

**Town of Westwood**  
Commonwealth of Massachusetts

David W. Krumsiek, Chairman  
John F. Lally  
Douglas C. Stebbins



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2017 NOV 30 ~~APR 27~~ ZONING BOARD OF APPEALS

TOWN CLERK  
TOWN OF WESTWOOD

**NOTICE OF DECISION**

In compliance with Chapter 40A of the General Laws of the Commonwealth of Massachusetts, you are hereby notified that the Board of Appeals has unanimously voted to grant the Petitioner, Todd Sullivan Construction LLC, their request to Leave to Withdraw Without Prejudice an application for a Variance pursuant to the Westwood Zoning Bylaw, Section 4.5.3.3, to construct an addition that would create a new nonconformity within the setbacks.

PROPERTY OWNER(S): Brian and Bette Jeanne Kelly

LAND AFFECTED: 90 Church Street, Westwood, MA  
Map 21 Lot 246

The signed decision for the petition was filed at the office of the Town Clerk on November 30, 2017.

Any appeal of this decision shall be made pursuant to the Massachusetts General Laws, Chapter 40A, Section 17 and a copy delivered to Office of the Town Clerk within twenty (20) days of the date that the decision was filed in the office of the Town Clerk.

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

**PROPERTY OWNER(S): Brian & Bette Jean Kelly** NOV 30 A 11: 27

**PETITIONER(S):** Todd C Sullivan Construction LLC  
101 Fieldstone Road  
Westwood, MA 02090

TOWN CLERK  
TOWN OF WESTWOOD

**LAND AFFECTED:** 90 Church Street  
Westwood, Massachusetts 02090  
Map 21, Lot 246

**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, November 15, 2017 at 7:00 PM in the Champagne Meeting Room of the Carby Street Municipal Office Building, 50 Carby Street, Westwood, MA 02090 to consider the Petitioner's request for a variance pursuant to Westwood Zoning Bylaw Section 4.5.3.3 [Variance Required for New or Expansion of Nonconformity]. The Petitioners have requested a Variance from dimensional requirements in order to construct an addition that would create a new nonconformity within the rear setback of the subject property. Property located within the Single Residence D District (SRD).

**BOARD MEMBERS:** David W. Krumsiek, Chairman  
John F. Lally  
Douglas C. Stebbins

**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 90 Church Street. The Petitioner proposed to construct an addition to the single family residence that would create nonconformity in the rear setback. Relief in the form of a Variance pursuant to Section 4.5.3.3 was requested. The Board of Appeals is the Variance Granting Authority.
2. The Board duly posted the public hearing on November 15, 2017 at which time it received a verbal request from the Petitioner to withdraw the application without prejudice.

**DECISION and CONDITIONS**

At a meeting of the Board of Appeals on Wednesday November 15, 2017, on a motion made by John F. Lally and seconded by Douglas C. Stebbins, the Board voted to grant the Petitioner's request for Leave to Withdraw Without Prejudice relative to the Variance requested for 90 Church Street pursuant to Section 4.5.3.3 of the Westwood Zoning Bylaw.

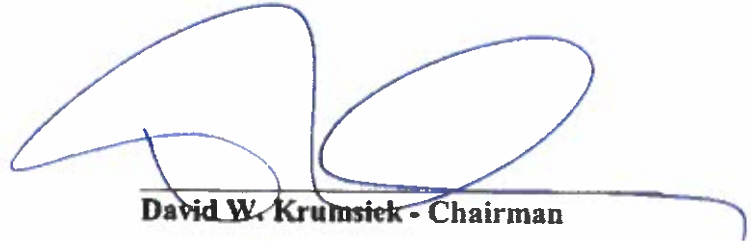
RECORD OF VOTE

2017 NOV 30  
The following members of the Board of Appeals voted to grant the Petitioner's request for the Leave to Withdraw Without Prejudice: David W. Krumsiek, John F. Lally and Douglas C. Stebbins.

TOWN CLERK  
TOWN OF WESTWOOD  
The following members of the Board of Appeals voted in opposition to the Leave to Withdraw Without Prejudice: None.



**WESTWOOD ZONING BOARD OF APPEALS**

  
\_\_\_\_\_  
**David W. Krumstiek - Chairman**

  
\_\_\_\_\_  
**John F. Lally**

  
\_\_\_\_\_  
**Douglas C. Stebbins**

11/15/17  
**Date**

**90 Church Street- Todd Sullivan Construction Company LLC**