

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS
888 WORCESTER STREET • SUITE 160 • WELLESLEY, MA 02482

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ROBERT W. LEVY, VICE CHAIRMAN
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PETER COVO

2024 MAR 21 PM12:11
WELLESLEY, MA 02482
WELLESLEY CLERK'S OFFICE
WELLESLEY, MA 02482

ZBA 2024-17

Petition of Michael Chammas
1005 Worcester Street

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 02451
2024 MAR 21 PM12:21

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

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

WELLESLEY
TOWN CLERK'S OFFICE
WELLESLEY MA 02442
2024 MAR 21 PM12:21

REFERENCES

NORFOLK AND MIDDLESEX COUNTY REGISTERS OF DEEDS

DEEDS:
BOOK 19136, PAGE 535 PLANS
BOOK 11205, PAGE 325 PLAN LCC 42528
PLAN LCC 42520
PLAN LCC 4252-7
PLAN 1149 OF 1986

NOTES:

1. SUBJECT PARCEL IS SHOWN AS ASSESSOR'S SHEET 205, LOT 3.
RECORD TITLE FROM CERTIFICATE OF TITLE #1089802.

2. UTILITY LOCATIONS DEMONSTRATED ON THIS PLAN, BOTH ABOVE- AND BELOW-GROUND, ARE BASED UPON DIRECT FIELD OBSERVATIONS MADE BY METROWEST ENGINEERING, INC. PERSONNEL DURING A FEW DAYS. RECORD PLANS AND INFORMATION FROM THESE OBSERVATIONS, METROWEST ENGINEERING, INC. DOES NOT WARRANT THAT ALL UTILITIES ARE SHOWN OR THAT UTILITIES THAT ARE DEPICTED ARE LOCATED IN THE PLACES SHOWN. METROWEST ENGINEERING, INC. MAKES NO WARRANTY OR REPRESENTATION THAT THE 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 UTILITIES UNDERGROUND VAULTS, UNDERGROUND TANKS OR CHAMBERS, BURIED DUST BINS, AND/OR OTHER MAN-MADE IMPROVEMENTS THAT LIE BEYOND 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 THE CONSTRUCTION PHASE. CONTRACTOR IS RESPONSIBLE FOR DRAWS AND COSTS ASSOCIATED WITH REMOVING, REPLACING/RELOCATING OF EXISTING UTILITIES REGARDLESS OF WHETHER SUCH 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 (FEMA) AS LEAD AGENCY WITHIN ZONE "X" OF THE FLOOD INSURANCE RATE MAP IDENTIFIED AS MAP NUMBER 75021C0012E, 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 (20A/2015-19) AND A VARIANCE RECORDED AS DOCUMENT 554828 IN THE SOUTH MIDDLESEX REGISTRY OF DEEDS (AND COURT SECTION).

LEGEND

SB #/D.H.(F)	SUBDIVISION
BIT. CONC.	BITUMINOUS CONCRETE PAVEMENT
C.P.	CONCRETE PAD
D.H.	DRIVEWAY
(F)	DRILL HOLE
GR.	GRADE
GUARD POSI.	GUARD POSITION
LAND.	LANDSCAPE
NO. OF PARKING SPACES	NUMBER OF PARKING SPACES
S.B.	STONE BOUNDARY
T.B.D.	TO BE DETERMINED
W.F.	WOOD FRAMED

ZONING TABLE

BUSINESS DISTRICT*

AREA	REDUCED		EXISTING	
	FRONTAGE	10,000 S.F.	FRONTAGE	13,813 S.F.
STREETS:		60 FEET		58.37 FEET
FRONT YARD	50 FEET		21.7 FEET	
SIDE YARD	10 FEET		11 FEET	
REAR YARD	10 FEET		N/A	
BUILDING HEIGHT	45 FEET, 3 STORIES	1 STORY		
FAR.	30 MAXIMUM	0.03		
HIGH BLDG. COVERAGE	20% MAXIMUM			
LOT COVERAGE	50%	0.01		

*WATER SUPPLY PROTECTION OVERLAY DISTRICT.

TOWN AND COUNTY LINE AS SHOWN ON

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.

SB #/D.H.(F)

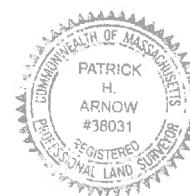
SA.02'

WD.33'

SB #/D.H.(F)

SA.02'

WD.33'



ZONING BOARD OF APPEALS

PLOT PLAN

IN

WELLESLEY & NATICK, MASS

(NORFOLK & MIDDLESEX COUNTIES)

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

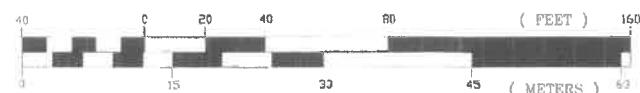
PROPERTY OF:
MICHAEL Y. CHAMMAS
1005 WORCESTER STREET
WELLESLEY, MA 02482

ENGINEERS &
SURVEYORS:
MWE METROWEST ENGINEERING, INC.
75 FRANKLIN STREET
FRAMINGHAM, MA 01702
TEL: (508) 828-0063
EMAIL: INFO@MWEENGINEERING.COM

SHEET 1 OF 1 DATE: OCTOBER 22, 2019
REV: FEBRUARY 18, 2021
CALCD BY: PHA FIELD BK: 688 CAO FILE: CHAMMAS_01.HD.WDG
DRAFTER: PHA PROJECT: WNL_WORL.DWG

GRAPHIC SCALE

1 inch = 40 ft.



PP102219A