

TOWN CLERK'S OFFICE
WRENTHAM, MA

2019 OCT 30 PM 12:58



N O T T O W N O F W R E N T H A M T
A N Z O N I N G B O A R D O F A P P E A L S
O F F I C E 79 South Street, Wrentham, Massachusetts 02093
C O P Y P 508-384-5441 • F 508-384-3174 Y
planning@wrentham.ma.us • www.wrentham.ma.us

Decision Case #2019-13 (SP)
Date of Decision: October 23, 2019

Registry of Deeds Book No. 18320 & Page No. 265, Zoning District of Parcel R-87

Decision of the Board of Appeals on the application of Kelly Williams (owner) at 500 West Street, Wrentham, MA.

Background

By the application dated September 27, 2019 and filed in the Town Clerk's office on September 30, 2019, a Special Permit is requested to build a 20' x 20' two story addition at 500 West Street, Wrentham, MA.

The hearing was advertised on October 8, 2019 and October 15, 2019 in *The Sun Chronicle*. All parties of interest on the official abutters' list obtained from the board of assessors, were mailed a notice of the public hearing on September 30, 2019. A public hearing notice was posted at Town Hall September 30, 2019.

Public Hearing – October 23, 2019

Board Members seated for this hearing were, Keith Langer (Chair), Bill Casbarra (Vice-Chair), Walter Pelrine (Clerk/Secretary), John Redman (Member) and William Burns (Associate Member)

Submittal Information:

- a. Application for Special Permit dated September 27, 2019
- b. Building Commissioner letter dated September 24, 2019
- c. Design Plans dated August 1, 2019
- d. Certified Abutters List; dated September 25, 2019

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA

CERTIFY

William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER

Deliberations/Findings

Kelly Williams (owner) appeared before the Board and Mr. Langer confirmed that there was no conflict of interest. Mr. Williams stated that the house was built in 1881 and currently has two bedrooms. He indicated that he is seeking a Special Permit to build an addition on the side of the house to include a living room, two bedrooms, and one bathroom. Mr. Williams confirmed that the septic and electrical was recently expanded to accommodate the addition. He also confirm that there are no issues with the Historical Committee, as the house is not an historical landmark.

Mr. Langer noted that the impermeable area of the lot will not be affected by the addition. Mr. Casbarra stated that the addition is increasing the non-conformity by more than 25% requiring the Special Permit, but the addition will not intensify any non-conforming set-backs and will not be detrimental to the neighborhood. Mr. Williams noted the lot is ten acres including a pond.

Mr. Casbarra moved to close the public hearing. Mr. Pelrine as second. Yea-5, Nay-0, Abstentions-0 (5/0/0)

Mr. Langer moved that the Board entertain a motion to approve a 20' x 20' two-story addition at 500 West Street. Mr. Pelrine as second.

Mr. Pelrine made the following motions:

- Move that the Board find that the proposed structure will not be substantially more detrimental to the neighborhood than the existing structure. Mr. Casbarra as second Yea-5, Nay-0, Abstentions-0 (5/0/0)
- Move that the Board find that the application meets the requirements of Article 3.4.c.1. of the Wrentham Zoning Bylaws. Mr. Casbarra as second. Yea-5, Nay-0, Abstentions-0 (5/0/0)
- Move that the Board find that the proposed structure meets all the requirements of Article 9.2 in that it will be in harmony with the intent and purpose of the Wrentham Zoning Bylaws and will not be in conflict with public health, safety, convenience and welfare. Mr. Redman as second. Yea-5, Nay-0, Abstentions-0 (5/0/0)
- Move that Board find that the proposed structure will not adversely affect the neighborhood. Mr. Redman as second. Yea-5, Nay-0, Abstentions-0 (5/0/0)
- Move that the Board find that the proposed use meets all the requirements of Article 9.1 in that it will be conducted in the manner that is consistent with the land use objectives of the Town of Wrentham. Mr. Casbarra as second. Yea-5, Nay-0, Abstentions-0 (5/0/0)
- Move that the Board grant Kelly Williams (owner/applicant) a Special Permit per Article 3.4.c.1 for the relief requested and per the submitted plans dated August 1, 2019. Mr. Redman as second. Yea-5, Nay-0, Abstentions-0 (5/0/0)

No additional conditions were imposed. Board vote to grant permit as applied for: Yea-5, Nay-0, Abstentions-0 (5/0/0)

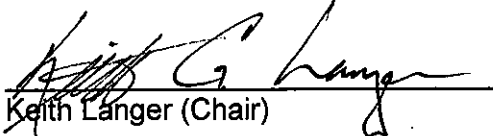
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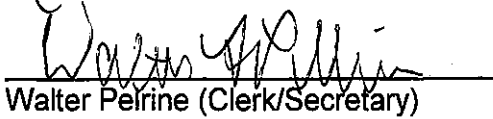
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Decision


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Based upon the findings discussed and the review of the Wrentham Zoning By-Laws, the Board of Appeals voted **five (5) in favor, zero (0) opposed and zero (0) abstained** to approve this application for a Special Permit. This Special Permit is granted in accordance with Section 9 of MGL 40A.


Keith Langer (Chair)


Walter Peirine (Clerk/Secretary)


William Burns (Associate Member)

William Casbarra

William Casbarra (Vice-Chair)


John Redman (Member)

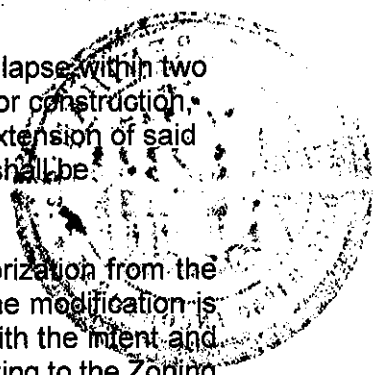
October 30, 2019
Date

Appeals, if any, shall be made pursuant to Massachusetts General Laws, Chapter 40A, and Section 17. Notice of such Appeal shall be filed within twenty days of this decision in the office of the Town Clerk.

A Special Permit shall not take effect until the Town Clerk has certified pursuant to Massachusetts General Laws, Chapter 40A, Section 11 that within 20 days of filing the Decision no Appeal has been filed, or if an Appeal has been filed that it has been dismissed or denied.

In accordance with Wrentham Zoning By-law Article 9, this Special Permit shall lapse within two (2) years from the date of the expiration of the appeal period if substantial use, or construction, has not been commenced except in accordance with the law. Any request for extension of said period of validity shall be considered a modification of this Special Permit, and shall be submitted in writing to the Zoning Board of Appeals.

Any modifications to the record plan submitted may only be made upon authorization from the Zoning Board of Appeals. The Board may grant the change(s) provided that the modification is not substantially different than the plan presented in the record, is consistent with the intent and purpose of this Decision. Requests for such change(s) shall be submitted in writing to the Zoning Board of Appeals and may require a public hearing if the Board finds that the proposed change(s) are significant in nature and of public concern, and substantially alter the plans and information used in making this Decision.



Wrentham Zoning Board of Appeals
A N
O F F I C I A L
Certificate of Granting of Special Permit
C O P Y

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C O P Y

The Board of Appeals of the Town of Wrentham hereby certifies that a Special Permit has been granted

To: Kelly Williams
Address: 500 West Street
City or Town: Wrentham, MA 02093

Affecting the rights of the owner(s) with respect to land or structures at 500 West Street, per the submitted plans and conditions contained in this Decision.

And the said Board of Appeals further certifies that the Decision attached hereto is a true and correct copy of its decision granting said Special Permit, and that copies of said Decision, and of all plans referred to in the Decision, have been filed with the Zoning Board and the Town Clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 provides that no variance or special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the Decision bearing the certification of the town clerk that 20 days have elapsed after the Decision has been filed in the office of the town clerk and no appeal has been filed or that, if such appeal has been filed, that it has been dismissed or denied, is recorded in the Registry of Deeds for the County and District in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's Certificate of Title. The fee for such recording or registering shall be paid by the owner or applicant.

A TRUE COPY, ATTEST:



L. Thompson

TOWN CLERK

Keith Langer
Keith Langer, Chair

Walter Pelrine
Walter Pelrine, Clerk/Secretary

NOV 21 2019

NO NOTICE OF APPEAL RECEIVED 20 DAYS
FOLLOWING RECORDING OF NOTICE AND
APPROVAL OF PLANS FROM PLANNING
BOARD OR BOARD OF APPEALS.

*RTW
to
Homeowners.*