

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482

J. RANDOLPH BECKER, CHAIRMAN
ROBERT W. LEVY, VICE CHAIRMAN
DAVID G. SHEFFIELD

LENORE R. MAHONEY
EXECUTIVE SECRETARY
TELEPHONE
(781) 431-1019 EXT. 2208

WALTER B. ADAMS
DEREK B. REDGATE
RICHARD L. SEEGL

ZBA 2022-01
Petition of Michael Chammas
1005 Worcester Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, December 2, 2021 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Michael Chammas requesting renewal of a Special Permit pursuant to the provisions of Section 11, Section 14E and Section 25 of the Zoning Bylaw to allow the sale of up to six used cars on the easterly side of the existing lot at 1005 Worcester Street, in a Business District and a Water Supply Protection District.

On November 1, 2021, the petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

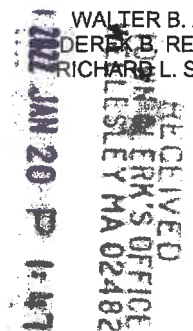
On December 2, 2021, the petition was opened and continued to January 6, 2022.

January 6, 2022

Present at the public hearing was Romeo Adams, Esq., who said that the request is to renew a special permit allow the use to sell used cars on the premises. He said that the Board approved the initial special permit for the sale of up to six cars. He said that Mr. Chammas has strictly maintained the specifications of the Board and things have been going well. He said that Mr. Chammas has been providing motor repair and services to the Wellesley community for almost 40 years. He said that approval of the special permit has allowed him to expand his business to selling used cars, which are very valuable in today's market. He said that the request is for relief to allow Mr. Chammas to continue to provide those services. He said that there have been no complaints and gas sales, auto repairs and auto sales are well coordinated.

A Board member said that the striping was done. He said that there was additional mention of selling parts that was not included in the previous approval. Mr. Adams said that the parts are for repairs, not for sale as a parts dealer.

There was no member of the public who wished to speak to the petition.



Statement of Facts

The subject property is located at 1005 Worcester Street, in a Business District and a Water Supply Protection District.

The Petitioner is requesting renewal of a Special Permit pursuant to the provisions of Section 11, Section 14E and Section 25 of the Zoning Bylaw to allow the sale of up to six used cars on the easterly side of the existing lot at 1005 Worcester Street, in a Business District and a Water Supply Protection District.

A Plot Plan, dated 10/22/19, revised 2/18/21, stamped by Patrick H. Arnow, Professional Land Surveyor, was submitted.

On January 5, 2022, the Planning Board Staff reviewed the petition and recommended that the special permit be renewed, subject to the same terms and conditions.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing.

The Board found that the Design and Operation Standards in Part F are adequately satisfied and otherwise prohibited in Part D.1, of Section XIVE of the Zoning Bylaw in a Water Supply Protection Districts.

It is the opinion of this Authority that the use of the property for the sale of used cars on the easterly side of the existing lot, will meet the Special Use Permit Standards conditions, in accordance with Section 25 D of the Zoning Bylaw.

Therefore, renewal of the Special Permit is granted, as voted unanimously by this Authority at the Public Hearing for the sale of used cars on the easterly side of the existing lot, subject to the following conditions:

1. The Special Permit shall run with Mr. Chammas, as owner of the property, and shall not run with the land.
2. Parking of six vehicles facing Edgemoor Avenue shall be with the nearest vehicle being no closer than 30 feet to Worcester Street.
3. Only one vehicle shall be parked toward the rear of the building but as close to Edgemoor Avenue as practicable.
4. Lines shall be installed between the spaces, with no parking between the last approved space and Worcester Street.
5. The proposed use to sell used cars requires a permit from the Board of Selectmen.
6. This Special Permit shall expire two years from the date time-stamped on this decision.

ZBA 2022-01
Petition of Michael Chammas
1005 Worcester Street

APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.


J. Randolph Becker, Chairman


Robert W. Levy


David G. Sheffield

ZBA 2022-01
Applicant Michael Chammas
Address 1005 Worcester Street

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
JAN 20 P 1:47

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Date:

Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrn

REFERENCES

NORFOLK AND MIDDLESEX COUNTY REGISTRIES OF DEEDS

DEEDS: BOOK 19136, PAGE 535
BOOK 11205, PAGE 325

PLANS: PLAN LCC 4252B
PLAN LCC 42520
PLAN LCC 4252-7
PLAN 1149 OF 1966

NOTES:

1. SUBJECT PARCEL IS SHOWN AS ASSESSORS SHEET 205, LOT 3. RECORD TITLE FROM CERTIFICATE OF TITLE #128982.
2. UTILITY LOCATIONS DEPICTED ON THIS PLAN, BOTH ABOVE- AND BELOW-GROUND, ARE BASED UPON DIRECT FIELD OBSERVATIONS MADE BY METROWEST ENGINEERING, INC. PERSONNEL DURING A FIELD SURVEY. RECORD PLAN LOCATIONS, OR DIGSAFE PAINT-INDICATORS. METROWEST ENGINEERING, INC. DOES NOT WARRANT THAT ALL UTILITIES ARE SHOWN OR THAT UTILITIES THAT ARE DEPICTED ARE SHOWN IN THE CORRECT LOCATION, OR WITH THE PROPER MATERIAL DESIGNATION. METROWEST ENGINEERING, INC. DOES NOT WARRANT OR PROVIDE AN EXPRESS OR IMPLIED WARRANTY THAT ALL SUBSURFACE IMPROVEMENTS ARE SHOWN OR ARE SHOWN CORRECTLY, INCLUDING, BUT NOT LIMITED TO, UTILITIES, UNDERGROUND VAULTS, UNDERGROUND TANKS OR CHAMBERS, BUNKERS, DUCT BANKS, AND/OR OTHER MAN-MADE IMPROVEMENTS THAT LIE BENEATH THE GROUND SURFACE AT THE TIME OF THE SURVEY.
3. CONTRACTOR IS SOLELY RESPONSIBLE FOR ESTABLISHING EXISTING LOCATIONS OF ALL SUB-SURFACE UTILITIES AND MAN-MADE IMPROVEMENTS AND FOR THE REQUIREMENTS TO REPLACE, RELOCATE OR REPAIR EXISTING UTILITIES IN THE EVENT OF DAMAGE OCCURRING DURING CONSTRUCTION. MWE IS NOT RESPONSIBLE OR LIABLE FOR DELAYS OR COSTS ASSOCIATED WITH REMOVING/REPLACING/RELOCATING OF EXISTING UTILITIES REGARDLESS OF WHETHER SAID UTILITIES ARE ACCURATELY DEPICTED ON THIS SURVEY.
4. THE PROPERTY DESCRIBED ON THIS SURVEY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY; THE PROPERTY LIES WITHIN ZONE "X" OF THE FLOOD INSURANCE RATE MAP IDENTIFIED AS MAP NUMBER 25021C0012E, BEARING AN EFFECTIVE DATE OF JULY 17, 2012.
5. THE PROPERTY DESCRIBED ON THIS SURVEY HAS THE BENEFIT OF A SPECIAL PERMIT GRANTED ON OCTOBER 22, 2015 (ZBA#2015-79) AND A VARIANCE RECORDED AS DOCUMENT 554828 IN THE SOUTH MIDDLESEX REGISTRY OF DEEDS LAND COURT SECTION.

LEGEND

BIT. CONC.	BERM
C.P.	BITUMINOUS CONCRETE PAVEMENT
D.H.	CONCRETE PAD
(F)	CURB
○	DRILL HOLE
○	FENCE
○	FOUND
○	GUARD POST
☆	LIGHTPOST
Ⓢ	NUMBER OF PARKING SPACES
---	PAVEMENT EDGE
S.B.	STONE BOUND
T.B.D.	TO BE DETERMINED
W/	WITH
W.F.	WOOD FRAMED

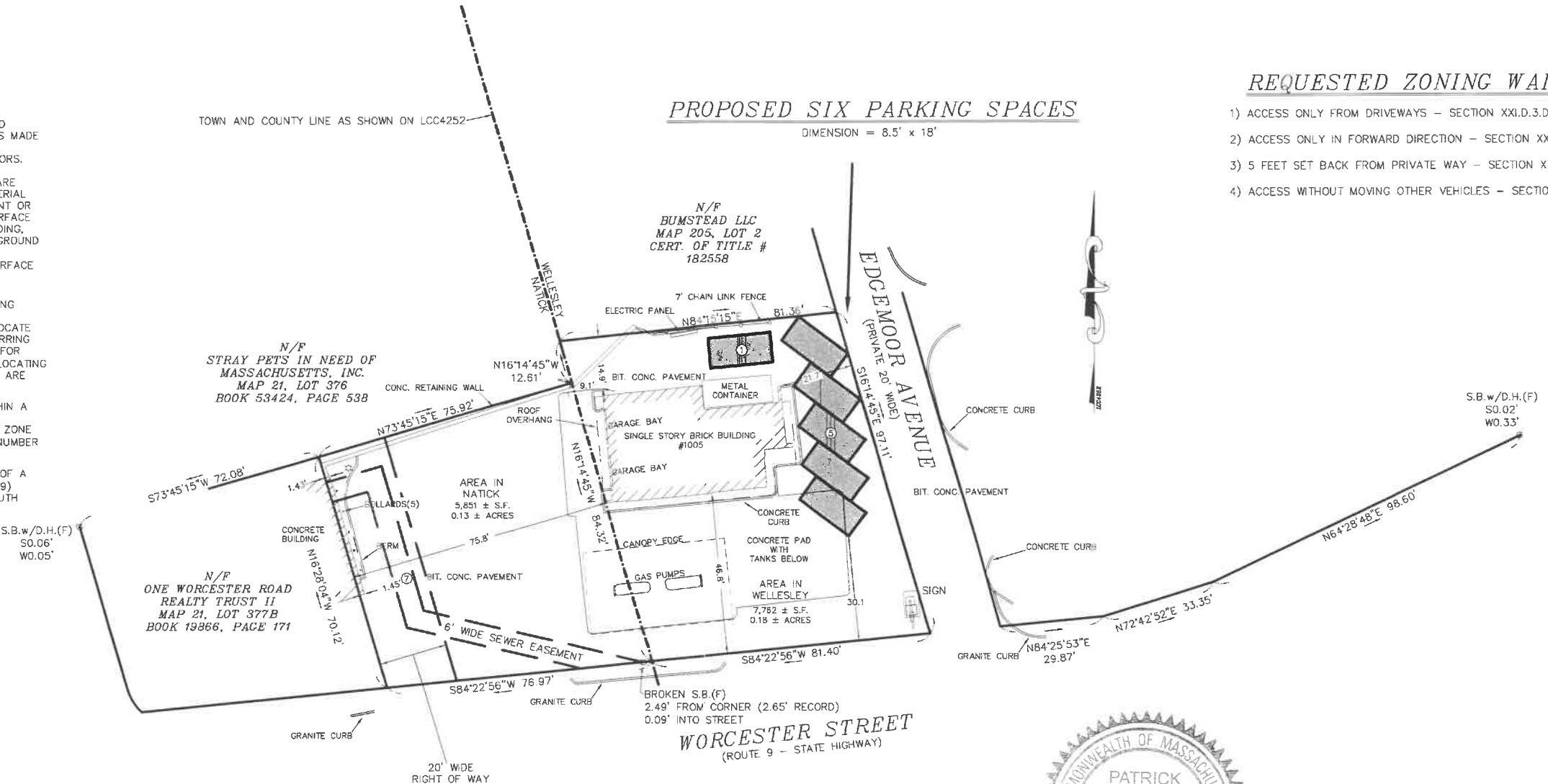
ZONING TABLE
BUSINESS DISTRICT*

	REQUIRED	EXISTING
AREA	10,000 S.F.	13,613 S.F.
FRONTAGE	60 FEET	158.37 FEET
SETBACKS:		
FRONT YARD	30 FEET	21.7 FEET
SIDE YARD	20 FEET	9.1 FEET
REAR YARD	10 FEET	N/A
BUILDING HEIGHT	45 FEET/3 STORIES	1 STORY
F.A.R.	.30 MAXIMUM	0.103
BUILDING COVERAGE	25% MAXIMUM	10.3%
LOT COVERAGE		99.1%

*WATER SUPPLY PROTECTION OVERLAY DISTRICT.

TOWN AND COUNTY LINE AS SHOWN ON LCC4252

PROPOSED SIX PARKING SPACES
DIMENSION = 8.5' x 18'



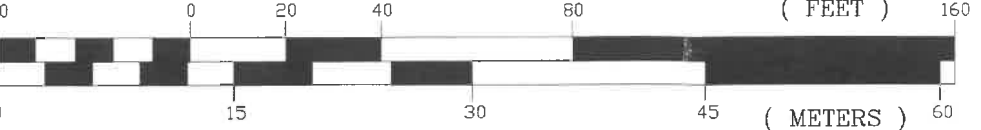
REQUESTED ZONING WAIVERS

- 1) ACCESS ONLY FROM DRIVEWAYS - SECTION XXI.D.3.D.
- 2) ACCESS ONLY IN FORWARD DIRECTION - SECTION XXI.D.3.E.
- 3) 5 FEET SET BACK FROM PRIVATE WAY - SECTION XXI.D.3.F.
- 4) ACCESS WITHOUT MOVING OTHER VEHICLES - SECTION XXI.D.3.G.



Patrick H. Arnov 02/23/2021
FOR METROWEST ENGINEERING, INC. DATE
PATRICK H. ARNOW, P.L.S. # 38031

GRAPHIC SCALE
1 inch = 40 ft.



ZONING BOARD OF APPEALS

PLOT PLAN
IN
WELLESLEY & NATICK, MASS
(NORFOLK & MIDDLESEX COUNTIES)

PREPARED FOR:
MICHEL Y. CHAMMAS
1005 WORCESTER STREET
WELLESLEY, MA 02482

PROPERTY OF:
MICHEL Y. CHAMMAS
1005 WORCESTER STREET
WELLESLEY, MA 02482

ENGINEERS & SURVEYORS:
MWE METROWEST ENGINEERING, INC.
75 FRANKLIN STREET
FRAMINGHAM, MA 01702
TEL.: (508) 626-0063
EMAIL: INFO@MWEENGINEERING.COM

SHEET 1 OF 1
DATE: OCTOBER 22, 2019
REV.: FEBRUARY 18, 2021
CALC'D BY: PHA FIELD BK: 698 CAD FILE: CHAMMAS_01_R1.DWG
DRAFTER: PHA PROJECT: WEL_WOR4 DWG FILE: