



# TOWN OF MEDFIELD

## BOARD OF APPEALS ON ZONING

459 Main Street, Medfield, MA 02052

### APPLICATION FOR HEARING (TO BE FILLED OUT BY APPLICANT)

RECEIVED  
TOWN OF MEDFIELD, MASS  
2020 SEP 21 A 10:54

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

Date 9/2/2020

Name of Applicant  
or Appellant

M.A. Kablack & Associates, P.C.

OFFICE OF THE  
TOWN CLERK

Mailing Address

City, State, Zip

176 East Main Street, Suite 3, Westborough, MA 01581

Phone

508-366-2900

Email

mkablack@kablacklaw.com

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

Maria G. Palumbo, Trustee

Whose address is:

92 County Street, Walpole, MA 02081

Applicant is

(owner, tenant, other):

Attorney for Owner

Location of Property

2 Main Street, Medfield, MA

Deed duly recorded in the Norfolk County Registry of Deeds:

Book 34988

Page 592

(or) Land Court Certificate # \_\_\_\_\_

Year lot created 1996

Plan of Land recorded as Book 437

Page 169

Year 1996

Medfield Assessors Map 61

Lot 004

Zoning District RT

Overlay? \_\_\_\_\_

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

See attached narrative

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



*Use this box for additions/alterations to pre-existing non-conforming lots or structures:*

A special permit under MGL Chpt. 40A §9 and/or Medfield Zoning Bylaw Section 300-9.1.C.2. &/or a determination under M.G.L. Chpt. 40A §6 and/or Medfield Zoning Bylaw, Article 9, that proposed work will not be more nonconforming and/or a variance from Chapter 300b of the Zoning Bylaw.

Appeal under M.G.L. c. 40A, Section 8 & 15 and zoning bylaw Section 300-14.3



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

*Date: \_\_\_\_\_*

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

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

(Applicant) Signed

Mark A. Kablack

Printed

Mark A. Kablack

(Owner) Signed

Amy Fox Owner

Printed \_\_\_\_\_

Medfield Zoning Board of Appeals  
2 Main Street, Medfield, MA  
Administrative Appeal-Zoning Enforcement Officer

## NARRATIVE

### STATEMENT OF FACTS:

The office of M.A. Kablack & Associates, P.C. represents the owner of property at 2 Main Street, Medfield, MA. The property is owned by Maria G. Palumbo, Trustee of the 92 County Street Nominee Trust. The property was acquired through foreclosure of a mortgage held by Wells Fargo Bank, N.A. in 2017 and transferred into the trust that same year.

Based upon the town's building records, the property contains a residential home that appears to have been initially constructed in 1979. Subsequent to initial construction, the property was subdivided in 1996 through the recording of an ANR Plan, and the existing home was shown located on Lot 2B, on the ANR Plan recorded with the Norfolk Registry in Plan Book 437, Page 169 of 1997.

In 1999, the home underwent substantial renovation by prior owners, Carmen and Melissa Federico, which included a Building Permit (No. 9240), a Plumbing Permit (No. 341) and an Electrical Permit (No. 10877). Final approvals were issued for all on or about late spring of 1999. Copies of the building files are attached.

Of specific note, are the plumbing and electrical permits, which make specific note of improvements to the basement of the home. The plumbing permit includes specific reference to basement improvements including a water closet, kitchen sink, lavatory, bathtub and related piping. The electrical permit includes reference to electrical work in a "basement apartment."

On or about 2017 the current owner performed additional renovation work in the home, including renovation to the kitchen, bathroom and heating systems in the basement.

Recently, the Building Inspector/Zoning Enforcement Officer, Mr. Pelletier, issued a letter dated July 13, 2020, alleging both a zoning violation (Zoning Bylaw 300.5.4 section 1) as well as a violation of the Building Code (780 CMR 51 section R105.1). See copy attached.

This office responded to Mr. Pelletier by letter dated August 13, 2020, addressing both the zoning and Building Code allegations. Particularly, given the permit records on file with the town relative to the basement improvements, there are protections afforded to the home under the Zoning Enabling Act, M.G.L. c.40A, Section 7.

Mr. Pelletier responded to our letter of August 13, 2020, by email dated August 25, 2020, whereby he directed the zoning matter to the Zoning Board of Appeals. See copy attached.

#### SUMMARY OF LAW:

The Zoning Enabling Act contains several provisions known generally as “grandfathering” that recognize the continued legitimacy of certain structures and uses that may not be fully compliant with current local zoning, or provided that such structures and uses are otherwise exempt from enforcement. One such relevant protection is set out in M.G.L. c.40A, Section 7, paragraph 2, which reads in part as follows:

“No local zoning by-law or ordinance shall assess a penalty of more than \$300 per violation; provided, however, that nothing in this section shall be construed to prohibit local zoning by-laws or ordinances from providing that each day the violation continues shall constitute a separate offense. No action, suit or proceeding shall be maintained in a court, nor an administrative action or other action taken to recover a fine or damages or to compel the removal, alteration or relocation of a structure or part of a structure because of a violation of a zoning by-law or ordinance except in accordance with this section and sections 8 and 17. If real property has been improved and used in accordance with the terms of the original building permit, no criminal or civil action intended to compel the abandonment, limitation or modification of the use allowed by the permit or the removal, alteration or relocation of a structure erected in reliance upon the permit by reason of an alleged violation of this chapter or of an ordinance or by-law adopted under this chapter shall be maintained unless the action, suit or proceeding is commenced and notice of the action, suit or proceeding is recorded in the registry of deeds for each county or district in which the land lies or, in the case of registered land, the notice is filed in the registry district in which the land lies within 6 years of the commencement of the alleged violation. No criminal or civil action intended to compel the removal, alteration, or relocation of a structure by reason of an alleged violation of this chapter or of an ordinance A or by-law adopted under this chapter or the conditions of a variance or special permit shall be maintained unless the action, suit or proceeding is commenced and notice of the action, suit or proceeding is recorded in the registry of deeds for each county or district in which the land lies or, in the case of registered land, the notice is filed in the registry district in which the land lies within 10 years of the commencement of the alleged violation.” (emphasis added).

Given that the basement improvements, including a kitchen, bathroom and other related improvements, were made pursuant to a building permit issued in 1997, and more than six years have elapsed since the improvements were made, the property has the benefit of being exempt from zoning enforcement, requiring removal of said improvements or restricting the use thereof. This 6 year exemption applies both to the structures and the use of the structures from zoning

enforcement. Lastly, the Supreme Judicial Court has held that the statute's reference to an "original building permit" may include a permit for the alteration of an existing structure. *See, Cape Resort Hotels v. Alcoholic Licensing Board of Falmouth*, 385 Mass. 205, 218-219 (1982).

#### CONCLUSION:

In conclusion, it is the applicant's position that the improvements in the basement, including the kitchen and bathroom facilities are exempt from enforcement. We hereby appeal the allegations raised in the July 13, 2020 letter from Mr. Pelletier, as more clearly stated in the email of August 25, 2020, regarding zoning non-compliance as to these improvements. Based upon the summary above, Mr. Pelletier's position should be reversed pursuant to the protections of M.G.L. c.40A, Section 7. Secondly, Mr. Pelletier's reference to zoning non-compliance relative to the number of egresses and/or heating systems in the home, do not in themselves constitute a zoning violation, at least we can find no such reference substantiating same in the zoning bylaws.

The other matters in Mr. Pelletier's letter regarding the Building Code will be addressed separately with Mr. Pelletier and are not part of this appeal.

Thank you for your consideration.



# TOWN OF MEDFIELD

## BUILDING INSPECTION DEPARTMENT

### Application for Permit to Build

No. 3144

Medfield, Mass., June 19 1979

To the INSPECTOR OF BUILDINGS:

The undersigned hereby applies for a permit to build, according to the following specifications:

Location: No. 2 Main Street, Medfield Zoning District \_\_\_\_\_

Owner Gordon C Blanchard (St. Luke's Trust) Address 28 Babier Road, Marblehead, Mass

Architect John C Martin Address Peppanil Road, Brookline, N.H. 03033

Builder John C Martin Address \_\_\_\_\_

Buildings to be used for House and barn for sheep

Size of lot, No. of feet front 367.43 ; No. of feet rear 292.18 ; No. of feet deep 241.06

Size of building: Front 74 Depth 28' Height 23

Number of stories: 1 story ranch Class of construction: First \_\_\_\_\_ Second \_\_\_\_\_ Third wood

Schedule of rooms 3 bedrooms, Kitchen, living room, 2 baths, Porch

Distances from adjoining lot lines: Side, 30 ft.; side, 3.30 ft.; rear, 100 ft.

Distance from street lines: 60 Distance from other buildings on same lot 140 ft.

Foundation on filled land? No

Foundation, material of Poured cement

Will the roof be flat, pitch, gambrel, or hip hip Material of roofing Asphalt shingles

Heating: steam \_\_\_\_\_; hot water ; hot air \_\_\_\_\_; fuel oil + wood

Estimated cost: \$ 40,000

Specify other items of construction not indicated on the plans—

**RECEIVED PAYMENT**

**NOTATIONS BY INSPECTOR:**

**BUILDING DEPARTMENT**

Permit fee \$ 175.00

**DATE:** JUN 21 1979

Signature Gordon C Blanchard

Address 28 Babier Road  
Marblehead, Mass 01945  
631-8056

# TOWN OF MEDFIELD

## BUILDING DEPARTMENT

FEE PAID \$ 75.00

Medfield, Mass. July 26 1979

# PERMIT TO BUILD

This Certifies that Gordon C. Blanchard / S + L Realty Trust NO. 3144  
 Has Permission to construct new house

At 2 Main St. Lot No. \_\_\_\_\_ For Use as a Single Family Dwelling

Provided that the person accepting this Permit shall, in every respect, conform to the terms of this application, on file in this Office, and to the provisions of the By-Laws of the Town of Medfield relating to the Construction and Inspection of Buildings in the Town of Medfield and the provisions of Medfield Building Laws, Rules and Regulations. Any violation of the terms above noted shall warrant immediate revocation of this permit.

BOARD OF HEALTH Sewage Disposal <i>Inspected - see log 1/21/80 WPD</i>	FIRST INSPECTION <i>Log reviewed 1/21/80 WPD</i>	PLUMBING INSPECTOR <i>Log reviewed 1/21/80 WPD</i>	WIRE INSPECTOR <i>#3219 #5379</i>	BUILDING INSPECTOR <i>Foundation ok 10-23-79 WPD Rough ok 12-26-79 WPD</i>
CERTIFIED PLOT PLAN <i>Final plans approved WPD 7/28/80</i>	SECOND INSPECTION	GAS INSPECTOR <i>Final approved 6/11/80 WPD</i>	FINISH INSPECTOR <i>Final ok 6-7-80 WPD</i>	BUILDING INSPECTOR <i>Final ok 7/24/80 WPD</i>

**No Lathing or Insulating to Be Done Until Signed by the Inspector**

THIS CARD MUST BE PLACED IN A CONSPICUOUS PLACE ON THE PREMISES AND NOT TORN DOWN OR DESTROYED

A USE AND OCCUPANCY CERTIFICATE MUST BE SECURED.

*Eudrick Perry*  
 Building Inspector

Use and Occupancy Permit *Eudrick Perry* Date 7/24/80  
 Building Inspector



# TOWN OF MEDFIELD, MASS.

*Building Inspector*

## USE AND OCCUPANCY CERTIFICATE

*This Is to Certify*

That the Building at No. 2 Main Street Street,

Constructed ~~XX~~ Altered --- Under Building Permit No 3144 Issued 7/26/79

For Use as a single family dwelling

Conforms to the Uses and Conditions specified in said Permit, and may be occupied for such purposes only on and after

DATED 7/24/80

  
BUILDING INSPECTOR

Medfield Building Inspector

7/24/80

I guarantee that the basement walls ~~and~~ and/or the floors will be insulated, the cellar and garage floors will be poured with concrete and the 8 foot sliding glass door will be installed in the basement.

Gordon C Blanchard



The Commonwealth of Massachusetts

Department of Public Safety

BOARD OF FIRE PREVENTION REGULATIONS 527 CMR 12:00

Office Use Only
Permit No. 10125
Occupancy & Fee Checked 30
Date 3/90

APPLICATION FOR PERMIT TO PERFORM ELECTRICAL WORK

All work to be performed in accordance with the Massachusetts Electrical Code, 527 CMR 12:00

(PLEASE PRINT IN INK OR TYPE ALL INFORMATION)

Date 2/5/97

City or Town of MEDFIELD

To the Inspector of Wires:

The undersigned applies for a permit to perform the electrical work described below.

Location (Street & Number) Two Main Street

Owner or Tenant Federico (508) 359-7780

Owner's Address

Is this permit in conjunction with a building permit: Yes [ ] No [ ] (Check Appropriate Box)

Purpose of Building Utility Authorization NO.

Existing Service Amps / Volts Overhead [ ] Undgrd [ ] No. of Meters

New Service Amps / Volts Overhead [ ] Undgrd [ ] No. of Meters

Number of Feeders and Ampacity

Location and Nature of Proposed Electrical Work S.R.E. or D # 989876 Replace entrance cable between meter & panel

Table with columns for No. of Lighting Outlets, No. of Lighting Fixtures, No. of Receptacle Outlets, No. of Switch Outlets, No. of Ranges, No. of Disposals, No. of Dishwashers, No. of Dryers, No. of Water Heaters, No. Hydro Massage Tubs, No. of HFC Tubs, Swimming Pool, No. of Oil Burners, No. of Gas Burners, No. of Air Cond., No. of Heat Pumps, Space/Area Heating, Heating Devices, No. of Signs, No. of Motors, No. of Transformers, Generators, No. of Emergency Lighting Battery Units, FIRE ALARMS, No. of Detection and Initiating Devices, No. of Sounding Devices, No. of Self Contained Detection/Sounding Devices, Local/Municipal/Other Connection, Low Voltage Wiring, Total KVA.

OTHER:

INSURANCE COVERAGE: Pursuant to the requirements of Massachusetts General Laws I have a current Liability Insurance Policy including Completed Operations Coverage or its substantial equivalent. YES [X] NO [ ] I have submitted valid proof of same to this office. YES [X] NO [ ] If you have checked YES, please indicate the type of coverage by checking the appropriate box.

INSURANCE [X] BOND [ ] OTHER [ ] (Please Specify)

1-3-98 (Expiration Date)

Estimated Value of Electrical Work \$

Work to Start Inspection Date Requested: Rough Final Will call

Signed under the penalties of perjury:

FIRM NAME WEBBER ELECTRIC SERVICE INC. LIC. NO. A11829

Licensee WEBBER ELECTRIC SERVICE INC. Signature [Signature] LIC. NO. E24520

Address 16 Railroad Ave., Foxboro MA 02035 Bus. Tel. No. 508-543-3913

Alt. Tel. No. 508-339-2775

OWNER'S INSURANCE WAIVER: I am aware that the Licensee does not have the insurance coverage or its substantial equivalent as required by Massachusetts General Laws, and that my signature on this permit application waives this requirement. Owner Agent (Please check one)

Telephone No. (508) 543-3913 PERMIT FEE \$ 30.00

(Signature of Owner or Agent)

MAP 61 PAR 4 WRD PCT ZONE REQ. R-T TRF. FLO. CLASS 101 CARD OF  
 PROP. ADD. 2 Main Street BASE YEAR OF VALUE

**MAILING ADDRESS**  
 FEDERICO, CARMEN & MELISSA M T/E  
 2 MAIN STREET  
 MEDFIELD, MA 02052

**FORM OF TENANCY**  
 TEN IN COM  
 JOINT TEN  
 TEN BY ENT

**ANNUAL ASSESSMENT**

YEAR	ASSES VAL	YEAR	ASSES VAL	YEAR	ASSES VAL
119	49650				
121	78750				
82	119,100				
183	125550				
185	192350				
188	282550				
191	258500				
194	271250				
196	253610				
197	251100				

**ABATEMENT & EXEMPT**

YEAR	CLAUSE	AMOUNT

**AUTHORIZATION OF INSPECTION** *inspected but was not required* - 313

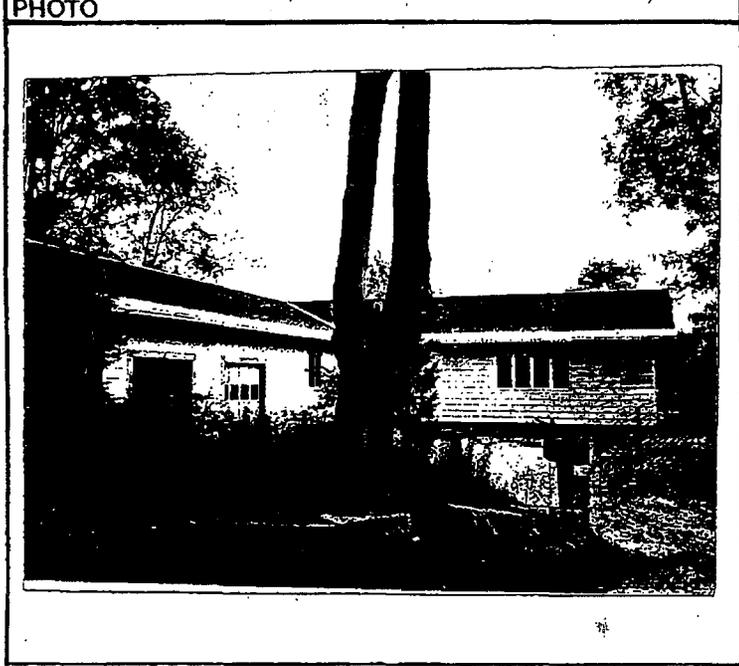
**LAND DESCRIPTION**  
 NEIGHBORHOOD  
 IMPROVING  
 STATIC  
 DECLINING  
 BLIGHTED

**BUILDING PERMIT RECORD**

DATE	NUMBER	COST	PURPOSE

**PLAN RECORD**

DATE	BOOK	PAGE	ASSESR'S #
7-2	11-33	1970	



**% TOPOGRAPHY**  
 WET  
 LOW  
 HIGH  
 20% LEVEL  
 80% ROLLING  
 HILLY  
 LEDGE

**OWNER RECORD**

OWNER	SALE DATE	BOOK	PAGE	AMOUNT	RATIO
Barclay Belmont & others	12-3-70	4204	39		
Blanchard Garden C & Carl D.					
Trustees S & L Realty Trust	6-8-79	5610	668	25000	
FEDERICO, CARMEN & MELISSA M T/E	4/30/96	11332	736	260,000	

**LANDSCAPING**  
 GOOD  
 AVERAGE  
 POOR  
 NONE

**STREET**  
 CART ROAD  
 GRAVEL  
 PAVED  
 SIDEWALKS  
 CURB  
 RIGHT OF WAY  
 PRIVATE WAY

**LAND VALUE** LAND VALUE UNIT SQ FT  LOT  AC

LOCATION	RATING	AREA	FRONTAGE	DEPTH	UNIT PRICE	DEPTH FACT	EXCESS AREA	TOPOGRAPHY	EASEMENTS	WATER	SEWR	POWR	ADJ PRICE	VALUE
Base	1	40,000	368											
Front AC		1 AC			5		EX. 79						x2	

**NOTES**  
 form with girl 4/16/97  
 total acreage + 9 AC 40,490 sq ft in 1996  
 total frontage 368  
 land is mostly open field with rolling terrain

**ACREAGE VALUE**

LAND TYPE	FRONT	REAR	WATER	SEWR	POWR	ADJ PRICE	VALUE
CROPLAND							
PASTURE							
WOODLAND							
WASTELAND							
WET LAND							
FLOOD PLAIN							

TOTAL VALUE OF LAND



February 02, 1999  
Estimate 1950 Supplement: 6  
Page 7

JEAN BRAGG  
CNA INSURANCE CO.  
1250 HANCOCK STREET  
QUINCY, MA  
02269

FEDERICO, CARMEN & MELISSA  
2 MAIN STREET  
MEDFIELD, MA  
02052

Home Phone 508-359-7780  
Work Phone 781-238-5720  
Claim # 03332225  
Loss Date: 10/25/1998

TRADE SUMMARY

01	DEMOLITION	0.40
02	STRUCTURAL CLEANING	349.42
03	ROUGH CARPENTRY	4,041.38
06	SHEETROCK	2,866.18
08	FINISH CARPENTRY	2,038.65
09	CABINETS	3,340.16
11	FLOORCOVERING INSTALLATION	1,990.34
12	INTERIOR/EXTERIOR PAINT	2,305.52
14	INSULATION	1,645.28
19	ELECTRICAL	5,230.87
20	PLUMBING	531.58
27	ACOUSTIC TILE	300.00
28	DEBRIS REMOVAL	650.00
29	HARD CONTENTS AND CLEANING	150.00
30	FLOORCOVERING MATERIAL	1,179.12
42	EXTENDED EMERGENCY SERVICES	3,168.00
97	SECURE PERMITS	296.00

30042.90  
5762.15  

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24320.25



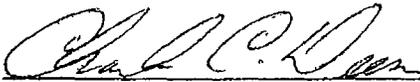
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06 MISCELLANEOUS

MISCELLANEOUS	Unit
90. ELECTRICAL SUB. BID	1 EACH
91. SECURE PERMITS, LICENSE, & INSPECTIONS	1 EACH
92. DUMPSTER	1 LOAD
PACKOUT	
93. FINAL CLEANING	10 HOUR
94. DEMO AND DEBRIS REMOVAL FROM STRUCTURE- 3 MEN FOR 4 DAYS	96 HOUR

Estimated Cost of Repairs

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\$30,082.90

  
CHARLES DEEMS

2/2/99  
Dated

February 02, 1999  
Estimate 1950 Supplement: 6  
Page 5

Continued

04 BEDROOM

- 73. STAIN & FINISH OPENING TRIM 5 EACH
- DOORS
- 74. INST LAUAN H.C. INT DOOR UNIT, P.H.  
W/ HDW 1 UNIT
- 75. INSTALL WOOD LOUVER BIFOLD DOOR  
SYSTEM 2 SET
- 76. STAIN & FINISH FLUSH DOOR 2 SIDE
- 77. STAIN & FINISH LOUVER BIFOLD  
DOORS 4 SIDE
- FLOORS
- 78. REMOVE AND RESET CONTENTS, AVERAGE  
ROOM 1 ROOM
- 79. INSTALL CARPET AND PAD, LABOR 252 S.F.
- 80. REPLACE 1/2" CDX SUBFLOOR 194 S.F.
- 81. INSTALL FLOOR INSULATION TO CODE  
CURRENTLY HAS 1" STYROFOAM AND  
VAPOR BARRIER 194 S.F.
- 82. INSTALL 3/4" SUBFLOOR 194 S.F.
- 83. CARPET MATERIAL AT RETAIL  
(INCLUDES WASTE) 252 S.F.
- 84. CARPET PAD ALLOWANCE, REBOND  
(INCLUDES WASTE) 194 S.F.
- 85. TREAT FLOOR FRAMING WITH GERMICIDE 194 S.F.

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	Length	Width	Height
05 STORAGE ROOM	60' 0"	8' 9"	6' 8"
	Offset 3' 11"	12' 0"	6' 8"
	Offset 12' 8"	12' 0"	6' 8"
	Offset 5' 4"	25' 0"	6' 8"

- CEILING
- 86. REMOVE & REINSTALL SUSPENDED \*  
CEILING IN ORDER TO REPLACE  
SHEETROCK 60X4 NOTE: SOME TILES  
PREV. STAINED, REPL. NOT INCL. HERE 240 S.F.
- Unit
- WALLS
- 87. REPLACE 1/2" SHEETROCK WALLS 480 S.F.
- 88. SEAL SHEETROCK WALLS 480 S.F.
- 89. PAINT SHEETROCK WALLS LATEX 480 S.F.



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Continued

03 BATHROOM

DOORS

- 55. INST LAUAN H.C. INT DOOR UNIT, P.H.  
W/ HDW 1 UNIT
- 56. STAIN & FINISH FLUSH DOOR 2 SIDE

CABINETS

- 57. REMOVE AND REINSTALL MICA TOP 2 L.F.
- 58. INSTALL WOOD VANITY  
2 UNITS 4 L.F.

FLOORS

- 59. INSTALL FLOOR INSULATION TO CODE  
CURRENTLY HAS 1" STYROFOAM AND  
VAPOR BARRIER 36 S.F.
- 60. INSTALL AVERAGE SHEET VINYL FLOOR  
12 X 5'6" 66 S.F.
- 61. INSTALL 3/4" SUBFLOOR 36 S.F.
- 62. TREAT FLOOR FRAMING WITH GERMICIDE 36 S.F.

PLUMBING

- 63. REMOVE & REINSTALL COMMODE 1 EACH
- 64. REMOVE & REINSTALL SINK 1 EACH
- 65. REMOVE & REINS. FIBERGLASS  
TUB/SHOWER 1 EACH

04 BEDROOM

	Length	Width	Height
	16' 2"	10' 9"	7' 3"
Closet	2' 3"	4' 6"	7' 3"
Closet	2' 3"	4' 6"	7' 3"

WALLS

- 66. INSTALL 1/2" SHEETROCK WALLS Unit 586 S.F.
- 67. REPLACE 2 X 4 WALL FRAMING  
INTERIOR WALLS 458 S.F.
- 68. REPLACE BATT INSULATION INCL. ANY  
NECESSARY VAPOR BARRIERS 586 S.F.
- 69. SEAL SHEETROCK WALLS 586 S.F.
- 70. PAINT SHEETROCK WALLS LATEX 586 S.F.

TRIM

- 71. REMOVE & REINSTALL OPENING TRIM  
WINDOWS 2 SIDE
- 72. INSTALL OPENING TRIM 5 SIDE



Continued

02 FOYER OFF LIV. RM

- 35. REPLACE 2 X 4 WALL FRAMING  
 INTERIOR WALLS 126 S.F.
- 36. REPLACE BATT INSULATION INCL. ANY  
 NECESSARY VAPOR BARRIERS 166 S.F.
- 37. SEAL SHEETROCK WALLS 166 S.F.
- 38. PAINT SHEETROCK WALLS LATEX 166 S.F.
  
- TRIM
- 39. REPLACE OPENING TRIM, STOCK, TO  
 2 1/2" 2 SIDE
- 40. STAIN & FINISH OPENING TRIM 1 EACH
  
- DOORS
- 41. REPL LAUAN H.C. INT DOOR UNIT, P.H.  
 W/ HDW 1 UNIT
- 42. STAIN & FINISH FLUSH DOOR 2 SIDE
  
- FLOORS
- 43. INSTALL FLOOR INSULATION TO CODE  
 CURRENTLY HAS 1" STYROFOAM AND  
 VAPOR BARRIER 33 S.F.
- 44. INSTALL AVERAGE SHEET VINYL FLOOR  
 12X6 72 S.F.
- 45. INSTALL 3/4" SUBFLOOR 33 S.F.
- 46. TREAT FLOOR FRAMING W/ GERMICIDE 33 S.F.

03 BATHROOM

- |   | Length | Width | Height   |
|---|--------|-------|----------|
|   | 9' 0"  | 4' 1" | 7' 3"    |
| WALLS   |        |       | Unit     |
| 47. INSTALL 1/2" SHEETROCK WALLS                                  |        |       | 189 S.F. |
| 48. REPLACE 2 X 4 WALL FRAMING<br>INTERIOR WALLS                  |        |       | 149 S.F. |
| 49. REPLACE BATT INSULATION INCL. ANY<br>NECESSARY VAPOR BARRIERS |        |       | 189 S.F. |
| 50. SEAL SHEETROCK WALLS  |        |       | 189 S.F. |
| 51. PAINT SHEETROCK WALLS LATEX                                   |        |       | 189 S.F. |
| TRIM  |        |       |          |
| 52. REM & RESET CHROME PLUMBING TRIM                              |        |       | 1 SET    |
| 53. INSTALL OPENING TRIM  |        |       | 1 SIDE   |
| 54. STAIN & FINISH OPENING TRIM                                   |        |       | 1 EACH   |



February 02, 1999  
Estimate 1950 Supplement: 6  
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Continued

01 LIVING ROOM/KITCHEN

CABINETS

- 16. REMOVE AND REINSTALL MICA TOP 12 L.F.
- 17. REMOVE & REINSTALL HIGH MICA SPLASH 16 L.F.
- 18. REMOVE AND REINSTALL RANGE HOOD 1 EACH
- 19. INSTALL WOOD BASE CABINETS 11 L.F.
- 20. INSTALL WOOD UPPER CABINETS TO MATCH NEW BASE CABINETS 10 L.F.

FLOORS

- 21. REMOVE AND RESET CONTENTS, AVERAGE ROOM 1 ROOM
- 22. INSTALL CARPET AND PAD, LABOR 240 S.F.
- 23. INSTALL 4" VINYL BASE 22 L.F.
- 24. INSTALL FLOOR INSULATION TO CODE CURRENTLY HAS 1" STYROFOAM AND VAPOR BARRIER 318 S.F.
- 25. INSTALL AVERAGE SHEET VINYL FLOOR 12 X 10'6" ARMSTRONG STAR STEP OR EQUIVALENT 126 S.F.
- 26. INSTALL DOOR/EDGE METALS 22 L.F.
- 27. INSTALL 3/4" SUBFLOOR STURDYFLOOR 318 S.F.
- 28. CARPET MATERIAL AT RETAIL (INCLUDES WASTE) 12X20 240 S.F.
- 29. CARPET PAD ALLOWANCE, REBOND (INCLUDES WASTE) 192 S.F.
- 30. TREAT FLOOR FRAMING WITH GERMICIDE 318 S.F.

ELECTRICAL

- 31. REMOVE & REINSTALL RANGE, ELECTRIC ONLY 1 EACH

PLUMBING

- 32. REMOVE & REINSTALL SINK 1 EACH
- 33. REMOVE & REINSTALL DISHWASHER 1 EACH

02 FOYER OFF LIV. RM

Length 6' 0" Width 5' 6" Height 7' 3"

WALLS

- 34. INSTALL 1/2" SHEETROCK WALLS Unit 166 S.F.



February 02, 1999  
Estimate 1950 Supplement: 6  
Page 1

JEAN BRAGG  
CNA INSURANCE CO.  
1250 HANCOCK STREET  
QUINCY, MA  
02269

FEDERICO, CARMEN & MELISSA  
2 MAIN STREET  
MEDFIELD, MA  
02052  
Home Phone 508-359-7780  
Work Phone 781-238-5720  
Claim # 03332225  
Loss Date: 10/25/1998

DEAR MS. BRAGG:

THE FOLLOWING IS OUR ESTIMATE TO REPAIR DAMAGE DUE TO WATER AT THE ABOVE REFERENCED ADDRESS:

		Length	Width	Height
01 LIVING ROOM/KITCHEN		19' 3"	13' 2"	7' 3"
	Offset	6' 4"	7' 7"	7' 3"
	Offset	5' 6"	3' 1"	7' 3"
WALLS		Unit		
1.	INSTALL 1/2" SHEETROCK WALLS	641 S.F.		
2.	REPLACE 2 X 4 WALL FRAMING			
	INTERIOR WALLS	641 S.F.		
3.	REPLACE BATT INSULATION INCL. ANY NECESSARY VAPOR BARRIERS	641 S.F.		
4.	SEAL SHEETROCK WALLS	641 S.F.		
5.	PAINT SHEETROCK WALLS LATEX	641 S.F.		
TRIM				
6.	REMOVE BASE TRIM	4 L.F.		
7.	INSTALL OPENING TRIM	* 5 SIDE		
8.	INSTALL BASE TRIM, TO 5 3/4"	* 4 L.F.		
9.	STAIN & FINISH BASE TRIM	4 L.F.		
10.	STAIN & FINISH OPENING TRIM	5 EACH		
DOORS				
11.	REMOVE & REINSTALL 8' SLIDING GLASS DOOR	1 UNIT		
12.	INST LAUAN H.C. INT DOOR UNIT, P.H. W/ HDW	1 UNIT		
13.	INSTALL CASIED OPENING SLIDER TRIM	* 1 EACH		
14.	STAIN & FINISH FLUSH DOOR	2 SIDE		
15.	STAIN & FINISH CASIED OPENING	1 EACH		



The Commonwealth of Massachusetts

HOME IMPROVEMENT CONTRACTOR  
Registration 118017  
Type - DBA  
Expiration 01/17/01

*Thomas H. Boyce*  
ADMINISTRATOR

PAUL DAVIS SYSTEMS OF SO SHOR  
CHARLES C. DEEMS  
29 LIBERTY SQ  
ROCKLAND MA 02370



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC SAFETY

CONSTRUCTION SUPERVISOR LICENSE

Number: 865291 Expires: 02/13/2006 Birthdate: 02/13/1952

Restricted To:

*Thomas H. Boyce*

CHARLES C. DEEMS  
119 BOARDMAN AVE  
MELROSE, N. 02170

Suggested Affidavit for Home Improvement Contractor Permit Application

For Office Use Only

NAME OF CITY/TOWN

Permit No. \_\_\_\_\_

MEDFIELD MA

Date \_\_\_\_\_

AFFIDAVIT

Home Improvement Contractor Law  
Supplement to Permit Application

MGL c. 142A requires that the "reconstruction, alteration, renovation, repair, modernization, conversion, improvement, removal, demolition, or construction of an addition to any pre-existing owner-occupied building containing at least one but not more than four dwelling units...or to structures which are adjacent to such residence or building" be done by registered contractors, with certain exceptions, along with other requirements.

Type of Work: REPAIR/RESTORATION Est. Cost \_\_\_\_\_

Address of Work 2 MAIN STREET MEDFIELD MA

Owner Name: CARMEN & MELISSA FEDERICO

Date of Permit Application: 2/3/99

I hereby certify that:

Registration is not required for the following reason(s):

- Work excluded by law
- Job under \$1,000
- Building not owner-occupied
- Owner pulling own permit
- Other (specify) \_\_\_\_\_

Notice is hereby given that:

OWNERS PULLING THEIR OWN PERMIT OR DEALING WITH UNREGISTERED CONTRACTORS FOR APPLICABLE HOME IMPROVEMENT WORK DO NOT HAVE ACCESS TO THE ARBITRATION PROGRAM OR GUARANTY FUND UNDER MGL c. 142A.

Signed under penalties of perjury:

I hereby apply for a permit as the agent of the owner:

2/3/99 [Signature] 118017  
Date Contractor Name Registration No.

OR:

Notwithstanding the above notice, I hereby apply for a permit as the owner of the above property:

\_\_\_\_\_  
Date Owner Name



COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF INDUSTRIAL ACCIDENTS

600 WASHINGTON STREET

BOSTON, MASSACHUSETTS 02111

James J. Campbell  
Commissioner

WORKERS' COMPENSATION INSURANCE AFFIDAVIT

I, CHARLES C. DEEM D/B/A PAUL DAVIS SYSTEMS of the South Shore  
(licensee/permittee)

with a principal place of business/residence at:

ROCKLAND MA 02370  
(City/State/Zip)

do hereby certify, under the pains and penalties of perjury, that:

I am an employer providing the following workers' compensation coverage for my employees working on this job.

Commercial Union CB00H589564  
Insurance Company Policy Number

I am a sole proprietor and have no one working for me.

I am a sole proprietor, general contractor or homeowner (circle one) and have hired the contractors listed below who have the following workers' compensation insurance policies:

Name of Contractor	Insurance Company/Policy Number
Name of Contractor	Insurance Company/Policy Number
Name of Contractor	Insurance Company/Policy Number

I am a homeowner performing all the work myself.

NOTE: Please be aware that while homeowners who employ persons to do maintenance, construction or repair work on a dwelling of not more than three units in which the homeowner also resides or on the grounds appurtenant thereto are not generally considered to be employers under the Workers' Compensation Act (GL C. 152, sect. 1(5)), application by a homeowner for a license or permit may evidence the legal status of an employer under the Workers' Compensation Act.

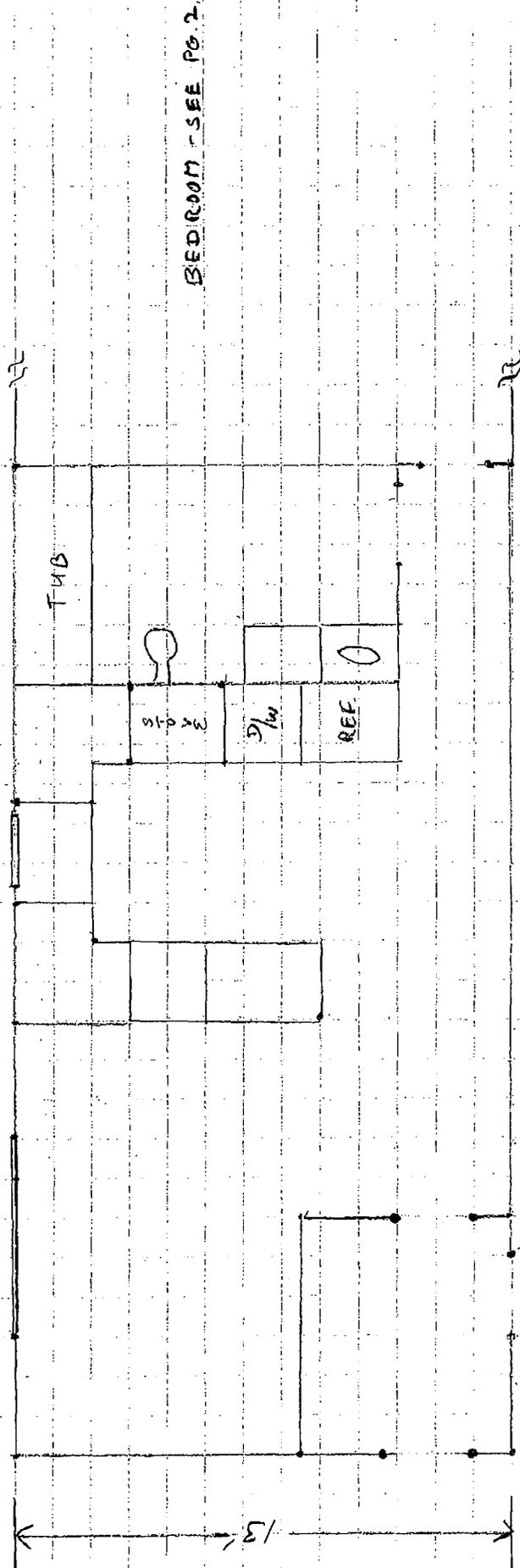
I understand that a copy of this statement will be forwarded to the Department of Industrial Accidents' Office of Insurance for coverage verification and that failure to secure coverage as required under Section 25A of MGL 152 can lead to the imposition of criminal penalties consisting of a fine of up to \$1500.00 and/or imprisonment of up to one year and civil penalties in the form of a Stop Work Order and a fine of \$100.00 a day against me.

Signed this third day of FEBRUARY, 19 99

[Signature]  
Licensee/Permittee Licenser/Permitter

2 MAIN ST MEDFIELD MA

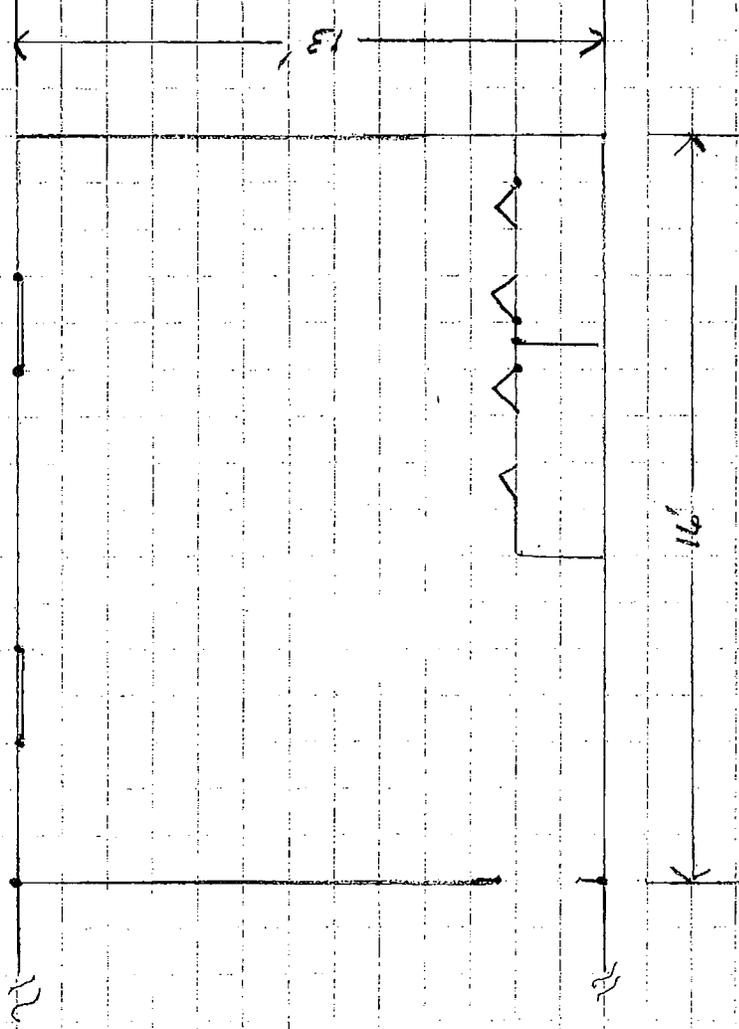
LIVING ROOM, FOYER, KITCHEN, BATH



NOTE: ALL DIMENSIONS ARE APPROXIMATE

1 BLOCK = 1 FOOT

2 MAIN STREET MEDFIELD MA.  
P5 2  
BEDROOM



1  
5' 0" = 1  
BLOCK

NOTE: ALL DIMENSIONS ARE APPROXIMATE  
1 BLOCK = 1 FOOT



**TOWN OF MEDFIELD**  
**BUILDING INSPECTION DEPARTMENT**  
**Application for Permit to Build**

No. 9240

Medfield, Mass., FEBRUARY 3 1999

To the INSPECTOR OF BUILDINGS:

The undersigned hereby applies for a permit to build, according to the following specifications:

Location: No. 2 MAIN ST Zoning District \_\_\_\_\_

Owner CARMEN & MELISSA FEDERICO Address 2 MAIN STREET

Architect \_\_\_\_\_ Address \_\_\_\_\_

Builder PAUL DAVIS SYSTEMS of the South Shore Address 29 LIBERTY SQ. ROCKLAND MA, 02370

Buildings to be used for RESIDENTIAL

Size of lot, No. of feet front \_\_\_\_\_; No. of feet rear \_\_\_\_\_; No. of feet deep \_\_\_\_\_

Size of building: Front \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_

Number of stories: \_\_\_\_\_ Class of construction: First \_\_\_\_\_ Second \_\_\_\_\_ Third \_\_\_\_\_

Schedule of rooms \_\_\_\_\_

Distances from adjoining lot lines: Side, \_\_\_\_\_ ft.; side, \_\_\_\_\_ ft.; rear, \_\_\_\_\_ ft.

Distance from street lines \_\_\_\_\_ Distance from other buildings on same lot \_\_\_\_\_ ft.

Foundation on filled land? \_\_\_\_\_

Foundation material of \_\_\_\_\_

Will the roof be flat, pitch, gambrel, or hip \_\_\_\_\_ Material of roofing \_\_\_\_\_

Heating: steam \_\_\_\_\_; hot water \_\_\_\_\_; hot air \_\_\_\_\_; fuel \_\_\_\_\_

Sprinkler system/fire alarm \_\_\_\_\_

Fireplace opening and flue size \_\_\_\_\_

Septic NO FORM A renovating existing due to water damage Estimated cost \$ 24300

Specify other items of construction not indicated on the plans—  
 Any and all work, including: REPAIR OF WATER DAMAGE, REPLACE SHEETROCK WALLS & FRAMING INTERIOR WALLS ONLY  
 but not limited to, house REPLACE SUBFLOOR & FINISHED FLOORING  
 additions: septic system REMOVE CORE DOORS, REPLACE INSULATION IN FLOORS & WALLS, REPLACE  
 repairs grading and KITCHEN CABINETS & VANITIES, CEILING TO REMAIN, ELECTRICAL  
 excavation within 100 feet & PLUMBING TO BE UPGRADED TO CODE WHERE NECESSARY  
 of a wetland resource area MUST RECEIVE A WETLANDS

permit through the  
 Conservation Commission.  
 200 FT. From River or Stream.  
 NOTATIONS BY INSPECTOR: 2  
23  
161  
50

Signature [Signature]  
 Address 29 LIBERTY SQUARE ROCKLAND MA 023

Permit fee \$ 211

Phone No. 781-882-0022  
 Construction Supervisor  
 License No. CS 065291

2/4/99  
Reviewed + Approved  
for Permit  
aldr

**RECEIVED**  
**FEB 03 1999**

MEDFIELD INSPECTION DEPARTMENT

3BA decision

FEB 17 1999

MASSACHUSETTS UNIFORM APPLICATION FOR PERMIT TO DO PLUMBING

(Print or Type)



MEDFIELD, Mass. Date 2/16 19 99 Permit # 341 SA

Building Location 2 MAIN ST. Owner's Name

Type of Occupancy R.O.S

New [ ] Renovation [ ] Replacement [x] Plans Submitted: Yes [ ] No [x]

FIXTURES

P

Table with columns for fixture types (Water Closets, Kitchen Sinks, etc.) and rows for floors (Sub-Bsmt, Basement, 1st Floor, etc.).

Installing Company Name METWICK Plumbing Co.

Address P.O. Box 163 Plympton, MA 02367

Business Telephone 781-585-1500

Name of Licensed Plumber William Metwick

Check one: Certificate [x] Corporation [ ] Partnership [ ] Firm/Co. [ ]

INSURANCE COVERAGE:

I have a current liability insurance policy or its substantial equivalent which meets the requirements of MGL Ch. 142.

Yes [x] No [ ]

If you have checked yes, please indicate the type coverage by checking the appropriate box.

A liability insurance policy [x] Other type of Indemnity [ ] Bond [ ]

OWNER'S INSURANCE WAIVER: I am aware that the licensee does not have the insurance coverage required by Chapter 142 of the Mass. General Laws, and that my signature on this permit application waives this requirement.

Check one: Owner [ ] Agent [ ]

Signature of Owner or Owner's Agent

I hereby certify that all of the details and information I have submitted (or entered) in above application are true and accurate to the best of my knowledge and that all plumbing work and installations performed under the permit issued for this application will be in compliance with all pertinent provisions of the Massachusetts State Plumbing Code and Chapter 142 of the General Laws.

By [ ] Title [ ]

Signature of Licensed Plumber [ ] 21051

Type of license: Master [ ] Journeyman [x]



The Commonwealth of Massachusetts

Department of Public Safety

BOARD OF FIRE PREVENTION REGULATIONS 527 CMR 1200

Office Use Only  
 Permit No. 10877  
 Occupancy & Fee Checked 60  
 3/90 (leave blank)

APPLICATION FOR PERMIT TO PERFORM ELECTRICAL WORK

All work to be performed in accordance with the Massachusetts Electrical Code, 527 CMR 12:00

FEB 25 1999

(PLEASE PRINT IN INK OR TYPE ALL INFORMATION)

Date 2/25/99

City or Town of Medfield

To the Inspector of Wiring:

The undersigned applies for a permit to perform the electrical work described below.

Location (Street & Number) 2 Main St.

Owner or Tenant Melissa Frederico TELEPHONE 508-351-7780

Owner's Address Same

Is this permit in conjunction with a building permit: Yes  No  (Check appropriate box)

Purpose of Building Home Res Utility Authorization NO. \_\_\_\_\_

Existing Service 200 Amps 120/240 Volts Overhead  Undgrd  No. of Meters 1

New Service \_\_\_\_\_ Amps \_\_\_\_\_ Volts Overhead  Undgrd  No. of Meters \_\_\_\_\_

Number of Feeders and Ampacity \_\_\_\_\_

Location and Nature of Proposed Electrical Work Septic system backup: Basement Apt.

Interior walls + floor removed, removed etc. installed same in new walls for Apt.

No. of Lighting Outlets	No. of Hot Tubs	No. of Transformers	Total KVA
No. of Lighting Fixtures <u>4</u>	Swimming Pool Above <input type="checkbox"/> In-grd. <input type="checkbox"/>	Generators	KVA
No. of Receptacle Outlets <u>25</u>	No. of Oil Burners	No. of Emergency Lighting Battery Units	
No. of Switch Outlets <u>14</u>	No. of Gas Burners	FIRE ALARMS	No. of Zones
No. of Ranges <u>1</u>	No. of Air Cond. Total tons	No. of Detection and Initiating Devices	
No. of Disposals <u>1</u>	No. of Heat Pumps Total Tons	No. of Sounding Devices	
No. of Dishwashers <u>1</u>	Space/Area Heating KW	No. of Self Contained Detection/Sounding Devices	
No. of Dryers	Heating Devices KW	Local <input type="checkbox"/> Municipal <input type="checkbox"/> Connection <input type="checkbox"/> Other	
No. of Water Heaters <u>KW</u>	No. of Signs	No. of Ballasts	Low Voltage Wiring
No. Hydro Massage Tubs	No. of Motors	Total HP	

OTHER: (5) ~ 6' Electric baseboard heaters w/ wall thermostats

INSURANCE COVERAGE: Pursuant to the requirements of Massachusetts General Laws I have a current Liability Insurance Policy including Completed Operations Coverage or its substantial equivalent. YES  NO  I have submitted valid proof of same to this office. YES  NO  If you have checked YES, please indicate the type of coverage by checking the appropriate box.

INSURANCE  BOND  OTHER  (Please Specify)

Estimated Value of Electrical Work \$ 5000 (Expiration Date) 3/1/99  
 Work to Start 2/24/99 Inspection Date Requested: Rough 2/24/99 Final will call

Signed under the penalties of perjury:  
 FIRM NAME Sartell Electrical Services, Inc. LIC. NO. 14656A  
 Licensee Edward F. Sartell Signature Ed Sartell LIC. NO. 27699E  
 Address PO Box 69 Reading MA 01867 Bus. Tel. No. 781-944-4152  
 Alt. Tel. No. \_\_\_\_\_

OWNER'S INSURANCE WAIVER: I am aware that the Licensee does not have the insurance coverage or its substantial equivalent as required by Massachusetts General Laws, and that by signature on this permit application waives this requirement. Owner Agent (Please check one)

Telephone \_\_\_\_\_ Signature \_\_\_\_\_

# ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YY)  
02/23/1999

PRODUCER (508)887-4900 FAX (508)887-2404  
 SENNOTT INSURANCE  
 16 South Main Street  
 P. O. Box 457  
 Topsfield, MA 01983

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

Attn: Ext:

INSURED Sartell Electrical Services Inc.  
 PO Box 69  
 Reading, MA 01867

### COMPANIES AFFORDING COVERAGE

- COMPANY A Hartford Insurance Group
- COMPANY B
- COMPANY C
- COMPANY D

RECEIVED  
 FEB 25 1999

### COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR OWNER'S & CONTRACTOR'S PROT <input checked="" type="checkbox"/> Hired/Nonowned \$1,000,000	08SBADG8468	09/05/1998	09/05/1999	GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 PERSONAL & ADV INJURY \$ 1,000,000 EACH OCCURRENCE \$ 1,000,000 FIRE DAMAGE (Any one fire) \$ 300,000 MED EXP (Any one person) \$ 10,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	08MCC399576	10/17/1998	10/17/1999	COMBINED SINGLE LIMIT \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EACH ACCIDENT \$ AGGREGATE \$
A	EXCESS LIABILITY <input checked="" type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM	08SBADG8468	09/05/1998	09/05/1999	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY THE PROPRIETOR/PARTNERS/EXECUTIVE OFFICERS ARE: <input checked="" type="checkbox"/> INCL <input type="checkbox"/> EXCL	08WBCBZ7764	06/19/1998	06/19/1999	WC STATUTORY LIMITS OTHER EL EACH ACCIDENT \$ 100,000 EL DISEASE - POLICY LIMIT \$ 500,000 EL DISEASE - EA EMPLOYEE \$ 100,000
	OTHER				

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

### CERTIFICATE HOLDER

Town Hall of Medfield  
 Building Dept  
 Attn: Judy  
 459 Main St  
 Medfield, MA 02052

### CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Peter Sennott/LA

RECEIVED  
FEB 04 1999

TOWN OF



MEDFIELD

1

MEDFIELD INSPECTION DEPARTMENT  
FEE PAID

BUILDING DEPARTMENT

Medfield, Mass. February 4, 1999

NO. 9240 PERMIT TO BUILD (Federico)

Contractor Reg. # 065291  
Const. Supv. Lic. # 065291

This Certifies that Charles Mann - Paul Davis Systems of the South Sh  
Has Permission to renovate interior due to water damage  
At 2 Main St Lot No. .... For Use as a Living Area

Provided that the person accepting this Permit shall, in every respect, conform to the terms of this application, on file in this Office, and to the provisions of the By-Laws of the Town of Medfield relating to the Construction and Inspection of Buildings in the Town of Medfield and the provisions of the Commonwealth of Massachusetts, State Building Code. Any violation of the terms above noted shall result in immediate revocation of this permit.

780 CMR-6 Persons contracting with unregistered contractors do not have access to the guaranty fund.

PERMIT # _____ BOARD OF HEALTH Sewage Disposal	INSPECTIONS	FIRE DEPARTMENT	PERMIT # <u>341</u> PLUMBING INSPECTOR	PERMIT # <u>10877</u> WIRE INSPECTOR	BUILDING INSPECTOR
CERTIFIED PLOT PLAN	FINAL GRADE INSPECTION	PERMIT # _____ GAS INSPECTOR	<i>[Handwritten signatures]</i>	<u>3/1/99 ROK</u> <u>5/6/99 - spster</u> <u>15/13/99 JE</u> <u>mples of [unclear]</u>	<u>Rough Inspection</u> <u>Approved 3/2/99 [unclear]</u> <u>Insulation Approved</u> <u>3/22/99 [unclear]</u> <u>Final Inspection Approved</u> <u>Pending Final Electrical</u> <u>5/18/99 [unclear]</u>

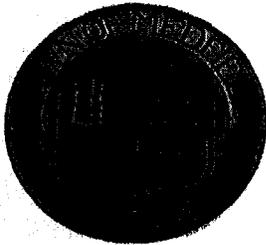
**No Lathing or Insulating to Be Done Until Signed by the Inspector**

THIS CARD MUST BE PLACED IN A CONSPICUOUS PLACE ON THE PREMISES AND NOT TORN DOWN OR DESTROYED

A USE AND OCCUPANCY CERTIFICATE MUST BE SECURED.

Anthony Calo  
Building Inspector

Use and Occupancy Permit \_\_\_\_\_ Date \_\_\_\_\_  
Building Inspector



# TOWN OF MEDFIELD

Office of the  
BUILDING DEPARTMENT

Phone (508) 906-3005

Fax (508) 359-6182

**Gary D Pelletier, CBO**  
**Building Commissioner/  
Zoning Enforcement Officer**

July 13, 2020

Mr. Aldo Palumbo and Ms. Maria Palumbo  
92 County Street  
Walpole, MA 02081

RE: Zoning Violation at 2 Main Street Medfield

Dear Mr. and Ms. Palumbo:

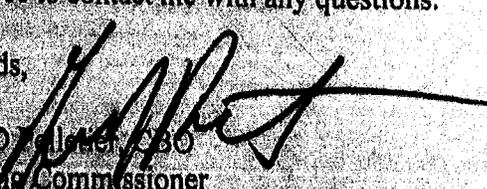
In response to a well permit application filed for 2 Main Street Medfield with Medfield Board of Health, a site visit was requested and granted to verify existing conditions. While on site with Medfield Board of Health Agent Bridget Sweet, we met the owner Mr. Palumbo, and with the permission of both he and the current residents we entered the homes basement to observe existing water service and irrigation system connections. While inside I observed conditions in the homes basement which are consistent with a full and separate dwelling unit, specifically, a full kitchen, 2 full baths, 2 bedrooms, and 2 means of egress separate from the main house. I additionally observed separate heating systems for both floors. The conditions described constitute a 2<sup>nd</sup> dwelling unit, or "basement apartment" in addition to the dwelling unit on the 1<sup>st</sup> floor of the home currently being rented.

The existence of a second dwelling unit at this address is a violation of Medfield Zoning Bylaw 300.5.4 section 1. The RT district is a single family dwelling only district with no provisions for accessory apartments unless occupied by a family member, or houses in existence prior to 1938, either of which would require approval from Medfield Zoning Board of Appeals. Additionally I find no record of proper building permits being obtained for the observed basement conditions, which is a violation of 780 CMR 51 section R105.1.

You are hereby ordered to apply for a building permit for the existing conditions which will include the elimination of the elements that constitute a 2<sup>nd</sup> dwelling unit. You are required to obtain the building permit and complete this abatement within 90 days of this letter. Failure to comply will result in a fine of \$300 per day of non-compliance under Medfield Zoning Bylaws.

Feel free to contact me with any questions.

Regards,

  
Gary D Pelletier, CBO  
Building Commissioner  
Zoning Enforcement Officer

CC: Medfield Town Planner  
CC: Medfield Town Counsel  
CC: Medfield Board of Health



M.A. KABLACK & ASSOCIATES, P.C.

---

176 East Main Street, Suite 3, Westborough, MA 01581  
phone 508-366-2900 fax 508-366-1089

MARK A. KABLACK  
email mkablack@kablacklaw.com

August 13, 2020

Mr. Gary D. Pelletier, CBO  
Building Commissioner/  
Zoning Enforcement Officer  
Office of the Building Department  
459 Main Street  
Medfield, MA 02052

Re: Zoning Violation at 2 Main Street, Medfield, MA

Dear Mr. Pelletier:

This office has been retained to provide legal representation to Aldo and Maria Palumbo in connection with the above-captioned property and your enforcement letter of July 13, 2020. Based upon our review of the building records in your office and after discussion with the Palumbos, we believe that the improvements in the basement, including kitchen, bedroom and bath facilities, date to permitted work performed by a prior owner in 1999. As such these improvements are considered exempt from current enforcement under the 6 year statute of limitations of M.G.L. c.40A, Section 7.

We acknowledge that certain renovation work performed by the Palumbos approximately 2 years ago may have required a building permit application to your office. The Palumbos will proceed in making the necessary applications, but will not eliminate the improvements that have the benefit of statutory protection.

We would be happy to meet with you in person or by teleconference to address your concerns at your convenience.

Sincerely,



Mark A. Kablack

cc: Aldo and Maria Palumbo

## Mark Kablack

---

**From:** Gary Pelletier <gpelletier@medfield.net>  
**Sent:** Tuesday, August 25, 2020 6:06 PM  
**To:** Mark Kablack  
**Cc:** Mark Cerel; Sarah Raposa; Bridget Sweet  
**Subject:** 2 Main Street Basement Apartment  
**Attachments:** IMG\_0370.jpg; IMG\_0372.jpg

Attorney Kablack

In response to your letter of 8/13 regarding the unpermitted 2nd dwelling unit and unpermitted renovation work, as well as our phone conversation, I can certainly understand your argument relative to the basement apartment being pre existing based on file documents

however that determination must be made by appeal under the provisions of the Zoning Act to the Medfield Zoning Board of Appeals. As the Zoning Enforcement Officer I have notified your clients, The Palumbo's, of the violation of Medfield Zoning Bylaw 300.5.4 for a second dwelling unit which I observed on site in July 2020, in the RT District, which only allows accessory apartments by special permit, and is otherwise Single Family only.

Additionally the conditions I observed were not conditions dating back to work conducted in 1999, but of very recent improvements to Involving Plumbing

Gas/ Electrical/ heating and building which you admit were not permitted, and constitute flagrant violations of The MA State Building Code, R105.1

MA State Electrical Code, MA State Plumbing and Gas Code, and MA State Fire Code.

Please see attached photographs. As of the date of this email, my office has received no permit application for any of the recent basement renovation work. The owner of the property bears the full liability for work conducted without a permit and violations of 780 CMR, as well as 527 CMR and 248 CMR.

I have Copied Medfield Town Counsel Mark Cerel, as well as Medfield Town Planner Sarah Raposa on this email if you wish to contact them on behalf of your clients.

Kind regards

Gary D Pelletier, CBO

Building Commissioner /  
Zoning Enforcement Officer  
Medfield Building Dept.  
459 Main Street  
Medfield Ma. 02052  
(P) (508) 906-3005

(F) (508) 359-6182

[gpelletier@medfield.net](mailto:gpelletier@medfield.net)

This email is intended for municipal use only and must comply with the Town of Medfield's policies and state/federal laws. Under Massachusetts Law, any email created or received by an employee of The Town of Medfield is considered a public record. All email correspondence is subject to the requirements of M.G.L. Chapter 66. This email may contain confidential

TO VERIFY AUTHENTICITY, SEE REVERSE SIDE FOR DESCRIPTION OF THE 11 SECURITY FEATURES

M.A. KABLACK AND ASSOCIATES, P.C.  
OPERATING ACCOUNT  
176 EAST MAIN STREET, SUITE 3  
WESTBOROUGH, MA 01581  
508-366-2900

CITIZENS BANK  
MASSACHUSETTS

5680

5-7017/2110

9/16/2020

PAY TO THE  
ORDER OF Town of Medfield

\$ \*\*300.00

Three Hundred and 00/100\*\*\*\*\*

DOLLARS

Town of Medfield  
459 Main Street  
Medfield, MA 02052

*Frank J. Kablack*  
AUTHORIZED SIGNATURE

MEMO: Palumbo-ZBA Appeal

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