



Town of Monterey
Zoning Board of Appeals Application

For office use only	
Date application was received & filed with the Town Clerk	
Application Number	
Filing fee/expense reimbursement (check #)	
Property Address	
Dates advertised in the Berkshire Eagle	
Hearing Date	
11 copies submitted	

Be sure to supply all required information and sign the form where indicated. Please refer to the Zoning By-Laws of the Town of Monterey adopted by Town Meeting on May 5, 2012, as amended, and, when necessary, refer to specific sections within.

Applicant shall also be required to submit the application and attached documents (and any subsequent submission) electronically to the Administrative Assistant at admin@montereyma.gov

Section A. Please check the action you are seeking (check all that apply):

- Special Permit
- Variance
- Appeal (to modify a decision of a Town Board)

Section B. Site/Property Information:

Address of property (ex. 123 Main Rd.): 121 Pixley Road, Monterey, Massachusetts 01245

Assessor's Map #: 111 Assessor's Lot #: 9

Zoning District(s): Agricultural-Residential

Registry of Deeds Book & Page Number for Applicant's Title: Deed to Samantha Candee and Anne Marie Hart in Book 2327, Page 262 dated October 16, 2015 and recorded on the same day in the Berkshire Southern District Registry of Deeds. This application is made by one of the current owners, Samantha Kaye, f/k/a Samantha Candee.

Section C. Property Ownership Information:

Full Name of Owner(s) (this must match the name on your deed referenced in Section B): The current owners are: Samantha Kaye, f/k/a Samantha Candee and Anne Marie Hart

Mailing Address: Samantha Kaye: 121 Pixley Road, Monterey, Massachusetts 01245

Owner's email address and phone number: Applicant: Samantha Kaye f/k/a Samantha Candee, scandee123@gmail.com, (413) 717-5731.

Full name and mailing address of owner's agent or representative: Attorney for the applicant, Alexandra H. Glover, Lazan Glover & Puciloski, LLP, 785 Main Street, Great Barrington, Massachusetts 01230.

Agent or representative's email address and phone number: Attorney for the applicant, Alexandra H. Glover, glover@lazanlaw.com, (413) 644-0200; email glover@lazanlaw.com.

Section D. Project Description (attach additional sheets if necessary):

Please provide a brief description of the Relief Sought and/or Proposed Project:

A Special Permit from the Zoning Board of Appeals under Bylaw Sections 5.1.6(2) and 5.1.7 for the reconstruction of a preexisting nonconforming covered porch, including a 3' 9 3/4" extension of the rear roof overhang over a landing and the addition of safer stairs. The porch, which was located in the rear setback, was already removed and reconstructed by a builder who failed to tell Ms. Kaye that he never pulled a building permit or that a special permit was required.

Section E. Variances, if applicable (attach additional sheets if necessary):

From which section of the zoning bylaws are you requesting a variance? N/A

What will the requested variance enable you to do? N/A

If the variance is not granted, what hardship will you endure? N/A

What special circumstances relating to soil condition, shape or topography of the land is prompting your request for a variance? N/A

Explain why your special circumstances are not a result of your own actions? N/A

Section F. Appeals (attach additional sheets as necessary and a copy of any written determination/action)

What action of which Town board is being appealed? N/A

Date of the action: N/A

Describe the remedy you seek: N/A

Section G. Special Permits, if applicable (attach additional sheets if necessary):

Describe the need for a Special Permit: The preexisting nonconforming rear porch was removed by a contractor without a permit; thus, a special permit is required under Section 5.1.7 to reestablish the preexisting nonconforming structure, and under Section 5.1.6(2) for extension of the preexisting nonconforming structure, in that the reconstructed covered porch extends further into the 25' rear setback than the previous nonconforming porch. As to the alteration, the applicant seeks to reconstruct and widen the porch, and for a minor addition of an overhang/landing and safer steps.

List all the nonconforming aspects of the property: The porch extends into the 25' setback, and the frontage and area of the lot do not conform to the zoning minimums.

Has a special permit or variance been previously granted to this property which is/are currently active? If yes, please describe and/or attach copies of prior decisions: No.

Each party signing this Application certifies that the information contained herein is true, accurate, complete and that no material fact or statement has been omitted from this Application which would be relevant to the relief requested hereunder. Signing and submitting this Application constitutes permission for the Board and/or its designees to access and walk the exterior portions of the property for the purpose of site visits in connection with the Application.

Applicant or Representative's Signature: Alexandrea Glover

Owner's Signature: Samantha Candee by Alexandrea Glover **Date:** 11/17/2022

Project Narrative

Applicant/Samantha Kaye

November 17, 2022

Submitted by:

Alexandra H. Glover, Esq., Attorney for Samantha Kaye
Lazan Glover & Puciloski, LLP
785 Main Street
Great Barrington, MA 01230
(413) 644-0200
glover@lazanlaw.com

Property Address: 121 Route 57 a/k/a Pixley Road, Monterey, MA

Zoning District: Agricultural-Residential District (AR)

Tax Map #111, Lot #9

Relevant Bylaw Sections: 5.1.6(2) Extension/Alteration/Reconstruction of Existing Nonconforming Single-Family Structure; 5.1.7, Special Permit to Reestablish a Nonconforming Structure

Compliance with Application Instructions

Item 2, Request for partial waiver: Survey performed for this Application by Frederick J. Haley, a Massachusetts Licensed Surveyor is included, along with relevant setback dimensions; location of wells, septic tanks and fields, driveways, and parking areas not shown on survey, but driveway and parking areas are shown on plot plan prepared by Kelly Granger, Parsons & Associates, Inc. and attached hereto.

Item 3, Request for partial waiver: As detailed below, the porch in question was constructed by a contractor who did not pull a building permit and who never provided plans for the porch., nor did the contractor inform the Applicant that he had not obtained a building permit. Had he done so, the Building Inspector would have required a special permit and presumably plans. The contractor then failed to complete the work and abandoned the job. The Applicant thus does not have plans for the construction. However, the Applicant did retain an expert to provide 3D mapping of the structure, and a surveyor who provided certain exterior dimensions and setbacks. The survey and the 3D mapping are filed herewith in lieu of the building plans that the contractor never provided.

Item 4, Clarification: There is no building permit application for the work. This matter is before the Zoning Board of Appeals seeking a special permit, and, if the special permit is granted, the Applicant will apply for a building permit.

1. Project Description

Samantha Kaye, the Applicant hereunder, seeks a Special Permit for the reconstruction of a preexisting nonconforming covered porch attached to the single-family home owned by her and in which she resides with her husband and children.¹ The permit is sought under Section 5.1.6(2) and 5.1.7 of the Monterey Zoning By-Laws. This porch, attached to the rear (east) of the house, is located within the 25' rear yard setback.² Additionally, the Applicant requests a minor change to the proposed reconstructed preexisting nonconforming structure by widening the porch, extending the roof over a narrow landing, and adding safer steps.

There has been a preexisting nonconforming porch in the same location for decades. See Attachment 2, Plot Plan Prepared for Samantha Candee & Anne Marie Hart, Monterey Massachusetts by Kelly Granger, Parsons & Associates, Inc dated August, 2015; see also Attachment 3, Google Earth Images dated 2000, 2010, and 2014; and Attachment 6, AxisGIS Image.

As the porch was in disrepair, Ms. Kaye, to her great detriment, hired a person who held himself out as a professional builder. The builder was to obtain necessary permits, reconstruct and widen the decrepit porch, and to add a landing and safer stairs. The builder took the Applicant's money to rebuild the porch, never applied for a building permit, removed the old porch, began construction on the new, wider porch with overhang, landing, and steps, and then left the project after demanding additional payment beyond what was agreed and without finishing the work. Ms. Kaye only discovered after the fact that there was no building permit and that a special permit would have been required as the porch is located in the rear setback when she was alerted by Don Torrico, the Building Inspector and Code Enforcement Officer for Monterey.

Thus, by the time the error was discovered, the replacement porch was already largely reconstructed. As the original porch was demolished, the Applicant also requests relief under Section 5.1.7. The Applicant's reliance on the builder was clearly misplaced, and she was put into a difficult position through no fault of her own. The Applicant has not performed further work on the porch since Mr. Torrico alerted her to the issue, and now seeks relief in the form of a special permit from this Board so she can apply for a building permit and complete the work.

There is also a small shed on the Applicant's property that may be located within the rear setback. As is provided in the By-Laws under Section 4.3.2 regarding minimum setbacks for accessory buildings, all accessory buildings including maintenance sheds are "subject to

¹ See Attachment 1 hereto, Deed from Daniel N. Niewinski to Samantha Kaye and Anne Marie Hart, dated October 16, 2015, recorded in the Berkshire Southern District Registry of Deeds, Book 2327, Page 262, on October 16, 2015. Please note that Samantha Kaye was previously known as Samantha Candee.

² There is, a dispute with the abutter to the north about the location of the rear property line, which is the relevant line to this permit. Ms. Kaye desires to resolve the issue of the porch with the Town with no further delay, and thus is applying for this special permit while the boundary line dispute between her and the abutters remains unresolved.

regulations under minimum setback dimensions.” As the shed has been located in the setback for more than ten years, it has acquired the status of a preexisting nonconforming structure for which no special permit is now required.

2. List of Attachments

Attachment 1, Deed to Samantha Candee and Anne Marie Hart dated October 16th, 2015 and recorded in the Berkshire Southern District Registry of Deeds in Book 2327, Page 262 on October 16th, 2015;

Attachment 2, Plot Plan “Plot Plan Prepared for Samantha Candee & Ann Marie Hart, Monterey, Massachusetts, August – 2015 Scale 1” = 30”” by Kelly, Granger, Parsons & Associates, Inc. professional land surveyors”;

Attachment 3, Three Google Earth Images. Three images depicting the porch and the shed in the years, 2000, 2011, and 2014;

Attachment 4, Five full color, scaled, orthographic exterior elevations by Northeast 3D³.

Attachment 5, Survey “Lands of Samantha Candee & Anne Marie Hart” 121 Pixley Road, Monterey, Massachusetts, Property Line Survey Map, dated August 17, 2022 by Frederick J. Haley, P.L.S.

Attachment 6, AxisGIS image, depicting house with the porch in 2020.

3. Zoning

A. Dimensional Requirements

REQUIREMENT in Agricultural-Residential District		EXISTING (Prior to porch reconstruction)	CURRENT STRUCTURE (with reconstructed porch)
Lot Area	2 acres	0.47 acres	Unchanged
Lot Width/Frontage	200 feet	150 feet	Unchanged
Front (W)	25 feet	Compliant	Unchanged
Side (N)	25 feet	Compliant	Unchanged
Rear (E)	25 feet	19 feet, 6 ¾ inches	15 feet, 9 inches (See 3.B., below)
Side (S)	25 feet	Compliant	Unchanged

B. Detail of requested alteration to the former preexisting porch.

³ Northeast 3D uses 3D and virtual reality technologies to generate accurately scaled orthographic views of real estate dimensions. For more information about Northeast 3D and its principal, Steve Petrie, please visit <https://northeast-3d.com/about/>

This information is detailed in Attachment 4 and Attachment 5. The Applicant requests to be permitted to extend the porch structure by adding an overhang, landing, and safer steps. This extension causes the back of the porch and steps to extend an additional 3 feet, 9 ¾ inches into the rear setback. The specific elements are as follows:

Overhang, landing, steps	3 feet, 9 ¾ inches further into setback
Steps (Width)	6 feet, 8 ½ inches
Steps (Depth)	2 feet 5 inches further into setback

The distance to the property line is thus reduced from 19 feet 6 ¾ inches to 15 feet, 9 inches.

C. Legal Argument: Section 5.1.6(2) - Nonconforming Single- and Two-Family Residential Structures

Section 5.1.6.2 of the Zoning By-Law states that “[i]n cases where a building permit is not authorized as a matter of right, ..., the Zoning Board of Appeals may authorize by special permit any extension, alteration or reconstruction of an existing single or two family dwelling[.]”

It should be noted that the reconstruction of the porch would not necessarily have required a special permit, Under M.G.L. c. 40A, §6, alterations, reconstructions, extensions or structural changes to a preexisting nonconforming single-family residences, as long as the work does not increase the nonconforming nature of the structure. The landing and steps, which extend minimally beyond the original porch, may be allowed by special permit as they increase the existing nonconformity, but do not create a new nonconformity. However, due to the fact that the original porch was removed this application is brought under Section 5.1.7.

Changes to pre-existing nonconforming single-family structures are governed by the Zoning Act, M.G.L. c. 40A, §6, in what is known as the “second except clause.” The relevant portion of Section 6 provides:

[1] Except as hereinafter provided, a zoning ordinance or by-law shall not apply to structures or uses lawfully in existence or lawfully begun, ... but shall apply to any change or substantial extension of such use, ... to any reconstruction, extension or structural change of such structure and ... to provide for its use for a substantially different purpose or for the same purpose in a substantially different manner or to a substantially greater extent [2] except where alteration, reconstruction, extension or structural change to a single or two-family residential structure does not increase the nonconforming nature of said structure. Pre-existing nonconforming structures or uses may be extended or altered, provided, that no such extension or alteration shall be permitted

unless there is a finding by the permit granting authority or by the special permit granting authority designated by ordinance or by-law that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming [structure or⁴] use to the neighborhood” (emphasis added).

Courts have repeatedly stated that the language of c. 40A, §6 is “particularly abstruse.” *Bellalta v. Zoning Bd. of Appeals of Brookline*, 481 Mass. 372, 377 (2019). Nonetheless, courts of established standards for the application of the Section 6 framework.

First Required Finding by the ZBA

Under the Section 6 framework, the “second except clause” requires the special permit granting authority (in Monterey, the Zoning Board of Appeals) to make:

[A]n initial determination whether a proposed alteration of or addition to a nonconforming structure would ‘increase the nonconforming nature of said structure. This initial determination requires the permitting authority to “identify the particular respect or respects in which the existing structure does not conform to the requirements of the present by-law and then determine whether the proposed alteration or addition would intensify the existing nonconformities or result in additional ones.” *Id.* at 21-22, 514 N.E.2d 369.

Bellalta v. Zoning Bd. of Appeals of Brookline, 481 Mass. 372, 380 (2019)(internal citations omitted), citing *Willard v. Zoning Bd. of Appeals of Orleans*, 25 Mass. App. Ct. 15 (1987). This initial determination is sometimes referred to as the “*Willard test*”.

The “second except clause” “is directed to differentiating between those changes to nonconforming residential structures that may be made as of right, and those that require a finding of no substantial detriment under the second sentence of [G. L. c. 40A,] § 6.” *Bellalta v. Zoning Bd. of Appeals of Brookline*, 481 Mass. 372, 381 (2019), quoting *Deadrick v. Zoning Bd. of Appeals of Chatham*, 85 Mass. App. Ct. 539, 550 (2014). Only if a modification, extension, or reconstruction of a single- or two-family house would “increase the nonconforming nature of said structure” must it “be submitted ... for a determination by the board of the question whether it is ‘substantially more detrimental than the existing nonconforming use’ ” pursuant to the sentence that follows the second except clause G. L. c. 40A, § 6” (citations omitted). *Bellalta v. Zoning Bd. of Appeals of Brookline*, 481 Mass. 372, 381 (2019).

Second Required Finding by the ZBA

If the ZBA determines that the proposed alteration or addition would intensify the existing nonconformities or result in additional ones, the ZBA must make a second finding, that is whether the proposed modification would be substantially more detrimental to the

⁴ The words “structure or” were inserted by courts.

neighborhood than the existing nonconforming structure. M.G.L. c. 40A §6; *Bellaalta v. Zoning Bd. of Appeals of Brookline*, 481 Mass. 372, 381 (2019); *Willard* at 21. The proposed work here is not “substantially more detrimental than the existing nonconforming use”. This is addressed below.

The Monterey Bylaw includes the following requirements for a special permit. The By-Laws provide that a special permit may issue if the proposed work meets the following requirements:

1. Shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure or use;

The reconstruction and widening of the covered porch, with an addition of an overhang/landing and steps, will not be substantially more detrimental to the neighborhood than the previous dwelling. The additional encroachment is minimal. There is no additional lighting, activity, noise, traffic, or other disruption to the neighborhood. Once the work is complete, it will likely be impossible to perceive, without the use of a ruler, that the porch/steps extend further into the setback.

2. Would not significantly increase the incidence of air, stream, or water pollution, odor, glare, electrical interference, noises, traffic, or night operation according to the findings of the Zoning Board of Appeals after consideration of any recommendations from the Planning Board, the Conservation Commission and the Board of Health.

The reconstructed porch and additional overhang/steps do not affect any of the enumerated items.

3. Would result in a structure no more than 25% greater in total habitable square footage than the structure as it was at the time it first became nonconforming. Total habitable square footage shall not include an unenclosed deck, unfinished basement, or unfinished attic.

The reconstructed porch maintains the same measurements as the previous structure, with the minimal alteration of adding the overhang and steps. All measurements are specified in the above dimensional requirements. The dimensions of the reconstruction and change are set forth on Attachment 4.

4. Shall be subject to reasonable conditions, safeguards, or limitations as imposed by the Zoning Board of Appeals so as to lessen any possible adverse impact on adjacent properties and the general neighborhood.

While there is no adverse impact of the work, the Applicant proposes that, if this Board were to grant the requested permit, that conditions include: (a) obtaining a building permit; (b) compliance with all other town and state rules and regulations

concerning the reconstruction; and (3) in the future, obtain all necessary permits prior to commencement of any construction requiring such permits.

5. Shall comply with all other applicable provisions of the By-Law.

The requested work would not result in any new violations of the By-Law.

4. Conclusion

This Application is requesting permission to reconstruct and widen a preexisting nonconforming covered porch and to add a minimal extension to the porch. As was mentioned previously in this application, the covered porch existed for many years, dating back to before the year 2000. A builder already reconstructed the porch and added a landing and stairs without informing the applicant that he had not pulled a building permit or that a special permit might be necessary. The covered porch was reconstructed the same depth and height as the previous porch but increased in width. The new landing and steps extend further into the side setback by 3 feet, 9 ¾ inches. There will be no adverse impact on the neighborhood if this permit is granted.

In contrast, the adverse impact on Samantha Kaye would be significant. She would be required to demolish a porch that replaced a previous porch, which was only removed due to the negligence of a builder who acted in violation of the Zoning Bylaw and the State Building Code. Mrs. Kaye believed that the work had been performed legally. If she were required to demolish the porch, she would do so at great expense and disruption, and would be deprived of a rear porch on a house that has had such a porch for decades.

Mrs. Kaye deeply regrets that this work was performed without the necessary permits and would not have proceeded if she had that information. She requests that the Board grant the special permit.

Respectfully submitted,

Alexandra H. Glover, Esq.,
Attorney for Samantha Kaye

ATTACHMENT 1



2015 00236835

Bk: 2327 Pg: 262 SBRD

Page: 1 of 3 10/16/2015 09:09 AM

KNOW ALL PERSONS BY THESE PRESENTS

Locus: 121 Pixley Road, Monterey, MA

That I, **Daniel N. Niewinski**, of Monterey, County of Berkshire, Massachusetts, for consideration paid of ONE HUNDRED SIXTY SEVEN THOUSAND (\$167,000.00) DOLLARS grant to **Samantha Candee and Anne Marie Hart**, to hold as **Joint Tenants**, whose residential and post office address is 121 Pixley Road, Monterey, MA 01245, with **Quitclaim Covenants**, the property situated in the Town of Monterey, Berkshire County, Massachusetts, more particularly bounded and described as set forth in Schedule A attached and made a part hereof.

MASSACHUSETTS EXCISE TAX
Southern Berkshire ROD 001
Date: 10/16/2015 09:09 AM
Ctrl# 009626 07730 Doc# 00236835
Fee: \$761.52 Cons: \$167,000.00

SCHEDULE A

Beginning at a stone wall on the northerly corner of land of Henry Hebert, now or formerly, and the main highway;

Thence northerly along a stone wall one hundred and fifty (150) feet to an iron pipe;

Thence easterly along other land now or formerly of said Hebert one hundred and fifty (150) feet to an iron pipe;

Thence southerly along other land now or formerly of said Hebert one hundred fifty (150) feet to an iron pipe;

Thence westerly along main highway one hundred and fifty (150) feet to the place of beginning.

Excluding from this conveyance that certain portion of the above described premises which was taken by the County of Berkshire for highway purposes by Order of Taking dated October 1, 1954 and recorded in the Southern Berkshire Registry of Deeds at Great Barrington in Book 307, Page 190. See also confirmatory deed to the County of Berkshire dated April 15, 1958 and recorded in Book 319, Page 181.

Subject to gravel and stone rights as described in a deed of Henry Hebert to Arthur H. Hebert dated January 21, 1948 and recorded in the Southern Berkshire Registry of Deeds in Book 285, Page 210, insofar as same may be applicable and in force.


Subject to a utility easement in favor of David E. Niewinski dated May 23, 2007 and recorded July 10, 2007 in said Registry of Deeds in Book 1783, Page 147.

Being the same premises conveyed to the Grantor herein by deed September 30, 2004 and recorded October 5, 2004 in said Registry of Deeds in Book 1565, Page 279.

All rights of Homestead and other interests are hereby released.


Real estate taxes for the current fiscal year have been apportioned between the parties and the Grantees herein agree to assume and pay same.

Witness my hand and seal this 16 day of October, 2015.


Daniel N. Niewinski

COMMONWEALTH OF MASSACHUSETTS
BERKSHIRE, ss

On this 16th day of October, 2015, before me, the undersigned notary public, personally appeared, **Daniel N. Niewinski**, proved to me through satisfactory evidence of identification, which was Mass Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

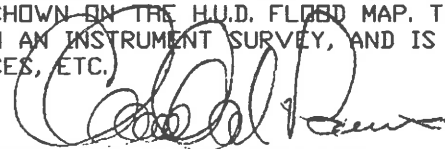

_____, Notary Public

HARRY E. CONKLIN
NOTARY PUBLIC
My commission expires Oct. 13, 2017

ATTEST: Berkshire South Wanda M. Beckwith Register

ATTACHMENT 2

CERTIFY TO: VILLAGE MORTGAGE COMPANY &
 CATIC TITLE INSURANCE COMPANY
 I HEREBY REPORT THAT THE BUILDING(S) SHOWN ON THIS
 PLAN ARE APPROXIMATELY LOCATED ON THE GROUND AS SHOWN
 THE BUILDINGS DO NOT LIE WITHIN THE 100 YEAR FLOOD PLAIN
 AS SHOWN ON THE H.U.D. FLOOD MAP. THIS PLAN IS NOT MADE
 FROM AN INSTRUMENT SURVEY, AND IS NOT TO BE USED FOR
 FENCES, ETC.



THIS PARCEL IS SUBJECT TO AND WITH THE BENEFIT
 OF ALL RIGHTS, RESTRICTIONS, CONDITIONS, EASEMENTS,
 LEASES, ENCUMBRANCES AND APPURTENANCES OF RECORD.

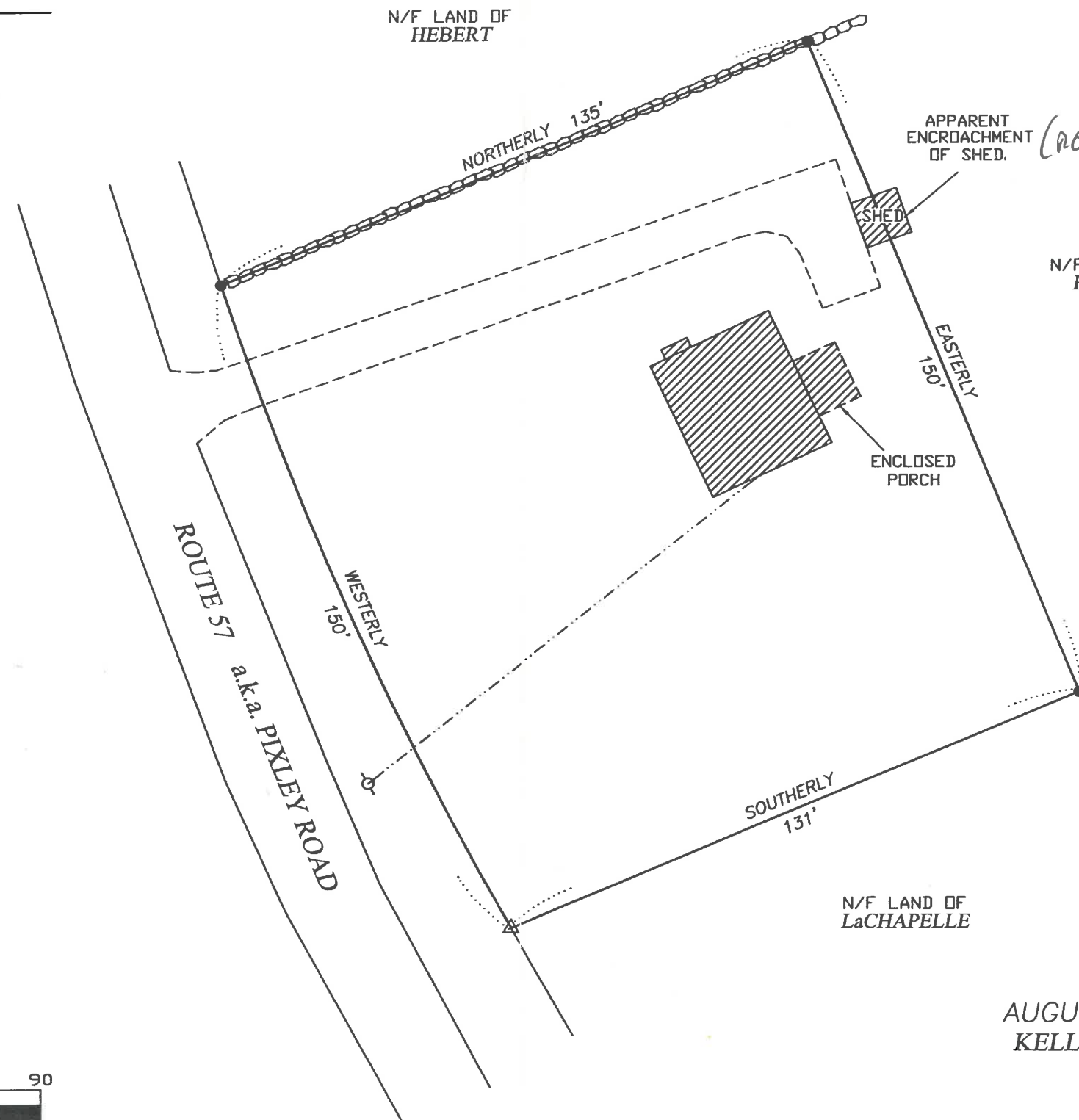
FOR BANK USE ONLY
 THIS PLAN IS NOT TO BE USED FOR ADDITIONS,
 SPECIAL PERMITS OR VARIANCES.

LOCUS DEED: BK - 1565 PG - 279
 (ALSO SEE HIGHWAY TAKING IN BK - 307 PG - 190)
 PROPERTY ADDRESS: 121 PIXLEY ROAD

THIS IS NOT A SURVEY AND IS SUBJECT TO ANY
 STATEMENT OF FACTS A SURVEY MAY REVEAL.

LEGEND

- IRON PIPE/ROD FOUND
- △ POINT COMPUTED
- UTILITY POLE
- OVERHEAD UTILITY WIRES
- ▢ STONE WALL

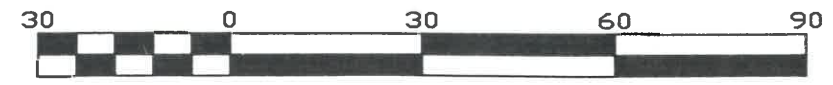


PLOT PLAN PREPARED FOR
SAMANTHA CANDEE
 &
ANN MARIE HART

MONTEREY, MASSACHUSETTS
 AUGUST - 2015 SCALE 1" = 30'
 KELLY, GRANGER, PARSONS & ASSOCIATES, INC.

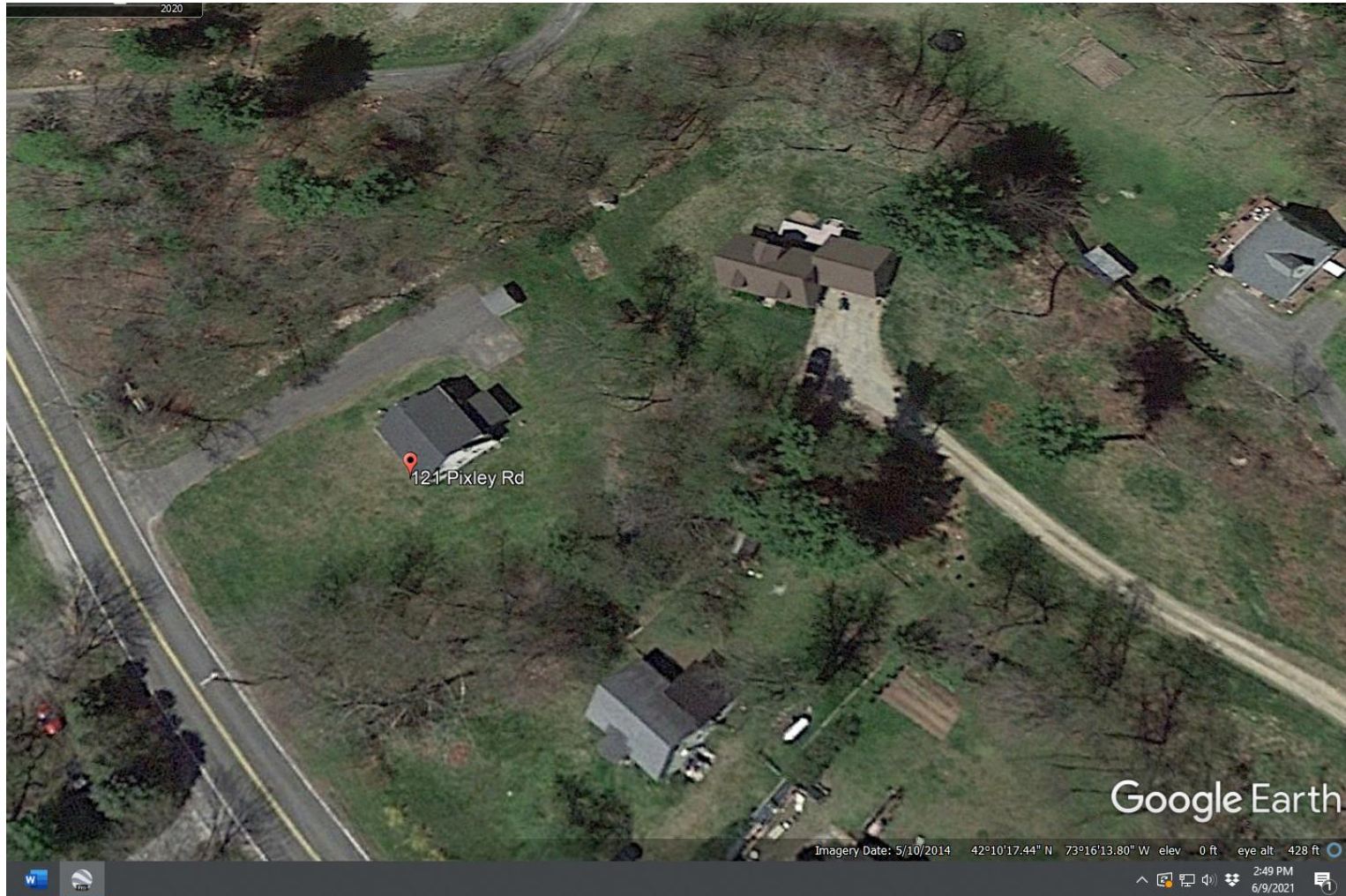
PROFESSIONAL LAND SURVEYORS
 312 MAIN STREET P.O. BOX 88
 GREAT BARRINGTON, MASSACHUSETTS 01230
 FAX (413) 528-1912 PHONE (413) 528-3291

D:\CarlsonProjects\Monterey\PixleyRd\CANHART.DWG



Scale 1" = 30'

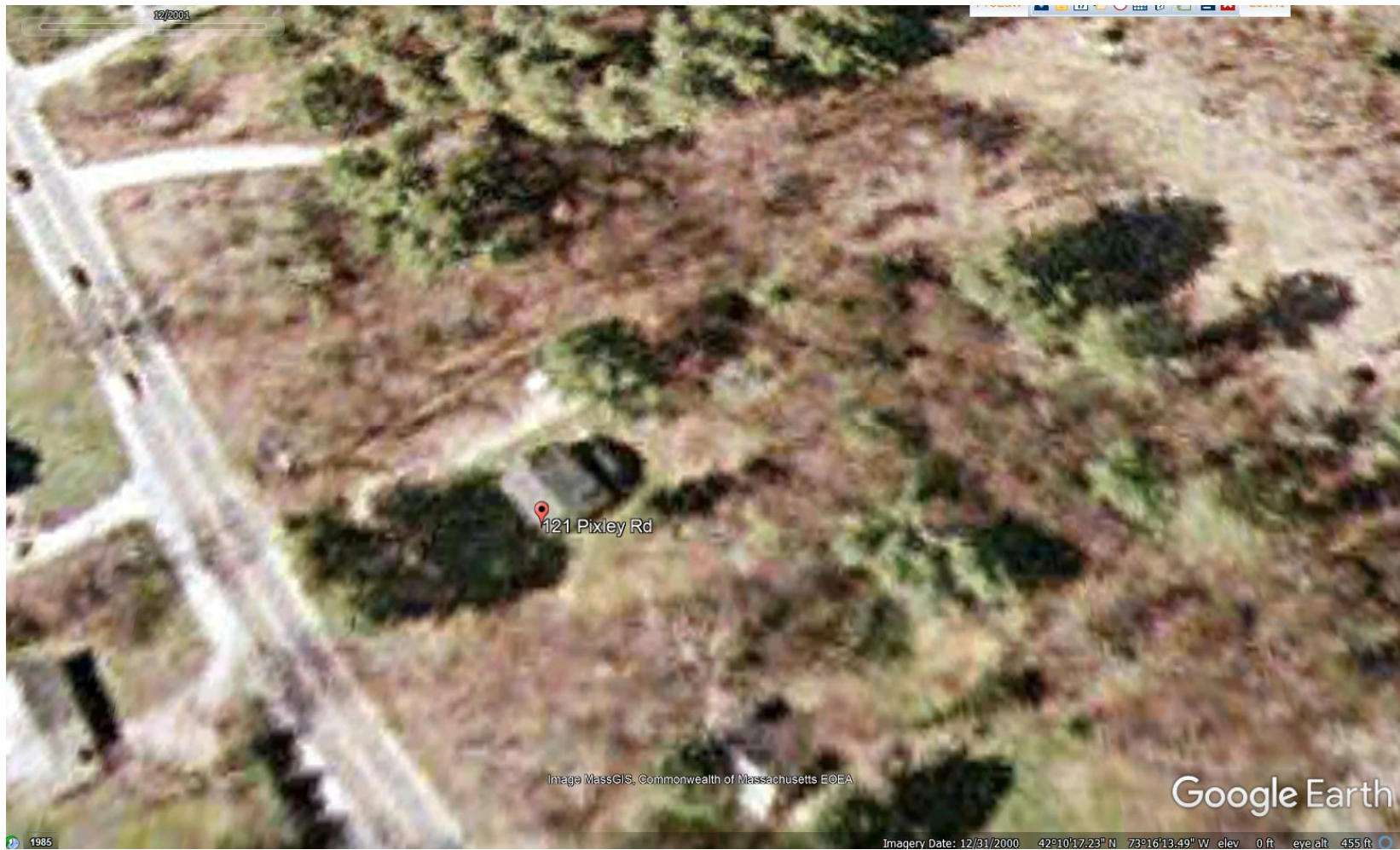
ATTACHMENT 3



Google Earth Image depicting 121 Pixley Road, Monterey in 2014 with the covered porch.



Google Earth Image depicting 121 Pixley Road, Monterey in 2011 with the covered porch.



Google Earth Image depicting 121 Pixley Road, Monterey in 2000 with the covered porch.

ATTACHMENT 4



NORTHEAST 3D™

Applications Across Industries

Our all-in-one 2D and 3D solution is ideal for any industry that uses, modifies, communicates about, or markets real-world places.



AEC

Architecture, Engineering and Construction – immersive imaging and 3d mapping provide project managers, architects, subcontractors and clients with highly effective tools for managing and marketing projects.



Real Estate

3d Imaging for real estate is one of the most popular applications – it allows customers online to experience properties interactively. For Realtors this provides benefits in engaging buyers quickly and reducing site visits.



Hospitality

Increase bookings by allowing customers to engage directly with the rooms they are looking at. 3d Imaging can increase customer confidence significantly and provides tools for event planners to review your property instantly.

About Us

Professional 3d Imaging for businesses and consumers

Northeast 3D brings decades of experience in the building and imaging trades together.

For over 25 years, owner Steve Petrie has worked in the construction industry, specializing in high end residential projects. Having spent a large part of his career documenting, drawing, and 3D modeling structures, Steve decided to open Northeast 3D to share the technologies and skills he has developed over his career with others in the industry.

At Northeast-3D we have scanned and documented over 2 million square feet of spaces. Having scanned everything from simple retail and real estate listings, to complex university spaces, construction sites, insurance claims, and pharmaceutical clean rooms, we are capable of handling all your project documentation needs.

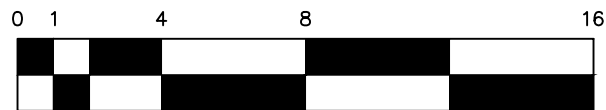
Steve is a member of the Western MA AIA(American Institute of Architects),a certified Matterport Service Provider, and an FAA licensed drone operator.

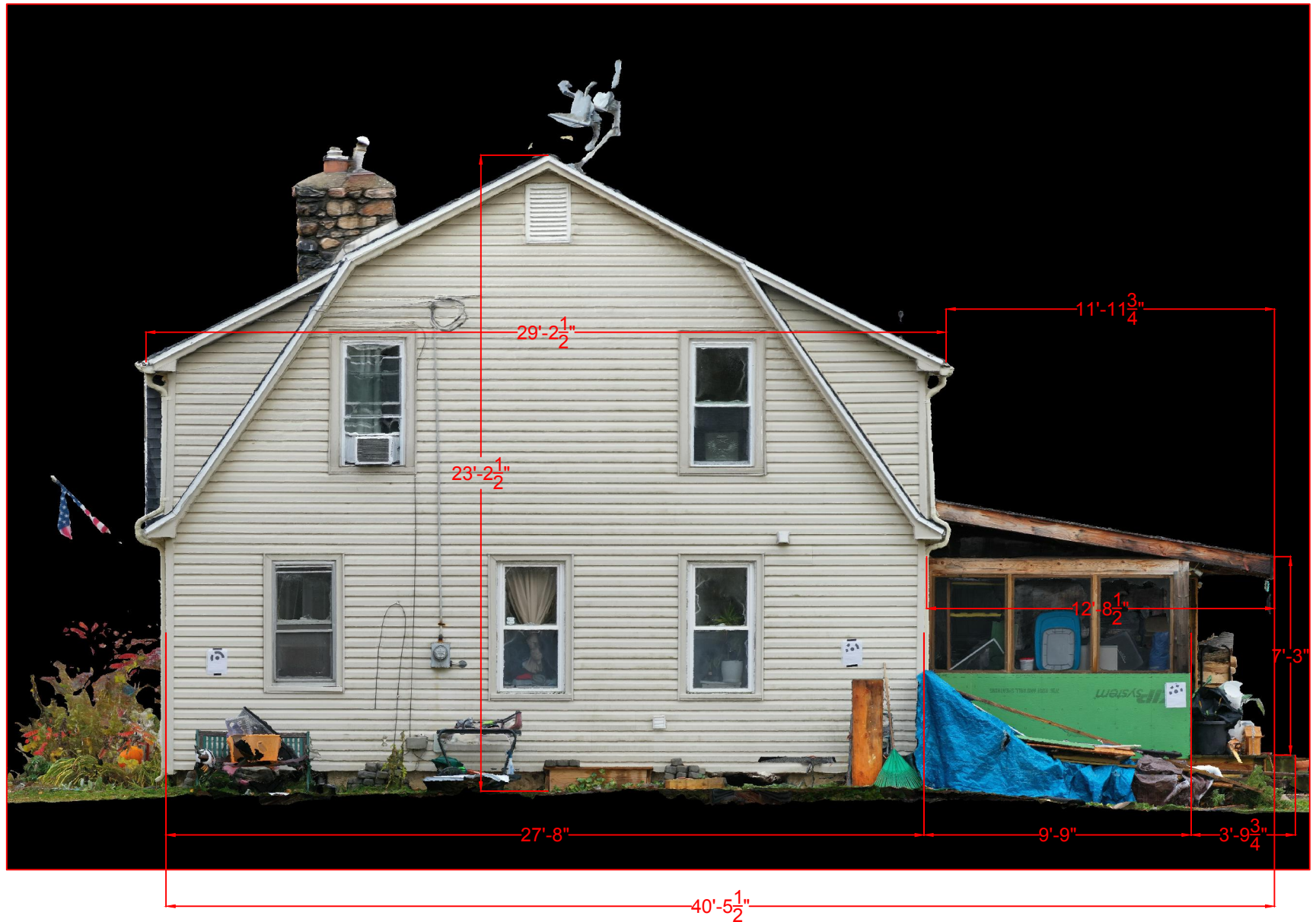
Architects, Contractors, Facilities Managers, and Realtors can all benefit from the latest 3D and VR technologies. Our scans provide you with an easy and affordable way to document, measure, and remotely collaborate in spaces with multiple parties.



121 PIXLEY FRONT

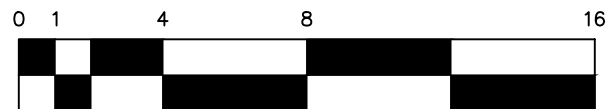
GRAPHIC SCALE (IN FEET)





121 PIXLEY RIGHT

GRAPHIC SCALE (IN FEET)





121 PIXLEY BACK

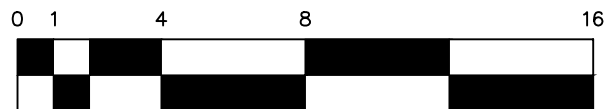
GRAPHIC SCALE (IN FEET)





121 PIXLEY LEFT

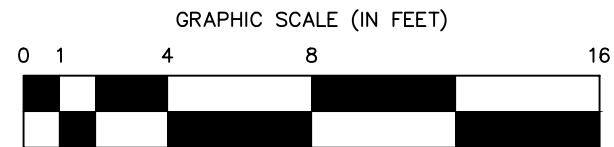
GRAPHIC SCALE (IN FEET)





121 PIXLEY ROOF

Northeast 3D - 10/25/2022



ATTACHMENT 5

ATTACHMENT 6



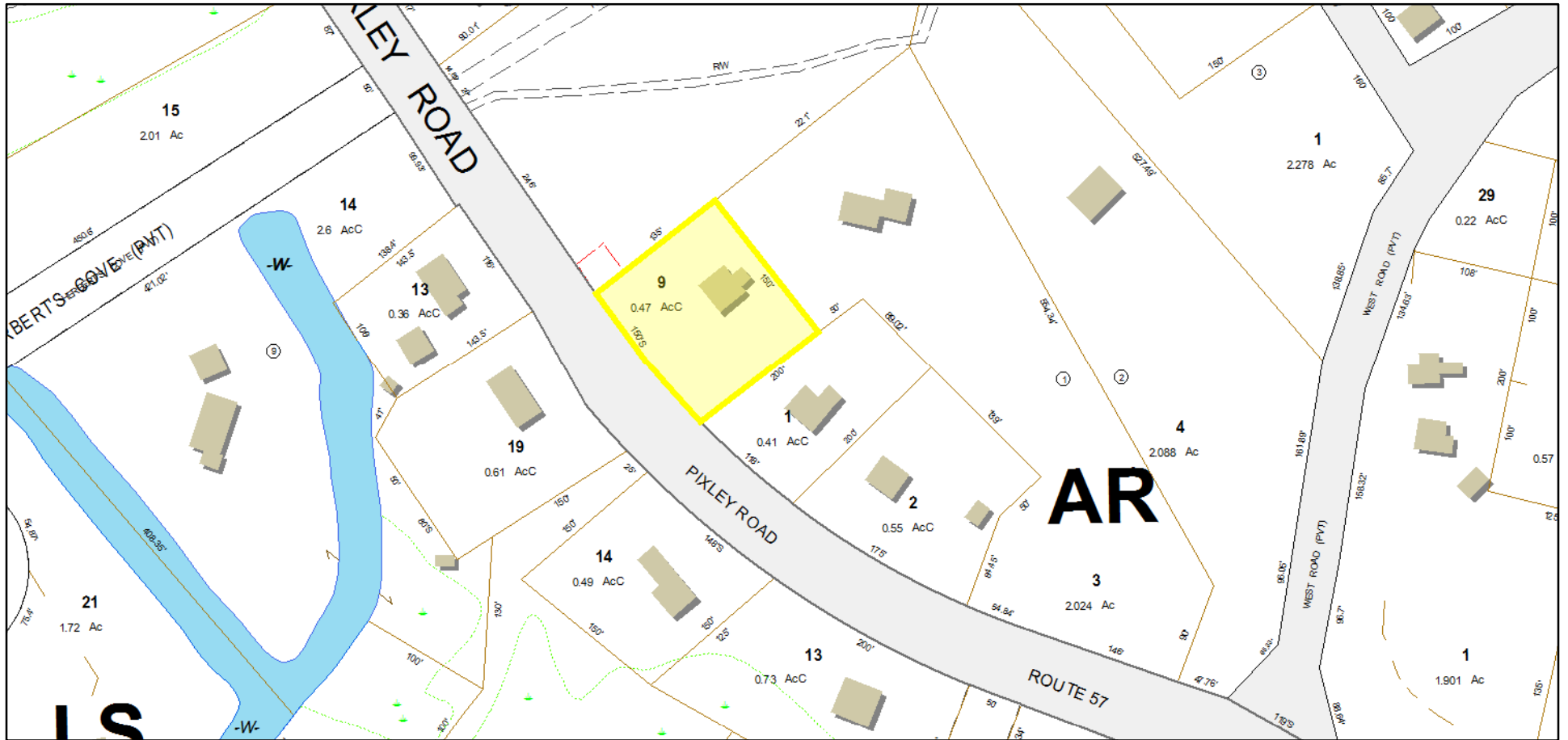
Monterey, MA



July 21, 2022

1 inch = 139 Feet

www.cai-tech.com



	CAI Town Line		Public Road		Private Road ROW		Shadow
	Property Line		Property Hook		Right of Way		Right of Ways
	PWater		Property TIC		Utility		Wet Areas
	Private Road		Wetland		Building		WaterPolys

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



300 foot Abutters List Report

Monterey, MA

July 20, 2022

Subject Property:

Parcel Number: 111-009-000
CAMA Number: 111-009-000-000-0000
Property Address: 121 PIXLEY RD

Mailing Address: CANDEE SAMANTHA HART ANNE MARIE
Contact Assessor's Office for Address

Abutters:

Parcel Number: 111-006-000
CAMA Number: 111-006-000-000-0000
Property Address: 113 PIXLEY RD

Mailing Address: BANACH ALEXANDER J JR BANACH
NANCY A
Contact Assessor's Office for Address

Parcel Number: 111-008-000
CAMA Number: 111-008-000-000-0000
Property Address: 115 PIXLEY RD

Mailing Address: FITZPATRICK KEVIN J
Contact Assessor's Office for Address

Parcel Number: 111-013-000
CAMA Number: 111-013-000-000-0000
Property Address: 118 PIXLEY RD

Mailing Address: HART ANN M
Contact Assessor's Office for Address

Parcel Number: 111-014-000
CAMA Number: 111-014-000-000-0000
Property Address: 3 HEBERT'S COVE

Mailing Address: THE ELAINE ISAACSON REV TRST
Contact Assessor's Office for Address

Parcel Number: 111-015-000
CAMA Number: 111-015-000-000-0000
Property Address: 8 HEBERT'S COVE

Mailing Address: LEVY E ROBERT
Contact Assessor's Office for Address

Parcel Number: 114-001-000
CAMA Number: 114-001-000-000-0000
Property Address: 123 PIXLEY RD

Mailing Address: PODVESKER JAMES PODVESKER
ADRIANA
Contact Assessor's Office for Address

Parcel Number: 114-002-000
CAMA Number: 114-002-000-000-0000
Property Address: 125 PIXLEY RD

Mailing Address: HENRIQUES LISA A
Contact Assessor's Office for Address

Parcel Number: 114-003-000
CAMA Number: 114-003-000-000-0000
Property Address: 129 PIXLEY RD

Mailing Address: NIEWINSKI DAVID E BODOSSOVA
VALENTINA
Contact Assessor's Office for Address

Parcel Number: 114-004-000
CAMA Number: 114-004-000-000-0000
Property Address: 3 WEST RD

Mailing Address: MCMEEKIN AMY
Contact Assessor's Office for Address

Parcel Number: 114-011-000
CAMA Number: 114-011-000-000-0000
Property Address: 20 PRESCOTT LANE

Mailing Address: ASHEN FRANK Z ASHEN NANCY S
Contact Assessor's Office for Address



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7/20/2022

Page 1 of 2



300 foot Abutters List Report

Monterey, MA
July 20, 2022

Parcel Number: 114-013-000
CAMA Number: 114-013-000-000-0000
Property Address: 130 PIXLEY RD

Mailing Address: JOHNSON PAULETTE R
Contact Assessor's Office for Address
,

Parcel Number: 114-014-000
CAMA Number: 114-014-000-000-0000
Property Address: 128 PIXLEY RD

Mailing Address: BLIFFELD DIANNE BLIFFELD
SEBASTIAN
Contact Assessor's Office for Address
,

Parcel Number: 114-015-000
CAMA Number: 114-015-000-000-0000
Property Address: PIXLEY RD

Mailing Address: FARBER GARY KANDEL LINDA
Contact Assessor's Office for Address
,

Parcel Number: 114-019-000
CAMA Number: 114-019-000-000-0000
Property Address: 120 PIXLEY RD

Mailing Address: CANDEE WARREN R TRUSTEE CANDEE
NOMINEE TRUST
Contact Assessor's Office for Address
,

Parcel Number: 114-020-000
CAMA Number: 114-020-000-000-0000
Property Address: HEBERT'S COVE

Mailing Address: HEBERTS COVE HOMEOWNERS C/O
BRAD MARCUS
Contact Assessor's Office for Address
,



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