plus \$75.00/unit
 - For Public Agencies and Local: \$0.00
- **ADVERTISING COST:**
The Petitioner/Applicant will be responsible for paying advertising costs incurred with a local newspaper and will receive phone call and/or a statement for costs incurred directly from said newspaper prior to the next available hearing date scheduled with the Zoning Board. The ZBA will type the Petitioner/Applicant ad and submit the same to the newspaper for proper publication. The ZBA will send to the local newspaper any pertinent billing information needed so that a billing statement can be sent directly to the Petitioner/Applicant for the advertisement publication.
- **COPYING TO BE DONE BY APPLICANT:**
 - Application - 13 copies
 - Certified List of Abutters - 13 copies
 - All maps, plans and other documents required by this instruction sheet - 13 copies
- **ENVELOPES** - All envelopes for advertising and decision mailings are to be submitted with application.

ADVERTISEMENT MAILING – to Applicant/Abutters/Planning Board

- ONE (1) business size pre-addressed, stamped envelopes for each name on the certified list of abutters with the appropriate amount of postage affixed to each envelope. **Only use postage stamps. Do not use a postage meter. Do not put a return address on envelope.**

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- ONE (1) business size pre-addressed, stamped envelope to each Planning Board in the surrounding Towns. **Only use postage stamps. Do not use a postage meter. Do not put a return address on envelope.**
- ONE (1) certified envelope addressed to the Applicant(s)/Owner(s), if different, and the green card and white Certified Mail forms filled out with the Applicant(s)/Owner(s) name(s) filled out in Block 3 (green card only), and the appropriate amount of postage affixed. **Certified Mail label must have bar code with number.**

DECISION MAILING - to Applicant/Abutters

- ONE (1) business size pre-addressed, stamped envelope for each name on the certified list of abutters with the appropriate amount of postage affixed to each envelope. **Only use postage stamps. Do not use a postage meter. Do not put a return address on envelope.**
- **40B Applicants only-** ONE (1) 9 x 12 size envelope pre-addressed and stamped with \$1.65 in postage for each name on the certified list of abutters. **Only use postage stamps. Do not use a postage meter. Do not put a return address on envelope.**
- ONE (1) certified business size envelope addressed to the Applicant(s)/Owner(s), if different, and the green card and white Certified Mail forms filled out with the Applicant(s)/Owner(s) name(s) filled out (green card only), and the appropriate amount of postage affixed for Certified Mail. **40B Applicants only-** One (1) 9 x 12 size envelope pre-addressed and stamped with \$1.65 plus certified mailing postage for Applicant/Owner(s).

B. The application must be signed by the Owner(s) of record of the subject property, and the applicant, if different from the Owner(s). Applications not signed by the Applicant and Owner(s) will be returned.

C. All applications that involve any new construction, or additions to existing construction, and all applications that involve outside storage of goods or equipment, *except for open decks and porches*, shall be accompanied by a plan drawn and stamped by a registered land surveyor showing the metes and bounds of the property, north arrow, dimensions of all existing and proposed structures, set-backs from property lines and buffer zones where applicable.

D. All applications for open decks and porches shall have a plan showing existing and proposed structures and dimensions from all lot lines. The Applicant is responsible for accuracy of all distances and dimensions.

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E. All applications for a Class 2 used car/truck lot shall be accompanied by a plan drawn and stamped by a registered land surveyor showing the metes and bounds of the property, all existing and proposed structures, buffer zones, parking spaces for the number of cars requested, spaces for employees and customers, and sufficient back-up area as described in the By-law.

F. All applications for an In-law apartment shall have a scaled floor plan of the existing house, a scaled floor plan of the proposed in-law apartment. All floors must be shown. Plus all other required documentation as per these instruction sheets. The Applicant must get a copy of the In-law apartment guidelines from the Building Department prior to hearing.

G. All applications that also require Site Plan Approval from the Planning Board shall be accompanied by a site plan meeting the requirements of Site Plan Approval as set forth in the Rules and Regulations of the Planning Board.

H. All Applicants must go to the Assessor's Office to obtain a Certified List of Abutters. The Certified List of Abutters must be dated within 90 days of the Application being submitted to the Town Clerk's Office.

I. All businesses and commercial Applicants must submit a Municipal Lien Certificate from the Tax Collector's Office for the property in question.

J. Make thirteen (13) copies of the application, any site plan and/or any other documents (if applicable) and submit them to the Town Clerk's Office.

K. File your completed application with the Town Clerk to be date stamped. The Town Clerk's office will notify the Zoning Board of Appeals to pick up your completed application package. The Board will set a date for your hearing. You will be notified by mail on the date and time of your hearing. If you are unable to present your petition at that time, please contact the Chairman or the Recording Secretary at 781.871.1874 ext. 1195 or e-mail us at zoning@rockland-ma.gov as soon as possible.

L. Must include one electronic copy of the complete application and plans on a USB storage device.

**All Incomplete Applications Will Be Rejected
And Returned To The Applicant**

TOWN OF ROCKLAND
ZONING BOARD OF APPEALS
APPLICATION FOR A PUBLIC HEARING

SECTION 1:

A. I/We hereby apply for a public hearing before the Zoning Board for the following: *Amended 7/3/25
(Check all that are applicable)

- ☒ Application for Dimensional Variance
☐ Application for a Use Variance
☒ Application for a Section 6 Finding
☐ Special Permit for Use permissible by Special Permit
☐ Appeal from a Decision of the Zoning Enforcement Officer
☐ Comprehensive Permit (Chapter 40B)

SECTION 2:

B. Answer all of the following questions that pertain to your application:

1. Address of the property in question: 77 Carey St.
2. Name(s) of Owner(s) of Property: Douglas and Katherine Walo
3. Owner's Address: 77 Carey St., Rockland, MA
4. Name of Applicant(s): Douglas and Katherine Walo
5. Address of Applicant: 77 Carey St., Rockland, MA 02370

6. Applicant's Phone: Home: _____ Work: _____
Cell: 781-771-6142 Fax: _____
E-Mail: douglasjdwalo@gmail.com

7. State the Assessor's Map # 38 and Lot # 125 of the property.
8. State the Zoning District in which the property is located: R-2
9. Explain in-depth what you are proposing to do:

Please see the following page (1A) for explanation.

9. Explain in-depth what you are proposing to do: ***Amended 7/3/25**

We propose to construct a 9'x4' entryway foundation addition with a 9'x3' covered entry on the front of our house and remove the existing roof overhang supported by five wooden pillars. The current overhang, which occupies 117.5 square feet of the front setback, is deteriorating, with one pillar already fallen and others showing signs of rot. The proposed bump-out will replace this overhang with a 54-square-foot structure, resulting in a net reduction of 63.5 square feet (54%) in the encroachment area.

The project has three primary goals:

- Improve functionality and accessibility of the front entrance. The current entryway is undersized, creating challenges for accommodating visitors, moving furniture, and navigating the space. With the front door open, there are only 5 5/8 inches from the door to the corner of the first stair tread and 7 3/8 inches to the railing post, which severely limits mobility.
- Ensure safety and modernize the design. The existing overhang requires repair or replacement. Rather than replacing it with a similar outdated structure, we seek to upgrade the entryway with a design that is both functional and visually appealing.
- Enhance architectural continuity between the original structure and a 2017 addition, creating a cohesive and attractive aesthetic.

We believe this project will improve the curb appeal and long-term value of our home while contributing positively to the character of the neighborhood.

10. Describe in detail any existing variance(s) or special permit(s)

pertaining to this property. Copy/copies must be obtained at the Town Clerk's Office and must be attached to this application:

To the best of our knowledge, there are no existing variances or special permits associated with this property. However, the property is subject to a Brockton-Edison easement along the south side, which significantly restricts the buildable area on the lot. This easement prevented expansion in that direction during prior projects and remains a limiting factor in future designs.

Additionally, the property is nonconforming, further constraining options for expansion toward the west and north. These limitations necessitate the proposed entryway bump-out as a practical solution to improve functionality and safety while respecting the property's physical constraints.

11. List all applicable sections of the Zoning Bylaw that pertains to this application: ***Amended 7/3/25**

415-48 Boundary line and internal street setback requirements

415-89.1 Zoning Variances

A. Boundary line setback requirements: All buildings, structures, and uses shall be set back no less than 25 feet from all external streets.

B. Internal street setback requirements: All buildings and structures for principal or accessory non-residential uses shall be set back no less than 25 feet from any public street within a planned unit development.

Note: Section B does not apply to this residential project.

12. If you are applying for a dimensional variance, state in detail any specific condition that effects the shape, soil, topography or structures on your lot that specifically effects your lot and does not effect the zoning district as a whole, and why these conditions cause a hardship to the land that warrants the granting of a variance

(use a separate piece of paper if necessary)

Please see the following page (2A) for explanation.

13. If this is an application for a special permit, describe in detail the permit you are seeking and provide the Board with specific information as to how the proposed use will meet the Performance Standards of the Zoning By-Laws of Rockland:

12. If you are applying for a dimensional variance, state in detail any specific condition that affects the shape, soil, topography, or structures on your lot that specifically affects your lot and does not affect the zoning district as a whole, and why these conditions cause a hardship to the land that warrants the granting of a variance:

The property was built in 1963 and is nonconforming. The house includes an existing front roof overhang, which occupies 117.5 square feet of the front setback and requires significant repair or replacement. One pillar has already fallen, and the structure shows signs of deterioration. Additionally, a Brockton-Edison easement along the south side of the property limits the buildable footprint, making it not possible to expand in that direction. Similarly, nonconforming setbacks to the west and north constrain other options for expansion, leaving the front setback as the only viable area for the proposed bump-out.

The current entryway creates several practical challenges:

- It is undersized, making it difficult to accommodate visitors or move furniture and large items.
- The layout is a mobility hazard, as evidenced by one owner sustaining a foot injury in 2019 when a laundry basket became caught on the railing.
- With the door open, there are only 5 5/8 inches to the first step tread and 7 3/8 inches to the railing, making navigation awkward and unsafe.

The proposed bump-out will address these challenges by creating a functional, safe, and visually appealing entryway while reducing the current encroachment in the front setback by 54%. This modest addition represents the best use of the constrained property while aligning with the neighborhood's character.

14. If this is an appeal from a decision of the Zoning Enforcement Officer, state in detail the grounds upon which you claim that the Zoning Enforcement Officer/ Building Inspector's decision was in error. _____

Signed: _____

D. G. D. W. L.
Katherine W. also

Owner(s) of Record
All owners must sign

Signed: _____

Applicant(s) If Different from owner
All applicants must sign

Signed: _____

Signature of Attorney (if any)

Date: _____