

**DECISION OF THE ZONING BOARD OF APPEALS
of the
TOWN OF WESTWOOD**

PROPERTY OWNER(S): Amir Mikail Sassine

PETITIONER(S): Amir Mikail Sassine
213 Hartford Street
Westwood, MA 02090

LAND AFFECTED: 213 Hartford Street
Westwood, MA 02090
Map 20, Lot 048

HEARING:

The Board of Appeals for the Town of Westwood held a Public Hearing according to the General Laws of the Commonwealth of Massachusetts on Wednesday, May 19, 2021 at 7:00 P.M. via remote participation to consider the Petitioner's request for a special permit pursuant to the Westwood Zoning Bylaw Section §4.3.3.2 [Accessory Uses – Motor Vehicle Storage]. The application proposes to store four (4) or more motor vehicles on the subject property. The property is located in the SRC (Single Residential C) zoning district.

BOARD MEMBERS: John Lally, Chairman
Douglas Stebbins, Clerk
Michael McCusker

APPLICABLE SECTIONS OF THE WESTWOOD ZONING BYLAW

4.3 ACCESSORY USES

4.3.1 Table of Accessory Uses. The Table of Accessory Uses designates which Accessory Uses are allowed in each zoning district.

A Use is permitted by right in any district under which it is denoted by the letter "Y".

A Use is prohibited in any district under which it is denoted by the letter "N".

A Use may be permitted by special permit from the Board of Appeals in any district under which is denoted by the letters "BA".

A Use may be permitted by special permit from the Planning Board in any district under which is denoted by the letters "PB".

DISTRICTS

4.3.3 ACCESSORY USES IN
RESIDENTIAL DISTRICTS

SRA SRB SRC SRD SRE GR SR LBA LBB HB I IO ARO

4.3.3.2 Private garage and/or the parking or storage area of more than three (3) motor vehicles, or of more than one (1) commercial vehicle with a gross vehicle weight of less than 26,000 pounds, but only where in connection with a Principal Use on the same premises.

BA BA BA BA BA BA BA N N N N N

FINDINGS

In consideration of all of the testimony and exhibits and documents submitted before the Board, the Board makes the following findings of fact:

1. The Subject Property is located at 213 Hartford Street Unit 1. Relief in the form of a Variance pursuant to Section §4.3.3.2 was requested. The Board of Appeals is the Variance Granting Authority.
2. The application proposes to store four (4) or more vehicles on the subject property.
3. The Board finds that literal enforcement of the provisions of the Bylaw would not involve substantial hardship to the Petitioner, owing to circumstances relating to soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district.
4. The Board has given full consideration to the local conditions that affect and may be affected by the Petitioner’s proposed construction, and having particular expertise in said local conditions, have taken a view that the requested relief may not be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent and purpose of the Bylaw, all in view of the particular characteristics of the site and of the proposal in relation to that site.
5. The Petitioner has not met the requirements for a Variance pursuant to the Westwood Zoning Bylaw.

DECISION and CONDITIONS

At a meeting of the Board of Appeals on Wednesday May 19 2021, the Board voted to deny the Petitioner’s request for a Variance pursuant to Section 4.3.3.2 of the Westwood Zoning Bylaw.

RECORD OF VOTE

The following members of the Board of Appeals voted in opposition to the Petitioner’s request for a Variance: John Lally, Douglas Stebbins, and Michael McCusker.

The following members of the Board of Appeals voted in favor of the Petitioner’s request for a Variance: None.

Received June 15, 2021 @ 2:41PM
Westwood Town Clerk



WESTWOOD ZONING BOARD OF APPEALS

John Lally, Chairman

Douglas Stebbins, Clerk

Michael McCusker

Date 6/15/21

213 Hartford Street – Unit 1