

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

888 WORCESTER STREET • SUITE 160 • WELLESLEY, MA 02482

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DAVID G. SHEFFIELD

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EXECUTIVE SECRETARY
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WALTER B. ADAMS
DEREK B. REDGATE
PETER COVO

ZBA 2024-17
Petition of Michael Chammas
1005 Worcester Street

2024 MAR 21 PM 12:11
TOWN CLERK'S OFFICE
WELLESLEY, MA 02482

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, March 7, 2024, at 7:30 pm, on the petition of Michael Chammas requesting a Special Permit pursuant to the provisions of Section 2.10, Section 3.8 and Section 6.3 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 January 31, 2023, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Present at the public hearing was Tony Chammas, representing Michael Chammas, the Petitioner.

Mr. Chammas said that the request is for relief to dedicate six parking spaces on the left side of the property to sell used cars.

The Chairman said that a prior special permit for the use lapsed. He said that the expired special permit had several conditions regarding the site. He said that the request before the Board is to continue the use. Mr. Chammas said that the use has been in existence for two years.

A Board member said that the property is located in Wellesley and Natick. Mr. Chammas said that he does not have to request relief from the Town of Natick because the parking use is on the Wellesley side.

A Board member said that a plow is parked in one of the six spaces during the wintertime. He asked how the Board can tell if cars that are for sale are parked on other parts of the lot. Mr. Chammas said that the majority of the cars on the Natick side have license plates and are customers' cars. The Board member said that he passes by the property frequently and sometimes sees cars for repair located in the for sale spaces. He said that on such a small site, there has to be a lot of maneuvering. Mr. Chammas said that there are a lot of cars there for repairs.

The Chairman asked about snow removal and snow storage. Mr. Chammas said that he makes two piles, one behind the building and one kitty-corner to the lot. He said that the original application included a snow removal plan. He said that if there is too much snow, he has it removed by one of two companies that he uses.

The Chairman said that the property has been used for several years without problems. He said that the Planning Board recommended approval of a special permit, subject to the same conditions from the lapsed special permit. He said that Condition 1 should be changed to name Michael Chammas as the owner.

No member of the public 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 a Special Permit pursuant to the provisions of Section 2.10, Section 3.8 and Section 6.3 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.

A Plot Plan, dated 10/25/19, and a Plot Plan, dated 02/23/21, stamped by Patrick Arnow, Professional Land Surveyor, were submitted.

On March 5, 2024, the Planning Board reviewed the petition and recommended that a Special Permit be approved.

On March 7, 2024, Rafi Razzaque, Civil Engineer, Town of Wellesley DPW Engineering Division, submitted comments.

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 not otherwise prohibited in Part D.1, of Section 3.8 of the Zoning Bylaw for Water Supply Protection Districts.

It is the opinion of this Authority that the use of the property for the sale of six (6) used cars on the easterly side of the existing lot, will meet the Special Use Permit Standards conditions, in accordance with Section 6.3 of the Zoning Bylaw.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing for the sale of six (6) used cars on the easterly side of the existing lot, subject to the following conditions:

1. The Special Permit shall run with Michael 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.

This Special Permit shall expire two years from the date time-stamped on this decision.

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02462
2024 MAR 21 PM 12:21

ZBA 2024-17
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.

Robert W. Levy (A.M.)
Robert W. Levy, Acting Chairman

David G. Sheffield (A.M.)
David G. Sheffield

Derek B. Redgate (A.M.)
Derek B. Redgate

ZBA 2024-17
Applicant Michael Chammas
Address 1005 Worcester Street

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

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WELLESLEY MA 02482
2024 MAR 21 PM 12:21

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
lrm

REFERENCES

NORFOLK AND MIDDLESEX COUNTY REGISTERS OF DEEDS

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

PLANS:
PLAN LCC 42558
PLAN LCC 42559
PLAN LCC 42552-7
PLAN 1149 OF 1986

NOTES:

- SUBJECT PARCEL IS SHOWN AS ASSESSORS SHEET 203, LOT 3. RECORD TITLE FROM CERTIFICATE OF TITLE #108882.
- 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 DISAPPEAR 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.
- 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.
- 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 75021C0012E, BEARING AN EFFECTIVE DATE OF JULY 17, 2012.
- THE PROPERTY DESCRIBED ON THIS SURVEY HAS THE BENEFIT OF A SPECIAL PERMIT GRANTED ON OCTOBER 22, 2015 (28A2015-18) AND A VARIANCE RECORDED AS DOCUMENT 504828 IN THE SOUTH MIDDLESEX REGISTRY OF DEEDS LAND COURT SECTION.

LEGEND

BERM
BIT. CONC.
C.P.
CONCRETE PAD
CURB
D.H.
DRILL HOLE
FENCE
FOUND
GUARD POST
LIGHTPOST
NUMBER OF PARKING SPACES
PAVEMENT EDGE
STONE BOUND
TO BE DETERMINED
W/
W.F.
WOOD FRAVED

ZONING TABLE BUSINESS DISTRICT*

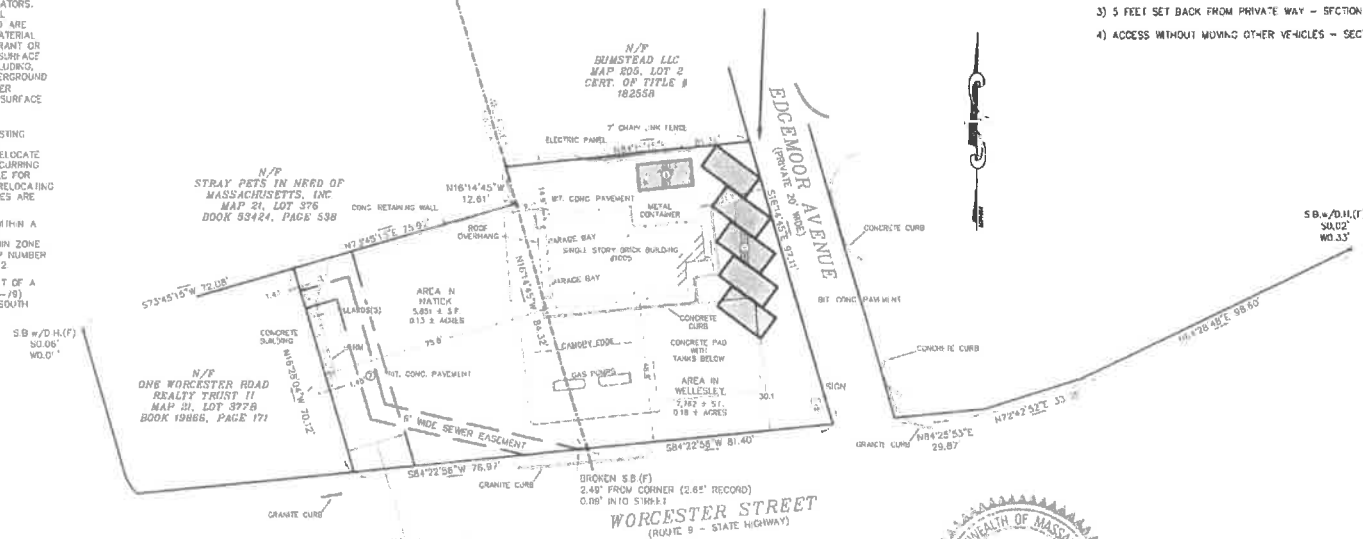
AREA	REQUIRED	EXISTING
FRONTAGE	10,000 S.F.	13,613 S.F.
ST. TRACKS:	60 FEET	158.37 FEET
FRONT YARD	30 FEET	21.2 FEET
SIDE YARD	30 FEET	9.1-11.1
REAR YARD	10 FEET	N/A
MINIMUM HEIGHT	15 FEET 3 STORIES	1 STORY
F.A.R.	30 MAXIMUM	0.3
BUILDING COVERAGE	25% MAXIMUM	10.3%
LOT COVERAGE	25.1%	

*WATER SUPPLY PROTECTION OVRLAY DISTRICT.

TOWN AND COUNTY LINE AS SHOWN ON

PROPOSED SIX PARKING SPACES

DIMENSION = 8.5' x 18'



REQUESTED ZONING WAIVERS

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



ZONING BOARD OF APPEALS

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

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

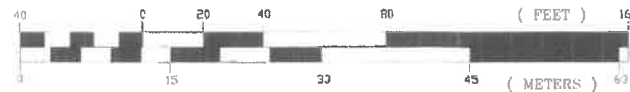
PROPERTY OF:
MICHEL Y. CHAMMAS
1005 WORCESTER STREET
WELLESLEY, MA 02482

ENGINEERS & SURVEYORS:
MWE METROWEST ENGINEERING, INC.
75 FRANKLIN STREET
FRAMINGHAM, MA 01702
TEL: (508) 828-0068
EMAIL: INFO@METROWESTENGINEERING.COM

SHEET 1 OF 1
DATE: OCTOBER 22, 2019
REV: FEBRUARY 18, 2021
CAL'D BY: PHA FIELD BK: 008 CAD FILE: CHAMMAS_01.DWG
DRAFTER: PHA PROJECT: WYS_WOR1 DWG FILE:

GRAPHIC SCALE

1 inch = 40 ft.



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