

001 12-77FH 1:15 246RE**17.00

BK 13307 PG 572



Town of Weston

MASSACHUSETTS

Office of Town Clerk *17*

CERTIFICATE OF TOWN CLERK

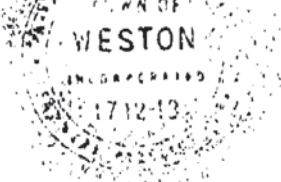
I, Harry B. Jones, Town Clerk, Town of Weston, herewith certify that attached hereto is a true copy of the VARIANCE DECISION-SPECIAL PERMIT DECISION of the Town of Weston Board of Appeals rendered August 22, 1977, and filed with the Town of Weston Planning Board and Town Clerk with accompanying plans concerning the following described property:

<u>Name of Owner</u>	<u>Location of Property</u>
Weston Community Housing, Inc. c/o Victor C. Harnish, Esq. 327 Boston Post Road Weston, Mass. 02193	Easterly side of Merriam Street, approximately 300 feet north of Concord Road

AND I FURTHER CERTIFY that more than twenty (20) days has elapsed since the filing of the said decision with me and no appeal thereto has been filed.

Harry B. Jones
Harry B. Jones
Town Clerk
Town of Weston

TITLE REFERENCE
Book 13186
Page 250
September 12, 1977



1154
SEE PLAN IN RECORD BOOK 13307 PAGE 572

TOWN OF WESTON
MASSACHUSETTS

BOARD OF APPEALS

Notice is hereby given that the Board of Appeals of the Town of Weston has made a decision granting petition of Weston Community Housing, Inc., c/o Victor C. Harnish, Esq., 675 Main Street, Waltham, Massachusetts, for variances under the Zoning By-laws, as amended, (1) to allow the construction of three multiple-dwelling structures where the setback from the northerly property line would be less than the minimum required, and (2) to allow reduction of the number of parking spaces required from 2.0 to 1.5 per dwelling unit. Setbacks from the Town of Weston (northerly) lot line shall not be less than twenty feet and provision for one and one-half parking spaces per dwelling unit is granted. Both variances are to be as shown on Site Plan dated 6-27-77, sheet 1 of 2, as revised 7-22-77, on file with the Board.

BOARD OF APPEALS OF THE TOWN OF WESTON

By: Ronald D. Eames

Acting Secretary

August 22, 1977

(2)

TOWN OF WESTON
MASSACHUSETTSBOARD OF APPEALS
DECISION

There having been presented to the Board petition for variance, dated June 28, 1977, by Weston Community Housing, Inc., the Board decided to hold a hearing on said petition on July 25, 1977, and caused the following notice to be published in The Town Crier, a newspaper of general circulation in Weston, on July 7 and July 14, 1977:

"TOWN OF WESTON
MASSACHUSETTS

BOARD OF APPEALS

"The Board of Appeals of the Town of Weston will hold a public hearing on Monday, July 25, 1977, at 8:30 P.M. at the Town Hall, Weston, on a petition by Weston Community Housing, Inc., c/o Victor C. Harnish, Esq., 675 Main Street, Waltham, Massachusetts, for variances under the Zoning By-law, as amended, with respect to its premises on the easterly side of Merriam Street, approximately 300 feet north of Concord Road.

"The petitioner seeks variances from the requirements of the Zoning By-law so as to allow the construction of three multiple-dwelling structures where the setback from the northerly property line would be less than the minimum required, as shown on plan filed with the Board, and to allow reduction of the number of parking spaces required from 2.0 to 1.5 per dwelling unit.

"The petitioner further seeks a special permit under the Site Plan Review provisions of the Zoning By-law for the construction of new multiple dwelling structures.

BOARD OF APPEALS OF THE TOWN OF WESTON
By: Robert P. Cook
Secretary

July 7, 1977"

The Board also mailed the foregoing notice postage prepaid on July 7, 1977, to the following named persons, deemed by the Board to be all of the persons affected by said petition as they appear on the most recent tax list:

Petitioner: Weston Community Housing, Inc., c/o Victor C. Harnish, Esq.
675 Main Street, Waltham 02154
Town of Weston, Board of Selectmen
Weston College, Campion Residence & Renewal Center, Inc., 319 Concord Rd.
Edgar St. Germain, 99 Concord Road
Harold T. Bossung, 75 Merriam Street
Edward M. and Nancy C. Condit, 94 Sunset Road
Peter & Marianne Buttner, 92 Sunset Road
Shaw B. and Donna D. Smith, 90 Sunset Road

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913

Weston Housing, Inc. - 2

- Brooke A. and Virginia R. Cobb, 80 Sunset Road, Weston
- Raymond A., Jr. and Elizabeth S. Paynter, 74 Sunset Road
- Richard K. Lincoln, 60 Sunset Road
- Robert L. and Evelyn B. Athas, 56 Sunset Road
- Jeffrey A. and Barbara Hoffman, 52 Sunset Road
- V. Raymond & Alison B. Powers, 48 Sunset Road
- Janeth L. Knowles, 15 Laurel Road
- George J. and Mary V. Pink, 23 Laurel Road
- Daniel G. and Roberta M. Siegel, 50 Laurel Road
- Herbert E. Nelson, 34 Sears Road
- Julius and Edythe Kendall, 57 Colchester Road
- Martin Stone, 2 Laxfield Road
- Andree E. Dublin, 91 Concord Road
- Otto Von Der Hyde, 95 Concord Road
- Joseph A. and Catherine Marino, 110 Concord Road
- S. Peter and Barbara Gibb, 120 Concord Road
- William R. and Anne F. Tierney, 130 Concord Road
- Michael A. and Helen J. Valerio, 150 Concord Road
- Emily V. Dougherty, 200 Concord Road
- John J. and Jane P. Cronin, 200 Concord Road
- Zella F. W. Longfellow, 268 Concord Road
- Paul D. and Lulu C. Bartlett, 3915 Mockingbird Lane, Ft. Worth, Texas
- Sally V. Nerber, E. Commercial Street, Wellfleet,
- Jacques & Susanne B. Wajsfelner, 298 Concord Road
- Walter E. and Janice L. Morrow, 362 Concord Road
- Peter and Joan Fortune, 370 Concord Road
- John Desmond & Ruth Adams Glover, 1010 Memorial Drive, Cambridge, 02139
- Fred A. Sawyer, 397 Concord Road
- Frederick W. and Lois Ann Ward, 405 Concord Road
- Samuel X. and Marjorie A. Brickle, 415 Concord Road 39 Concord Rd.
- Town of Weston, Conservation Commission, c/o H. B. Willis, Jr., /
- Swiedler Building Co., Box 216, Weston
- Gelsey T. Frothingham, 156 Cherry Brook Road,
- William James and Ruth W. Reider, 150 Cherry Brook Road
- Eric J. and Brenda N. Wood, 140 Cherry Brook Road
- Collins M. and Barbara M. Pomeroy, 74 Cherry Brook Road
- Weston Forest & Trail Assoc., Inc., c/o Hugo Uytterhoeven, 92 Ash St.
- John M. Behringer, 128 Merriam Street
- William J. and Barbara H. Ryan, 126 Merriam Street
- Donald C. Alcaide, 106 Merriam Street
- Theodore S. and Joannette Ray, 1 Aberdeen Road
- Mathew L. and Charlotte C. Jacobs, 107 Sunset Road
- Richard L. and Emily Walker, 81 Merriam Street
- Lucius B. III and Barbara C. Morse, 95 Merriam Street
- Jerome P. and June S. Long, 56 Colchester Road
- Board of Appeals
- Planning Board

Notice was delivered in hand to the Town Engineer, Building Inspector, Town Counsel, Board of Selectmen, Town Clerk, and Fire Chief.

I certify that the foregoing notice was mailed or delivered in hand to the above named persons on July 7, 1977.

Ruth S. Jenkins
Ruth S. Jenkins

(4)

Pursuant to the foregoing notice the Board of Appeals held a public hearing at the Town Hall, Weston, on July 25, 1977, at 8:30 P. M. The following members were present:

Robert P. Cook, Acting Chairman
Charles A. Goglia, Jr.
Ronald D. Eames, Acting Secretary

This notice covered a request for variance from certain requirements of the Zoning By-law and a request for special permit under site-plan review. To reduce possible confusion, the Board's decisions have been recorded in two reports. This report covers the request for variance.

Mr. Victor C. Harnish, President of Weston Community Housing, Inc., presented the case for the petitioner. He outlined the events leading up to approval of the elderly housing project on Merriam Street, and explained why the two variances are needed.

The first involves setback from the Town of Weston (northerly) lot line. Topography of the land and a desirable stand of trees on the south side of the lot, special conditions affecting this parcel, would create a financial hardship if adherence to the by-law were enforced.

By letter dated July 20, 1977, from the Board of Selectmen to the Board of Appeals, the Selectmen report a "possible exchange of land between the Town of Weston and Weston Community Housing, Inc. which would add a strip of land fifty feet wide to the corporation's land where the setback problem exists and subtract an equivalent number of square feet from the rear portion of the parcel owned by Weston Community Housing. This latter area would be conveyed to the Town to be a part of the Town's municipal purpose land abutting the site for the elderly housing project."

The Selectmen further wrote that they "voted to present for approval to a special town meeting to be held sometime in the fall of 1977 the proposed exchange of land." Such action will restore the protection provided in the By-law and which the Planning Board desires to retain. Action on the petition is desirable to permit the project to move forward without delay, however.

The second request for variance involves reduction from two to one and one half parking spaces per dwelling unit. Mr. Harnish noted that the elderly will not need two spaces per unit. A letter to the Board from the Building Inspector dated August 8, 1977, confirmed that claim. Mr. Atkinson wrote that the parking lot configuration conforms to Architectural Graphics Standards, 7th ed., and that officials in Belmont and Wayland confirm that one and one half spaces is conservative.

Since the Town owns the adjoining land and, since the elderly will not need two parking spaces per unit, Mr. Harnish concluded variances will be without detriment to the public good and without substantial derogation from the intent or purpose of the Zoning By-law.

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Weston Community Housing, Inc. - 4

The Board reconvened on August 12, 1977, at 8:00 A.M., 48-hours' notice having been posted on the Town Hall bulletin board, and, upon concurring vote of each of the above named members made a decision that variances ARE to be granted in this case. Setback from the Town of Weston (northerly) lot line shall not be less than twenty feet and provision for one and one half parking spaces per dwelling unit is granted. Both variances are to be as shown on Site Plan dated 6-27-77, sheet 1 of 2, on file with the Board, as revised 7-22-77.

PETITION GRANTED.

A true copy

Attest:

Ronald D. Eames
Ronald D. Eames, Acting Secretary



TOWN OF WESTON
MASSACHUSETTS

BOARD OF APPEALS

Notice is hereby given that the Board of Appeals of the Town of Weston has made a decision granting petition of Weston Community Housing, Inc., c/o Victor C. Harnish, Esq., 675 Main Street, Waltham, Massachusetts, for a special permit under the Site Plan Review provisions of the Zoning By-law, as amended, for the construction of new multiple-dwelling structures, subject to all other conditions of law being met. Among these conditions are Board of Health sewage disposal approval, building code compliance to the satisfaction of the Building Inspector, and Planning Board approval of the layout, surfacing, and drainage of the roads, as shown on Site Plan dated 6-27-77, as revised 7-22-77, on file with the Board.

BOARD OF APPEALS OF THE TOWN OF WESTON

By: Ronald D. Eames

Acting Secretary

August 22, 1977

TOWN OF WESTON
MASSACHUSETTS

BOARD OF APPEALS

DECISION

There having been presented to the Board a petition for special permit dated July 28, 1977, by Weston Community Housing, Inc., the Board decided to hold a hearing on said petition on July 25, 1977, and caused the following notice to be published in The Town Crier, a newspaper of general circulation in Weston, on July 7 and July 14, 1977:

"TOWN OF WESTON
MASSACHUSETTS

BOARD OF APPEALS

"The Board of Appeals of the Town of Weston will hold a public hearing on Monday, July 25, 1977, at 8:30 P.M. at the Town Hall, Weston, on a petition by Weston Community Housing, Inc., c/o Victor C. Harnish, Esq., 675 Main Street, Waltham, Massachusetts, for variances under the Zoning By-law, as amended, with respect to its premises on the easterly side of Merriam Street, approximately 300 feet north of Concord Road.

"The petitioner seeks variances from the requirements of the Zoning By-law so as to allow the construction of three multiple-dwelling structures where the setback from the northerly property line would be less than the minimum required, as shown on plan filed with the Board, and to allow reduction of the number of parking spaces required from 2.0 to 1.5 per dwelling unit.

"The petitioner further seeks a special permit under the Site Plan Review provisions of the Zoning By-law for the construction of new multiple dwelling structures.

BOARD OF APPEALS OF THE TOWN OF WESTON
By: Robert P. Cook
Secretary

July 7, 1977"

The Board also mailed the foregoing notice postage prepaid on July 7, 1977, to the following named persons, deemed by the Board to be all of the persons affected by said petition as they appear on the most recent tax list:

Petitioner: Weston Community Housing, Inc., c/o Victor C. Harnish, Esq.
675 Main Street, Waltham 02154
Weston College, Campion Residence & Renewal Center, Inc., 319 Concord Rd.
Town of Weston, Board of Selectmen
Edgar St. Germain, 99 Concord Road
Harold T. Bossung, 75 Merriam Street
Edward M. and Nancy C. Condit, 94 Sunset Road
Peter and Marianne Buttner, 92 Sunset Road
Shaw B. and Donna D. Smith, 90 Sunset Road

Weston Community Housing, Inc. - 2.

- Brooke A. and Virginia R. Cobb, 80 Sunset Road
- Raymond A., Jr. and Elizabeth S. Paynter, 74 Sunset Road
- Richard K. Lincoln, 60 Sunset Road
- Robert L. and Evelyn B. Athas, 56 Sunset Road
- Jeffrey A. and Barbara Hoffman, 52 Sunset Road
- V. Raymond and Alison B. Powers
- Janeth L. Knowles, 15 Laurel Road
- George J. and Mary V. Pink, 23 Laurel Road
- Daniel G. and Roberta M. Siegel, 50 Laurel Road
- Herbert E. Nelson, 34 Sears Road
- Julius and Edythe Kendall, 57 Colchester Road
- Martin Stone, 2 Laxfield Road
- Audree E. Duggan, 51 Concord Road
- Otto Von Der Hyde, 95 Concord Road
- Joseph A. and Catherine Marino, 110 Concord Road
- S. Peter and Barbara Gibb, 120 Concord Road
- William R. and Anne F. Tierney, 130 Concord Road
- Michael A. and Helen J. Valerio, 150 Concord Road
- Emily V. Dougherty, 200 Concord Road
- John J. and Jane P. Cronin, 212 Concord Road
- Zella F. W. Longfellow, 268 Concord Road
- Paul D. and Lulu C. Bartlett, 3915 Mockingbird Lane, Fort Worth, Texas
- Sally V. Nerber, E. Commercial Street, Wellfleet
- Jacques and Susanne B. Wajsfelner, 298 Concord Road
- Walter E. and Janice L. Morrow, 362 Concord Road
- Peter and Joan Fortune, 370 Concord Road
- John Desmond and Ruth Adams Glover, 1010 Memorial Dr., Cambridge 02139
- Fred A. Sawyer, 397 Concord Road
- Frederick W. and Lois Ann Ward, 405 Concord Road
- Samuel X. and Marjorie A. Brickle, 415 Concord Road
- Town of Weston, Conservation Comm., c/o H. B. Willis, Jr., 39 Concord Rd.
- Swiedler Building Co., Box 216, Weston
- Gelsey T. Frothingham, 156 Cherry Brook Road
- William James and Ruth W. Reider, 150 Cherry Brook Road
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- Weston Forest & Trail Assn., Inc., c/o Hugo Uyterhoeven, 92 Ash St.
- John M. Behringer, 128 Merriam Street
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- Richard L. and Emily Walker, 81 Merriam Street
- Lucius B. III and Barbara C. Morse, 95 Merriam Street
- Jerome P. and June S. Long, 56 Colchester Road

Notice was delivered in hand to the Town Engineer, Building Inspector, Town Counsel, Board of Selectmen, Town Clerk, and Fire Chief.

Notice was also mailed to Board of Appeals and Members of the Planning Board.

I certify that the foregoing notice was mailed or delivered in hand to the above named persons on July 7, 1977.

Ruth S. Jenkins
Ruth S. Jenkins

(9)

Weston Community Housing, Inc. - 3

Pursuant to the foregoing notice the Board of Appeals held a public hearing at the Town Hall, Weston, on July 25, 1977, at 8:30 P.M. The following members were present:

Robert P. Cook, Acting Chairman
Charles A. Goglia, Jr.
Ronald D. Eames, Acting Secretary

This notice covered a request for variance from certain requirements of the Zoning By-law and a request for special permit under site-plan review. To reduce possible confusion, the Board's decisions have been recorded in two reports. This report covers the request for special permit under site-plan review.

Mr. Victor C. Harnish, President of Weston Community Housing, Inc., presented the case for the petitioner. He outlined the events leading up to approval of the elderly housing project on Merriam Street, and explained in detail how the corporation had complied with each site-plan review requirement.

The site plan filed by the petitioner, Mr. Harnish continued, makes adequate provision for waste disposal, surface and ground water drainage, erosion control, and protection of adjoining properties. The placement of the building is especially designed as a community for the elderly and requires a minimum of topographic changes. The Water Commissioners have approved the extension of the water main to the project's location. Other than farm land, which is used for farming, there is only one abutter. Parking is adequate for the needs of the elderly. Loading and maneuvering areas, driveways, and their intersection with Merriam Street, are all suitable for their purpose and will constitute a suitable development.

Mr. Harnish concluded by stating that the fact that no neighbors appeared to oppose the site plan and that the zone change was approved by a unanimous vote at Town Meeting, was proof that the project will not be a detriment to the neighborhood or the environment.

An architect's drawing, "Site Plan, C-7762, 6-27-77" sheets 1 and 2, shows the details of Mr. Harnish's presentation.

Letters from the Planning Board and Building Inspector were subsequently received by the Board for its review.

The Board reconvened on August 12, 1977, at 8:00 A.M., 48 hours' notice having been posted on the Town Hall bulletin board. Mr. Harnish furnished the Board with a copy of the above mentioned site plan as revised July 22, 1977, showing new configuration of the access road. Based upon this revised drawing, which had been requested at the hearing on July 25, the Board, considering the evidence presented at the hearing and correspondence on file, made a finding and determination that the proposed construction will constitute a suitable development and will not result in substantial detriment to the neighborhood or the environment.

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Upon concurring vote of each of the above named members, the Board made a decision that a special permit IS to be issued for the construction of new multiple-dwelling structures, subject to all other conditions of law being met. Among these conditions are Board of Health sewage disposal approval, building code compliance to the satisfaction of the Building Inspector, and Planning Board approval of the layout, surfacing, and drainage of the roads.

PETITION GRANTED.

A true copy.

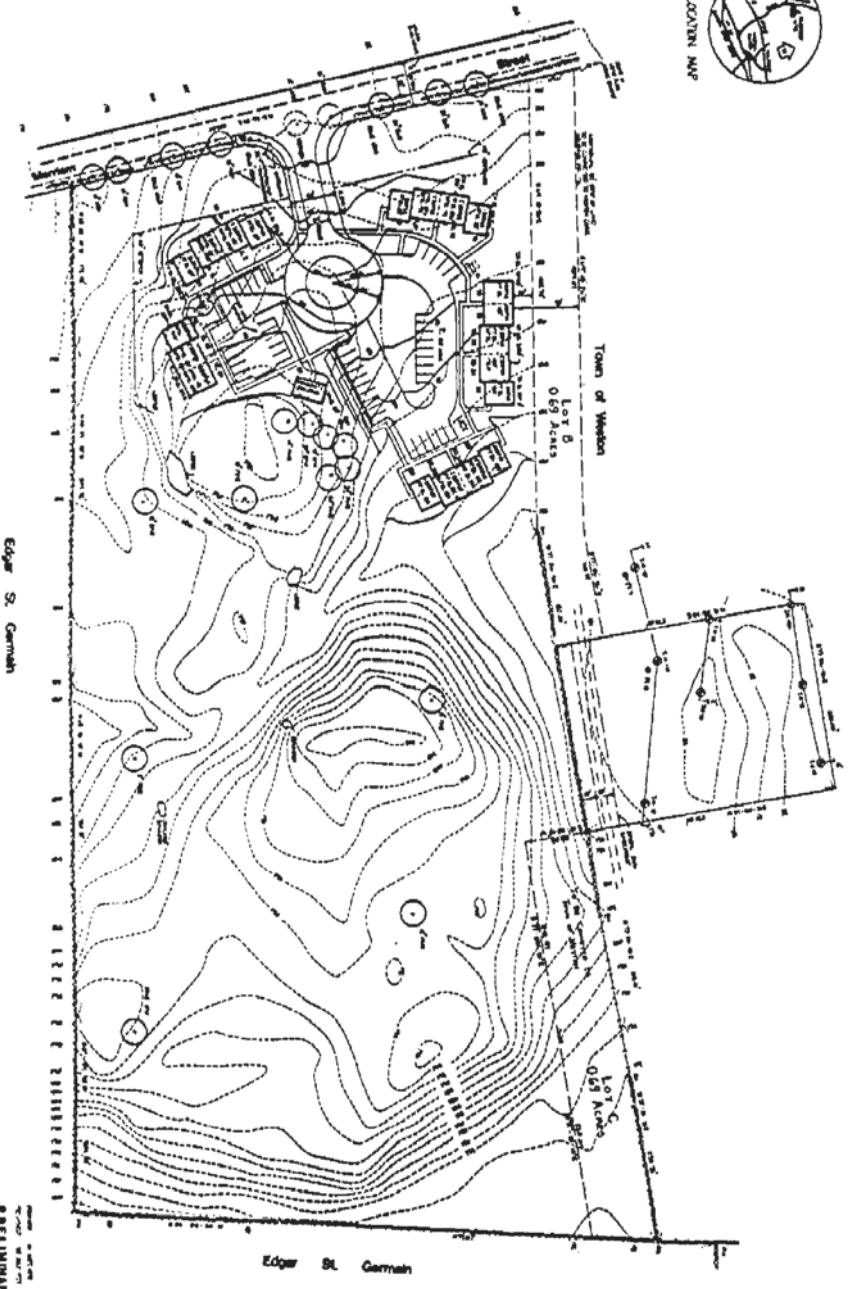
Attest:

Ronald D. Eames
Ronald D. Eames
Acting Secretary



LLC

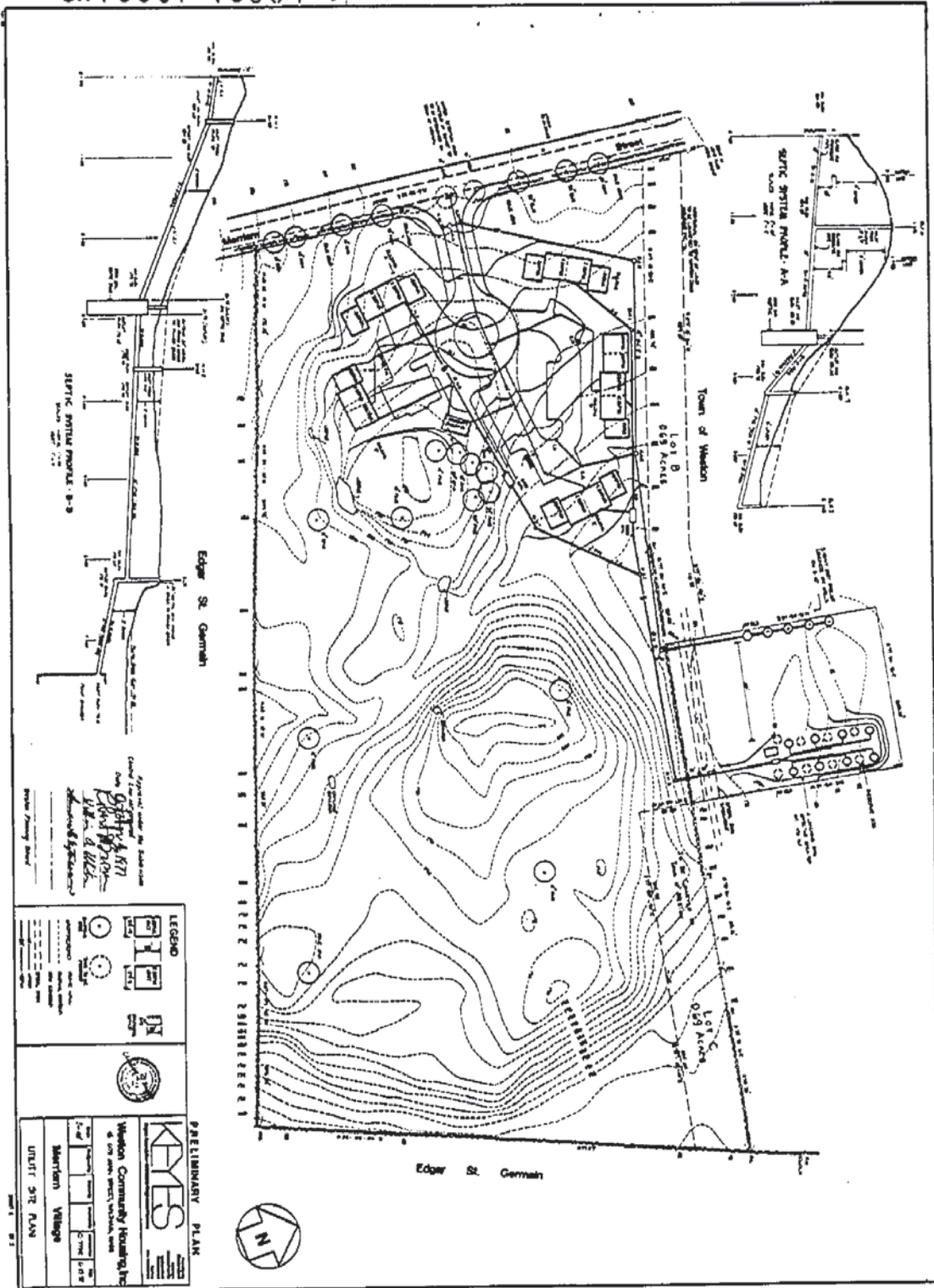
10



Approved by the Board
 Date: 10/11/11
 Robert Johnson
 Mayor
 Approved by the Board
 Date: 10/11/11
 Robert Johnson
 Mayor

<p>SITE DATA</p> <p>Site Name: Madison Community Housing, Inc. Project: Madison Community Housing, Inc. Address: 1000 Edger St. Germain, Madison, WI 53703 Owner: Madison Community Housing, Inc. Designer: [Firm Name]</p>	<p>LEGEND</p> <p>Proposed Building Footprint Proposed Parking Proposed Driveway Proposed Walkway Proposed Utility Line Proposed Stormwater Management Proposed Landscaping Proposed Retention Wall Proposed Erosion Control Proposed Fencing Proposed Signage Proposed Street Light Proposed Tree Proposed Shrub Proposed Flowering Plant Proposed Lawn Proposed Garden Proposed Pond Proposed Stream Proposed Roadway Proposed Sidewalk Proposed Bicycle Lane Proposed Utility Pole Proposed Transformer Proposed Manhole Proposed Catch Basin Proposed Stormwater Inlet Proposed Stormwater Outlet Proposed Stormwater Storage Proposed Stormwater Treatment Proposed Stormwater Detention Proposed Stormwater Retention Proposed Stormwater Release Proposed Stormwater Evaporation Proposed Stormwater Infiltration Proposed Stormwater Collection Proposed Stormwater Distribution Proposed Stormwater Conveyance Proposed Stormwater Discharge Proposed Stormwater Treatment Plant Proposed Stormwater Treatment Facility Proposed Stormwater Treatment System Proposed Stormwater Treatment Plant</p>	<p>PRELIMINARY PLAN</p> <p>Madison Community Housing, Inc. 1000 Edger St. Germain, Madison, WI 53703 Madison Village SITE PLAN</p>
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Checked and Approved for Submission
 Date: 10/15/07
 Design: J. H. & W. L.
 Project: Madison Community Housing, Inc.
 Project: Village
 Utility: SR PLAN

LEGEND

	12" Sewer
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PRELIMINARY PLAN

Madison Community Housing, Inc.
 405 West Main Street, Madison, WI
 Village
 Utility SR PLAN