

TOWN OF WESTFORD
ZONING BOARD OF APPEALS

55 Main Street
Westford, Massachusetts 01886
TEL (978) 692-5524 FAX (978) 399-2558

3rd Party Billing Form

Date: 2/22/16

To: Beacon Community Newspapers
Legal Notice Department

I hereby authorize the Beacon Community Newspapers to bill me directly for the legal notice to be published in the _____ on _____.
This legal notice pertains to a Special Hearing.



Signed: Applicant/Authorized Agent

2/17/16

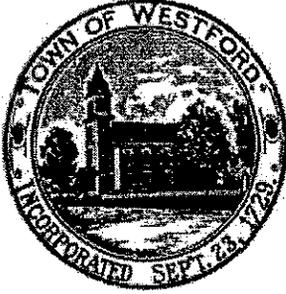
Date

Print Name: Ebi Masalehdan

Address: 26 Old Carriage Path

Groton, MA 01450

Phone: 978-649-1970



TOWN OF WESTFORD
ZONING BOARD OF APPEALS

55 Main Street
Westford, Massachusetts 01886
TEL (978) 692-5524 FAX (978) 399-2558

Variance

Date: 2/22/16

Pursuant to the provisions of Section 9.2.2 of the Zoning Bylaw, the undersigned hereby petitions your Board for a Variance from the terms of Section Appendix A which will allow the construction or addition to the dwelling or building located at: 66 Boston Road, Westford, MA

The proposed construction will include: The construction of a two story restaurant building with associated parking, access, utilities, and a greenhouse. A variance is need from this section to allow for a Restaurant (restaurant and banquet facility) within the Residence A (RA) Zoning District.

It is the opinion of the petitioner that unless relief is granted by your Board, substantial hardship, as defined in Section 9.2.2-(2) will result. A hearing is therefore requested at your next Board Meeting.

FEE: _____ ZONING DISTRICT: Residence A

Is your project subject to review by other Westford Boards/Committees?

If yes, please identify Planning Board, Conservation Commission, Board of Health

Owner of Property: Ebi Masalehdan

Mailing Address: P.O. Box 2127, Westford, MA 01886

Phone: Work: 978-649-1970 Home: _____

Signature of Owner(s): [Signature]

Petitioner (If other than owner): _____

Mailing Address: _____

Phone at Work: _____ Home: _____

Signature of Petitioner: _____



Civil Engineers
Structural Engineers
Traffic Engineers
Land Surveyors
Landscape Architects
Planners

Variance Questionnaire
Proposed Site Plan
66 Boston Road
Tax Map 22, Lots 115 & 116

General Description:

Our client, Ebi Masalehdan, is currently redeveloping the parcel at 66 Boston Road to include a two-story “Farm to Table” restaurant with greenhouse and agricultural land. This project will also include associated parking and site improvements. The lot currently contains a dilapidated building with parking previously used as a garden center and greenhouse.

Variance Requests

The applicant is respectfully requesting the following relief from the Zoning Ordinance:

- Section 3.1 – “Principal Uses” to allow the use of a restaurant and continue the supporting use as a greenhouse facility within the “Residence A” district.
- Appendix A: Table of Principal Use Regulations – to allow for a Restaurant (restaurant and banquet facility) within the Residence A (RA) Zoning District.
- Appendix A: Table of Principal Uses Regulations – to allow for a Major Commercial Project within a RA district.

1. How do soil conditions, shape, or topography of the lot affect your land or structure, but not the rest of the zoning district:

This residential parcel is unique due to the fact that there is an agricultural restriction placed on the land. Most other residential parcels in the area contain single family housing. The previous use of the property contained a commercial building, parking area, and greenhouses, all of which are run down. So the “Farm to Table” restaurant commercial use is in-keeping with the existing use.

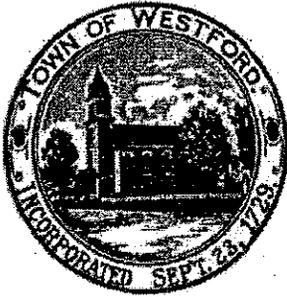
2. How would a literal enforcement of the Zoning By-Laws involve substantial hardship, financial or otherwise:

Literal enforcement of the Zoning By-Laws is evident in the unsuccessful previous use of the property as agricultural-only, which has caused the parcel to be abandoned. The proposed “Farm-to-Table” restaurant needs the agricultural land and greenhouse for its intended use. If this property can only be used for farming, then the restaurant would need to be at a different location requiring transport of goods. The unique nature of this project, allows the

continuation of the agricultural use and partners the farming with a restaurant to use the local goods.

3. Could this petition be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent of the Zoning By-Law:

This Farm to Table Restaurant intends to preserve the intent of the ordinance by maintain the farming and agricultural use on the remainder of the land. The redevelopment of the dilapidated property into a beneficial community use is a positive improvement for the neighborhood and public good. The project intends to integrate the Town of Westford's quaint character into the development of the site.



TOWN OF WESTFORD
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Variance

Date: 2/22/16

Pursuant to the provisions of Section 9.2.2 of the Zoning Bylaw, the undersigned hereby petitions your Board for a Variance from the terms of Section Appendix A which will allow the construction or addition to the dwelling or building located at: 66 Boston Road, Westford, MA

The proposed construction will include: The construction of a two story restaurant building with associated parking, access, utilities, and a greenhouse. A variance is need from this section to allow for a Major Commercial Project within the Residence A (RA) Zoning District.

It is the opinion of the petitioner that unless relief is granted by your Board, substantial hardship, as defined in Section 9.2.2-(2) will result. A hearing is therefore requested at your next Board Meeting.

FEE: _____ ZONING DISTRICT: Residence A

Is your project subject to review by other Westford Boards/Committees?

If yes, please identify Planning Board, Conservation Commission, Board of Health

Owner of Property: Ebi Masalehdan

Mailing Address: P.O. Box 2127, Westford, MA 01886

Phone: Work: 978-649-1970 Home: _____

Signature of Owner(s): [Signature]

Petitioner (If other than owner): _____

Mailing Address: _____

Phone at Work: _____ Home: _____

Signature of Petitioner: _____



Civil Engineers
Structural Engineers
Traffic Engineers
Land Surveyors
Landscape Architects
Planners

Variance Questionnaire
Proposed Site Plan
66 Boston Road
Tax Map 22, Lots 115 & 116

General Description:

Our client, Ebi Masalehdan, is currently redeveloping the parcel at 66 Boston Road to include a two-story “Farm to Table” restaurant with greenhouse and agricultural land. This project will also include associated parking and site improvements. The lot currently contains a dilapidated building with parking previously used as a garden center and greenhouse.

Variance Requests

The applicant is respectfully requesting the following relief from the Zoning Ordinance:

- Section 3.1 – “Principal Uses” to allow the use of a restaurant and continue the supporting use as a greenhouse facility within the “Residence A” district.
- Appendix A: Table of Principal Use Regulations – to allow for a Restaurant (restaurant and banquet facility) within the Residence A (RA) Zoning District.
- Appendix A: Table of Principal Uses Regulations – to allow for a Major Commercial Project within a RA district.

1. How do soil conditions, shape, or topography of the lot affect your land or structure, but not the rest of the zoning district:

This residential parcel is unique due to the fact that there is an agricultural restriction placed on the land. Most other residential parcels in the area contain single family housing. The previous use of the property contained a commercial building, parking area, and greenhouses, all of which are run down. So the “Farm to Table” restaurant commercial use is in-keeping with the existing use.

2. How would a literal enforcement of the Zoning By-Laws involve substantial hardship, financial or otherwise:

Literal enforcement of the Zoning By-Laws is evident in the unsuccessful previous use of the property as agricultural-only, which has caused the parcel to be abandoned. The proposed “Farm-to-Table” restaurant needs the agricultural land and greenhouse for its intended use. If this property can only be used for farming, then the restaurant would need to be at a different location requiring transport of goods. The unique nature of this project, allows the

continuation of the agricultural use and partners the farming with a restaurant to use the local goods.

3. Could this petition be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent of the Zoning By-Law:

This Farm to Table Restaurant intends to preserve the intent of the ordinance by maintain the farming and agricultural use on the remainder of the land. The redevelopment of the dilapidated property into a beneficial community use is a positive improvement for the neighborhood and public good. The project intends to integrate the Town of Westford's quaint character into the development of the site.



TOWN OF WESTFORD
ZONING BOARD OF APPEALS

55 Main Street
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Variance

Date: 2/22/16

Pursuant to the provisions of Section 9.2.2 of the Zoning Bylaw, the undersigned hereby petitions your Board for a Variance from the terms of Section (Appendix C) which will allow the construction or addition to the dwelling or building located at: 66 Boston Road, Westford, MA

The proposed construction will include: The construction of a two story restaurant building with associated parking, access, utilities, and a greenhouse. A variance in needed to allow for a building height in excess of 35 feet for the proposed restaurant.

It is the opinion of the petitioner that unless relief is granted by your Board, substantial hardship, as defined in Section 9.2.2-(2) will result. A hearing is therefore requested at your next Board Meeting.

FEE: _____ ZONING DISTRICT: Residence A

Is your project subject to review by other Westford Boards/Committees?

If yes, please identify Board of Health, Conservation Commission, Planning Board

Owner of Property: Ebi Masalehdan

Mailing Address: P.O. Box 2127, Westford, MA 01886

Phone: Work: 978 - 649-1970 Home: _____

Signature of Owner(s): [Signature]

Petitioner (If other than owner): _____

Mailing Address: _____

Phone at Work: _____ Home: _____

Signature of Petitioner: _____



Civil Engineers
Structural Engineers
Traffic Engineers
Land Surveyors
Landscape Architects
Planners

Variance Questionnaire
Proposed Site Plan
66 Boston Road
Tax Map 22, Lots 115 & 116

General Description:

Our client, Ebi Masalehdan, is currently redeveloping the parcel at 66 Boston Road to include a two-story "Farm to Table" restaurant with greenhouse and agricultural land. This project will also include associated parking and site improvements. The lot currently contains a dilapidated building with parking previously used as a garden center and greenhouse.

Variance Request

The applicant is respectfully requesting the following relief from the Zoning Ordinance:

- Appendix C: Table of Dimensional and Density Regulations (Maximum Building Height) to allow for a building height in excess of 35 feet in the Residence A District.

1. How do soil conditions, shape, or topography of the lot affect your land or structure, but not the rest of the zoning district:

This residential parcel is unique due to the fact that there is an agricultural restriction placed on the land. The agricultural use requires farm equipment to be stored on site. The lower level of the restaurant building is to be used to store the farm equipment, while the upper two floors will be for the restaurant and banquet facility. Most residential building also contain a lower level and two floors above, but do not need the extra height to store equipment. So the "Farm to Table" restaurant use is in-keeping with the existing use.

2. How would a literal enforcement of the Zoning By-Laws involve substantial hardship, financial or otherwise:

A literal enforcement of this By-Law would limit the total building height of our proposed "Farm to Table" restaurant to that of a single family dwelling. The proposed restaurant use is also preserving the agricultural intent of the property and needs the additional building height to maximize the commercial/farming on the site. Limiting this building to a residential height would create substantial hardship in trying to integrate the two uses.

3. Could this petition be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent of the Zoning By-Law:

The building height, while exceeding the 35', will still only appear 2 stories from the street view. The extent of non-conformity in the overall height of the building will appear minimal and it is believed that it can be achieved without sacrificing the quaint character of the neighborhood.



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Variance

Date: 2/22/16

Pursuant to the provisions of Section 9.2.2 of the Zoning Bylaw, the undersigned hereby petitions your Board for a Variance from the terms of Section Appendix C which will allow the construction or addition to the dwelling or building located at: 66 Boston Road, Westford, MA

The proposed construction will include: The construction of a two story restaurant building with associated parking, access, utilities, and a greenhouse. A variance is need from this section to allow for structures (retaining walls) within the rear yard setback.

It is the opinion of the petitioner that unless relief is granted by your Board, substantial hardship, as defined in Section 9.2.2-(2) will result. A hearing is therefore requested at your next Board Meeting.

FEE: _____ ZONING DISTRICT: Residence A

Is your project subject to review by other Westford Boards/Committees?

If yes, please identify Planning Board, Conservation Commission, Board of Health

Owner of Property: Ebi Masalehdan

Mailing Address: P.O. Box 2127, Westford, MA 01886

Phone: Work: 978-649-1970 Home: _____

Signature of Owner(s): [Signature]

Petitioner (if other than owner): _____

Mailing Address: _____

Phone at Work: _____ Home: _____

Signature of Petitioner: _____



Civil Engineers
Structural Engineers
Traffic Engineers
Land Surveyors
Landscape Architects
Planners

Variance Questionnaire
Proposed Site Plan
66 Boston Road
Tax Map 22, Lots 115 & 116

General Description:

Our client, Ebi Masalehdan, is currently redeveloping the parcel at 66 Boston Road to include a two-story "Farm to Table" restaurant with greenhouse and agricultural land. This project will also include associated parking and site improvements. The lot currently contains a dilapidated building with parking previously used as a garden center and greenhouse.

Variance Request

The applicant is respectfully requesting the following relief from the Zoning Ordinance:

- Appendix C: Table of Dimensional and Density Regulations to allow for structures (retaining wall) within the rear yard setback in the Residence A District.

1. How do soil conditions, shape, or topography of the lot affect your land or structure, but not the rest of the zoning district:

This residential parcel is unique due to the fact that there is an agricultural restriction placed on the land. There is a steep grade change from the front of the property to the rear. In order to maintain the existing grades at the roadway and provided for ADA access to the building, the elevation of the site will be raised for a portion of the site around the restaurant building. This grade change will require a short portion of retaining wall at the rear of the development area.

2. How would a literal enforcement of the Zoning By-Laws involve substantial hardship, financial or otherwise:

A literal enforcement of this By-Law would require more extreme grades across the site with ramps and handrails needed for ADA access. Limiting the grades would create substantial hardship in trying to integrate the two uses.

3. Could this petition be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent of the Zoning By-Law:

The retaining wall is small in size and will not be a detrimental impact to the public. The structure will allow a more uniform layout of the site and will not affect the overall

appearance of the site. It is believed the retaining wall will not sacrifice the quaint character of the neighborhood.



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Variance

Date: 2/22/16

Pursuant to the provisions of Section 9.2.2 of the Zoning Bylaw, the undersigned hereby petitions your Board for a Variance from the terms of Section 5.1.5(4) which will allow the construction or addition to the dwelling or building located at: 66 Boston Road, Westford, MA

The proposed construction will include: The construction of a two story restaurant building with associated parking, access, utilities, and a greenhouse. A variance is need from this section to allow for a reduction in the required lighting for parking areas.

It is the opinion of the petitioner that unless relief is granted by your Board, substantial hardship, as defined in Section 9.2.2-(2) will result. A hearing is therefore requested at your next Board Meeting.

FEE: _____ ZONING DISTRICT: Residence A

Is your project subject to review by other Westford Boards/Committees?

If yes, please identify Planning Board, Conservation Commission, Board of Health

Owner of Property: Ebi Masalehdan

Mailing Address: P.O. Box 2527, Westford, MA 01886

Phone: Work: 978-649-1970 Home: _____

Signature of Owner(s): [Handwritten Signature]

Petitioner (If other than owner): _____

Mailing Address: _____

Phone at Work: _____ Home: _____

Signature of Petitioner: _____



Civil Engineers
Structural Engineers
Traffic Engineers
Land Surveyors
Landscape Architects
Planners

Variance Questionnaire
Proposed Site Plan
66 Boston Road
Tax Map 22, Lots 115 & 116

General Description:

Our client, Ebi Masalehdan, is currently redeveloping the parcel at 66 Boston Road to include a two-story “Farm to Table” restaurant with greenhouse and agricultural land. This project will also include associated parking and site improvements. The lot currently contains a dilapidated building with parking previously used as a garden center and greenhouse.

Variance Request

The applicant is respectfully requesting the following relief from the Zoning Ordinance:

- Section 5.1.5(4) to allow for a reduction in the required lighting for parking areas.
- Section 5.1.7 to allow for a reduction in the requirements for Landscaping in Parking Areas.

1. How do soil conditions, shape, or topography of the lot affect your land or structure, but not the rest of the zoning district:

This parcel is unique due to the fact that there is an agricultural restriction placed on the land. The proposed “Farm to Table” restaurant intends to keep the agricultural use on the remainder of the property. To maximize the land for farming, it requires that the septic disposal system be placed underneath the parking lot. With the leachfield beds below the pervious islands within the parking lot, it does not permit landscape trees or light pole bases to be installed within the islands located above the septic.

2. How would a literal enforcement of the Zoning By-Laws involve substantial hardship, financial or otherwise:

A literal enforcement of this By-Law would reduce the land that could be dedicated to agricultural use and diminish the intent of the land. Some of the farm land would need to be used to place the septic leachfields. By placing the septic disposal system below the parking lot, it allows a greater amount of land to remain in the agricultural use and better support the restaurant and banquet facility.

3. Could this petition be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent of the Zoning By-Law:

The parking lot is sized to fit the needs of the restaurant and banquet facility and will be landscaped around the perimeter as required. The adjacent agricultural land will contain orchard areas that will further enhance the greenery of the property. The lighting, while below the required 1-foot candle, will have poles adequately placed to ensure the safety of patrons and employees who park within the lot area. The reduction of lighting and some interior landscaping will not diminish the appearance or reduce the value of the redevelopment project.



TOWN OF WESTFORD
ZONING BOARD OF APPEALS

55 Main Street
Westford, Massachusetts 01886
TEL (978) 692-5524 FAX (978) 399-2558

Variance

Date: 2/22/16

Pursuant to the provisions of Section 9.2.2 of the Zoning Bylaw, the undersigned hereby petitions your Board for a Variance from the terms of Section 5.1.7 which will allow the construction or addition to the dwelling or building located at: 66 Boston Road, Westford, MA

The proposed construction will include: The construction of a two story restaurant building with associated parking, access, utilities, and a greenhouse. A variance is need from this section to allow for a reduction in the requirements for Landscaping within the parking areas.

It is the opinion of the petitioner that unless relief is granted by your Board, substantial hardship, as defined in Section 9.2.2-(2) will result. A hearing is therefore requested at your next Board Meeting.

FEE: _____ ZONING DISTRICT: Residence A

Is your project subject to review by other Westford Boards/Committees?

If yes, please identify Planning Board, Conservation Commission, Board of Health

Owner of Property: Ebi Masalehdan

Mailing Address: P.O. Box 2127, Westford, MA 01886

Phone: Work: 978-649-1970 Home: _____

Signature of Owner(s): [Signature]

Petitioner (If other than owner): _____

Mailing Address: _____

Phone at Work: _____ Home: _____

Signature of Petitioner: _____



Civil Engineers
Structural Engineers
Traffic Engineers
Land Surveyors
Landscape Architects
Planners

Variance Questionnaire
Proposed Site Plan
66 Boston Road
Tax Map 22, Lots 115 & 116

General Description:

Our client, Ebi Masalehdan, is currently redeveloping the parcel at 66 Boston Road to include a two-story “Farm to Table” restaurant with greenhouse and agricultural land. This project will also include associated parking and site improvements. The lot currently contains a dilapidated building with parking previously used as a garden center and greenhouse.

Variance Request

The applicant is respectfully requesting the following relief from the Zoning Ordinance:

- Section 5.1.5(4) to allow for a reduction in the required lighting for parking areas.
- Section 5.1.7 to allow for a reduction in the requirements for Landscaping in Parking Areas.

1. How do soil conditions, shape, or topography of the lot affect your land or structure, but not the rest of the zoning district:

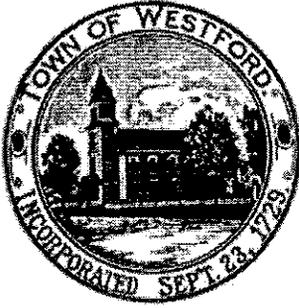
This parcel is unique due to the fact that there is an agricultural restriction placed on the land. The proposed “Farm to Table” restaurant intends to keep the agricultural use on the remainder of the property. To maximize the land for farming, it requires that the septic disposal system be placed underneath the parking lot. With the leachfield beds below the pervious islands within the parking lot, it does not permit landscape trees or light pole bases to be installed within the islands located above the septic.

2. How would a literal enforcement of the Zoning By-Laws involve substantial hardship, financial or otherwise:

A literal enforcement of this By-Law would reduce the land that could be dedicated to agricultural use and diminish the intent of the land. Some of the farm land would need to be used to place the septic leachfields. By placing the septic disposal system below the parking lot, it allows a greater amount of land to remain in the agricultural use and better support the restaurant and banquet facility.

3. Could this petition be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent of the Zoning By-Law:

The parking lot is sized to fit the needs of the restaurant and banquet facility and will be landscaped around the perimeter as required. The adjacent agricultural land will contain orchard areas that will further enhance the greenery of the property. The lighting, while below the required 1-foot candle, will have poles adequately placed to ensure the safety of patrons and employees who park within the lot area. The reduction of lighting and some interior landscaping will not diminish the appearance or reduce the value of the redevelopment project.



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ZONING BOARD OF APPEALS

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TEL (978) 692-5524 FAX (978) 399-2558

Variance

Date: 2/22/16

Pursuant to the provisions of Section 9.2.2 of the Zoning Bylaw, the undersigned hereby petitions your Board for a Variance from the terms of Section 3.1 which will allow the construction or addition to the dwelling or building located at: 66 Boston Road, Westford, MA

The proposed construction will include: the construction of a restaurant, greenhouse, agricultural facility as well as an area for the sale of produce. A variance is needed section 3.1 - "Principal Uses" to allow the use of the restaurant and greenhouse.

It is the opinion of the petitioner that unless relief is granted by your Board, substantial hardship, as defined in Section 9.2.2-(2) will result. A hearing is therefore requested at your next Board Meeting.

FEE: _____ ZONING DISTRICT: Residence A

Is your project subject to review by other Westford Boards/Committees?

If yes, please identify Planning Board, Conservation Commission and Board of Health

Owner of Property: Ebi Masalehdan

Mailing Address: P.O. Box 2127, Westford, MA 01886

Phone: Work: _____ Home: _____

Signature of Owner(s): [Handwritten Signature]

Petitioner (If other than owner): _____

Mailing Address: _____

Phone at Work: _____ Home: _____

Signature of Petitioner: _____



Civil Engineers
Structural Engineers
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Land Surveyors
Landscape Architects
Planners

Variance Questionnaire
Proposed Site Plan
66 Boston Road
Tax Map 22, Lots 115 & 116

General Description:

Our client, Ebi Masalehdan, is currently redeveloping the parcel at 66 Boston Road to include a two-story “Farm to Table” restaurant with greenhouse and agricultural land. This project will also include associated parking and site improvements. The lot currently contains a dilapidated building with parking previously used as a garden center and greenhouse.

Variance Requests

The applicant is respectfully requesting the following relief from the Zoning Ordinance:

- Section 3.1 – “Principal Uses” to allow the use of a restaurant and continue the supporting use as a greenhouse facility within the “Residence A” district.
- Appendix A: Table of Principal Use Regulations – to allow for a Restaurant (restaurant and banquet facility) within the Residence A (RA) Zoning District.
- Appendix A: Table of Principal Uses Regulations – to allow for a Major Commercial Project within a RA district.

1. How do soil conditions, shape, or topography of the lot affect your land or structure, but not the rest of the zoning district:

This residential parcel is unique due to the fact that there is an agricultural restriction placed on the land. Most other residential parcels in the area contain single family housing. The previous use of the property contained a commercial building, parking area, and greenhouses, all of which are run down. So the “Farm to Table” restaurant commercial use is in-keeping with the existing use.

2. How would a literal enforcement of the Zoning By-Laws involve substantial hardship, financial or otherwise:

Literal enforcement of the Zoning By-Laws is evident in the unsuccessful previous use of the property as agricultural-only, which has caused the parcel to be abandoned. The proposed “Farm-to-Table” restaurant needs the agricultural land and greenhouse for its intended use. If this property can only be used for farming, then the restaurant would need to be at a different location requiring transport of goods. The unique nature of this project, allows the

continuation of the agricultural use and partners the farming with a restaurant to use the local goods.

3. Could this petition be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent of the Zoning By-Law:

This Farm to Table Restaurant intends to preserve the intent of the ordinance by maintain the farming and agricultural use on the remainder of the land. The redevelopment of the dilapidated property into a beneficial community use is a positive improvement for the neighborhood and public good. The project intends to integrate the Town of Westford's quaint character into the development of the site.