

OFFICE OF

BOARD OF APPEALS

TOWN OF NORWELL

P.O. BOX 295

NORWELL, MASSACHUSETTS 02061

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COMMONWEALTH OF MASSACHUSETTS

TOWN OF NORWELL

BOARD OF APPEALS

ZBA File No. 10-07

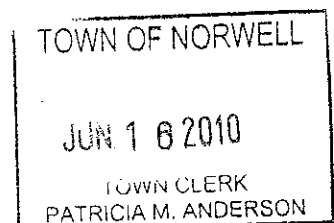
DECISION

A Public Hearing by the Board of Appeals of the Town of Norwell (the Board) was held, after proper notice was given as required by law, on 09 June 2010, at 7:40 P. M., at the Norwell Town Offices, 345 Main Street, Norwell, Massachusetts, upon the application (the Application) of:

Joseph W. Coveney
69 Hollis Street
South Weymouth, MA 02190 (the Applicant)

for the property known and numbered as 50 Wilder Road, in said Norwell (the Property), owned by:

Kristen M. Santos
50 Wilder Road
Norwell, MA 02061 (the Owner)



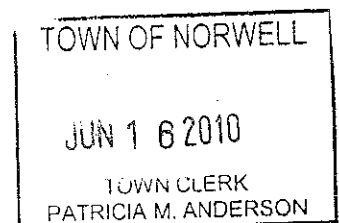
for a Special Permit under Sections 1400, 1420, 1640, 1642 and 2421 (Minimum Lot Size) and a so-called Section 6 Finding for the Property owned by her and shown on Assessors' Map 6C , in Block 21, as Lot 43, and more fully described in the instrument filed with the Land

~~Registration Section of Plymouth Deeds as Certificate Numbered 36316.~~

The Property, which is non-conforming because it contains less than one acre (43,560 square feet) of upland, contains 9,747 square feet. It is situated in Zoning Residential District B, and contains a single family dwelling (the Dwelling) that was constructed in 1953. The Applicant, in the presentation made for the Owner, requests that the Board file a decision that issues a Special Permit for the Property so that the existing porch can be expanded, enclosed and converted to a family room (14' x 14') and a small entrance porch (6' x 14') added (the Proposed Addition). The Owner designated the Applicant (her Contractor) as her spokesmen in the Application signed by the Owner.

The Application and the following documents filed with the Board of Appeals on May 14, 2010, are all made a part of the record in this hearing:

1. Memorandum from the Norwell Board of Health, dated 4/29/10, that sets forth that the Proposed Addition is in compliance with Board of Health Rules & Regulations.
2. Memorandum from the Norwell Conservation Commission that approves the Proposed Addition as not being within 100' of a jurisdictional wetland or 200' of a perennial river or stream.
3. Copy of the Norwell Assessors' record sheet for the Property.



4. Plot Plan entitled "PLOT PLAN 50 WILDER ROAD NORWELL, MA," by James E. McGrath, Professional Land Surveyor, dated April 17, 2010, that shows both the existing porch and Proposed Addition (the Plot Plan).
5. Five Pages of elevations and plans for Proposed 14' x 14' addition at 50 Wilder Road, Norwell, Ma with a 6' x 14' Farmers Porch in Front (the Plans), as follows:
 - a. Page 1 of 5 - Front Elevation
 - b. Page 2 of 5 - Indicating framing
 - c. Page 3 of 5 - Front Elevation Indicating framing
 - d. Page 4 of 5 - South Elevation
 - e. Page 5 of 5 - Foundation option - Option A
6. Proposed Deed - Call to Santos, dated February 23, 2010.

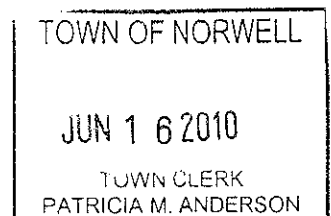
The Application, the plans, the Plot Plan, and documents noted above and filed with the Application, were, at the Hearing, admitted into evidence and are made a part of this Decision and incorporated herein by reference.

The Applicant appeared at the Hearing and confirmed all of the data, information and details referenced above. At the Hearing, there were no objections or reservations made to the Proposed Addition.

FINDINGS

Based upon the foregoing, the Board of Appeals finds:

1. That the Property is located in Zoning Residential District B.



2. That the Property contains 9,747 square feet in a District where the minimum lot size is now 43,560 square feet of upland.

3. That the Property is non-conforming and contains a single family dwelling constructed in 1953.

4. That the Proposed Addition, as described above and in the Application and shown and described generally in and on the plans, sketches, memorandum and letters on file with the Application will not have any adverse impact upon the neighborhood and will not be contrary to the intent and purposes of the Zoning By-Law.

5. That the Property, because of the size of the single family dwelling, has adequate area for parking, recreation and outdoor activities .

6. That the use of the Property will continue to be limited to the site for a single family dwelling.

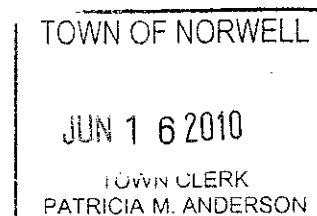
DECISION

Based upon the foregoing, the Board of Appeals hereby GRANTS a SPECIAL PERMIT, that allows the construction and use of the Proposed Addition as a part of the single family dwelling on the Property, subject to the following additional SPECIAL CONDITION:

SPECIAL CONDITION:

That prior to the issuance of a Building Permit for the Proposed Addition, the Applicant shall submit to the Building Inspector a set of Plans for that construction that meet the requirements of the State Building Code.

CONDITIONS THAT APPLY TO ALL DECISIONS



1. **RECORDING OF THE DECISION:** After receiving certification from the Town Clerk that no appeal has been taken within twenty days, or if appealed than dismissed or denied, a copy of the Board's decision must be filed with either the Registrar of the Plymouth County Registry of Deeds to be recorded and indexed in the grantor index under the name of the owner of record in the case of unregistered land, or with the Recorder of the Land Court to be registered and noted on the owner's certificate of title in the case of registered land.

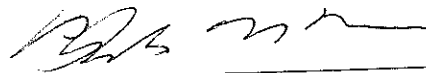
2. **RECORDING RECEIPT:** A copy of the recording fee receipt must be returned to the Board of Appeals. **NOTE:** No building permit shall be issued without such evidence.

3. **EFFECTIVE DATE OF APPROVAL:** The Special Permit granted by this Decision shall take effect only at such time as a copy of this Decision, certified by the Office of the Town Clerk of the Town of Norwell, is recorded with the Registrar of Deeds or Recorder of the Land Court.

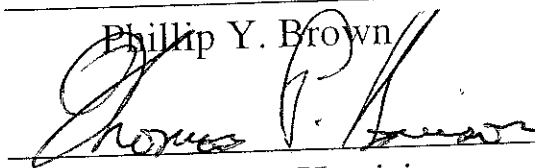
4. **EXPIRATION:** The applicant must exercise any Special Permit granted by the Zoning Board of Appeals within two (2) years from the date of the decision or it shall lapse.



David Lee Turner



Phillip Y. Brown



Thomas P. Harrison

TOWN OF NORWELL

JUN 16 2010

TOWN CLERK
PATRICIA M. ANDERSON

Date Filed With The Town Clerk: _____

NOTICE OF APPELLATE RIGHTS: Any Decision of the Board of Appeals may be appealed to the Superior Court within twenty (20) days after the filing of the Decision with the Town Clerk. Any construction or pre-construction activity is undertaken at the Applicant's risk during any appeal period or while an appeal is pending.