



**TOWN OF WRENTHAM
ZONING BOARD OF APPEALS**

79 South Street, Wrentham, Massachusetts 02093
P 508-384-5441 • F 508-384-3174
planning@wrentham.ma.us • www.wrentham.ma.us

RECEIVED
TOWN CLERK'S OFFICE
WRENTHAM, MA

2020 JUN 17 PM 3:54

**Decision Case #2020-07 (SP/ADU)
Date of Decision: June 10, 2020**

Registry of Deeds Book No. 746 & Page No. 55, Zoning District of Parcel R-87

Decision of the Board of Appeals on the application of Pemela Ouimet, Andrew Evan, and Erin McCoy (applicants/owners) for property at **20 Wamsutta Way, Wrentham, MA.**

Background

By the application dated May 11, 2020 and filed in the Town Clerk's office on May 20, 2020, a Special Permit is requested for a proposed Accessory Dwelling Unit in accordance with Section of 4.11 of the Wrentham Zoning By-Laws at **20 Wamsutta Way, Wrentham, MA.**

The hearing was advertised on May 26, 2020 and June 2, 2020 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 May 27, 2020. A public hearing notice was posted at Town Hall May 27, 2020.

Public Hearing – June 10, 2020

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

Submittal Information:

- Application dated 5/1/20; 2 pages
- Abutters List & Locus dated 5/13/20; 4 pages
- Addition Plan by United Consultants dated 3/16/20; 1 page
- DPW Comment dated 5/29/20; 1 page
- Applicant letter dated 5/11/20; 1 page

Deliberations/Findings

Mr. Langer confirmed that there was no conflict of interest between the applicants, their representative Thomas DiPlacido of DiPlacido Dev. Corp. and Board.

Thomas DiPlacido stated that he would be representing the applicants for the ADU Special Permit. He apprised the Board of the house history and that he originally constructed the home for Pamela Ouimet 25 years prior. Ms. Ouimet will take residence in the Accessory Dwelling Unit (ADU) as defined in the Wrentham Zoning By-Laws and Erin McCoy and Andrew Evan will be taking over the main house. Mr. DiPlacido noted the location of the house being in Sheldonville as depicted on the property Locus and originally built in an Open Space Subdivision (OSPD). He stated that the lot is just over one acre and that the house sits about 300 feet from the street and there would be plenty of room for the addition and parking. Mr. DiPlacido stated that the proposed addition would be

constructed in front of the existing garage. The garage will be converted to the ADU and in front of that a new garage would be constructed. He described the first and second floor areas of the ADU with noted changes to the main house. There would be unfinished attic storage and over garage storage areas per the submitted plans. Mr. DiPlacido noted that the unfinished storage areas would not be full ceiling height and could not be converted to living space in the future. The total square footage of both first and second floor ADU would be 897.52 square feet, which is just under the allowable 900 square feet and the 40% allowable space for an ADU.

Ms. McCoy stated for the Board that she is the daughter of Ms. Ouimet and noted growing up in Wrentham and looking forward to moving back to the home she grew up in.

Mr. Burns inquired if the septic system would accommodate the house with the addition and Mr. DiPlacido confirmed that the septic has been approved by the Board of Health. Mr. Redman inquired if there were any existing non-conformities and if there would be any increasing to which Mr. DiPlacido confirmed that there are none and they would not be creating any non-conformities.

Mr. Burns became the fifth voting member for this hearing as Mr. Casbarra was having technical difficulty connecting to the meeting. Mr. Langer confirmed this would be acceptable with Mr. DiPlacido.

Mr. Redman moved to close the public hearing. Mr. Pelrine as second. Roll call vote Aye-5; Nay-0, and Abstentions-0, (5-0-0), motion passed.

Mr. Pelrine moved to approve the application for Special Permit ADU per submitted application. Mr. Redman as second. Roll call vote Aye-5; Nay-0, and Abstentions-0, (5-0-0), motion passed.

Mr. Pelrine made the following motions:

- Moved that the Board find that the proposed structure will not be substantially more detrimental to the neighborhood than the existing structure. Mr. Burns as second. Roll call vote Aye-5; Nay-0, and Abstentions-0, (5-0-0), motion passed.
- Moved that the Board find the application meets the requirements of Article 4.11 of the Wrentham Zoning Bylaws. Mr. Burns as second. Roll call vote Aye-5; Nay-0, and Abstentions-0, (5-0-0), motion passed.
- Moved 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 By-Laws. Mr. Burns as second. Roll call vote Aye-5; Nay-0, and Abstentions-0, (5-0-0), motion passed.
- Moved that the proposed structure will not be in conflict with public health, safety, convenience and welfare, and will not adversely affect the neighborhood. Mr. Redman as second. Roll call vote Aye-5; Nay-0, and Abstentions-0, (5-0-0), motion passed.
- Moved that the Board find that the proposed use meets all the requirements of Article 9.1 in that it will be conducted in a manner that is consistent with the land use objectives of the Town of Wrentham. Mr. Redman as second. Roll call vote Aye-5; Nay-0, and Abstentions-0, (5-0-0), motion passed.
- Moved that the Board grant the applicant a Special Permit per Article 4.11 for the relief requested per submitted plans. Mr. Redman as second. Roll call vote Aye-5; Nay-0, and Abstentions-0, (5-0-0), motion passed.

Decision

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 (Chairman)



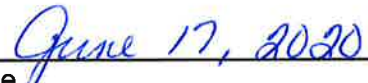
William Burns (Associate Member)



Walter Pelrine (Clerk/Secretary)

Shawn Gough (Member)

John Redman (Member)



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

Certificate of Granting of Special Permit

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

To (Owners/Applicants): Pamela Ouimet, Andrew Evan, and Erin McCoy
Address: 20 Wamsutta Way
City or Town: Wrentham, MA 02093

Affecting the rights of the owner(s) with respect to land or structures at **20 Wamsutta Way**, 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.



Keith Langer (Chairman)



Walter Pelrine (Clerk/Secretary)