

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

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ZBA 2010-85

Petition of Mark Henry & Jennifer Jordahl
26 Willow Street

Pursuant to due notice, the Special Permit Granting authority held a Public Hearing on Thursday, November 4, 2010 on the petition of MARK HENRY & JENNIFER JORDAHL requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a 22 foot by 24 foot one-story addition with a garage underneath and expansion of the second floor that will meet all setback requirements, on a 10,010 square foot lot in a district in which the minimum lot size is 15,000 square feet, at 26 WILLOW STREET, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On October 18, 2010, the petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing were John Chapman, Architect and Jennifer Jordahl (the "Petitioner").

Mr. Chapman said that the original house had a fire and had to be razed last Spring. He said that the plan is to replace it with a reasonably modest house that fully complies with all setback requirements, TLAG and height restrictions. He said that the lot is nonconforming.

Michael Grant, Inspector of Buildings, said that the house can be rebuilt under the Disaster Rebuild section of the Zoning Bylaw (Section XVII C). He said that the Petitioner is asking for a Special Permit/Finding to make the house larger than what had previously been there. He said that there is an application for a Building Permit in his office for a replacement house that meets the Disaster Rebuild section of the Zoning Bylaw. He said that the Petitioner would like to expand the second floor and construct a new one-story addition with a garage underneath.

Mr. Chapman said that the Petitioner is aware that there are some Wetlands Protection issues that must be officially dealt with. He said that the Petitioner is asking that the Zoning Board of Appeals grant a Special Permit with a condition that includes Wetlands Protection Committee approval.

The Board said that the proposed design of the house will fit comfortably with the scale of the other houses on the street.

The Board asked about the average height of the structure. Mr. Chapman said that it will be 35 feet 2 inches, as shown on Plan 3. The Board said that approximately half of the structure will be at that height

but only a small amount of mass will be at that height because of design elements that reduce the scale. The Board said that this is a neighborhood of modest houses but there are some larger homes closer to Route 9.

There was no one present at the Public Hearing who wished to speak to the petition.

Statement of Facts

The subject property is located at 26 Willow Street, on a 10,010 square foot lot in a district in which the minimum lot size is 15,000 square feet.

The Petitioner is requesting a Special Permit/Finding that construction of a 22 foot by 24 foot one-story addition with a garage underneath and expansion of the second floor that will meet all setback requirements, on a 10,010 square foot lot in a district in which the minimum lot size is 15,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 10/6/10, stamped by stamped by Robert F. Drake, Professional Land Surveyor, Proposed Floor Plans and Elevation Drawings, dated 9/20/10 & 10/1/10, prepared by John Chapman Architect, and photographs were submitted.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing.

It is the opinion of this Authority that construction of a 22 foot by 24 foot one-story addition with a garage underneath and expansion of the second floor that will meet all setback requirements, on a 10,010 square foot lot in a district in which the minimum lot size is 15,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as it shall neither increase an existing nonconformity nor create a new nonconformity.

Therefore, a Special Permit is granted for construction of a 22 foot by 24 foot one-story addition with a garage underneath and expansion of the second floor, subject to the following condition:

- The plans shall be approved by the Wetlands Protection Committee.

The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time-stamped on this decision.

APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.

Richard L. Seegel, Chairman

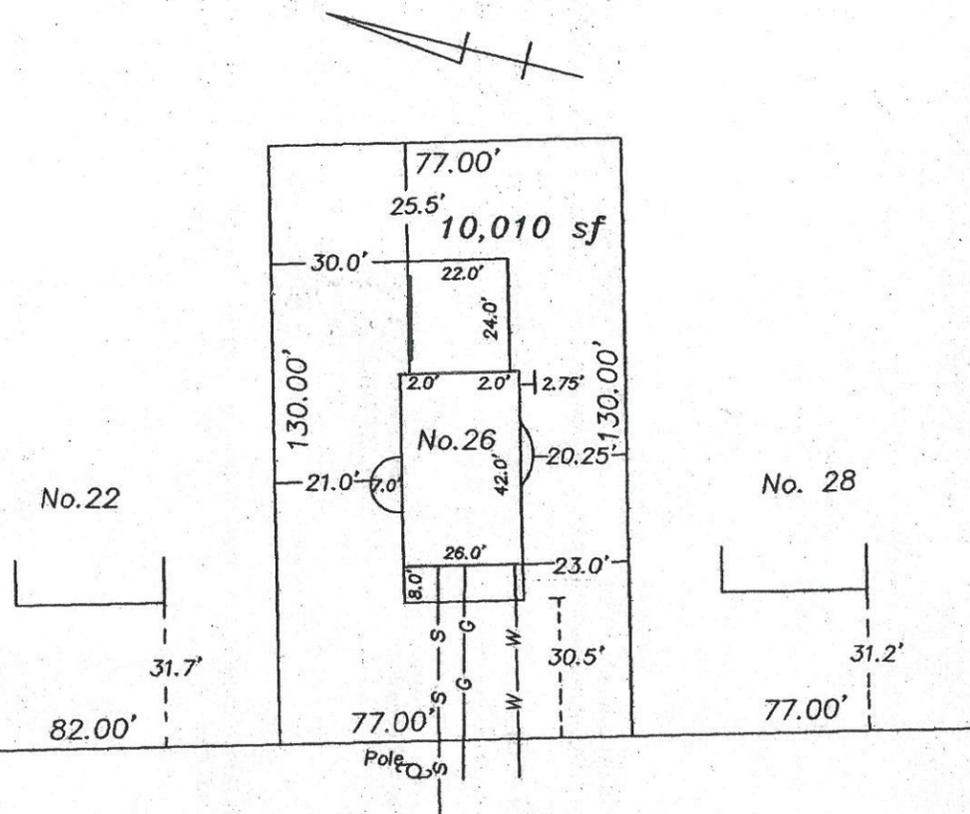
Cynthia S. Hibbard

David L Grissino

cc: Planning Board
Inspector of Buildings
lrm

SECTION 5 - ZONING COMPLIANCE / CERTIFIED PLOT PLAN

5.1 Certified Plot Plan



WILLOW STREET

Scale 1"=40'

Note Hse No. 18 street setback 30.1'

Lot Coverage 1,916 sf 19.1 %

NOTE: By sealing / stamping this plot plan, the Registered Land Surveyor certifies that the proposed construction is in accordance with the Town of Wellesley Zoning By-Laws.

Land Surveyor Signature: *[Signature]*
 Date: OCT 6, 2010
 Address: 175 MILWAUKEE ST FRAMINGHAM
 Telephone: 548 277 1583

FOR ALL BUILDINGS ON THE PROPERTY	
5.2 Lot Area / Coverage	
Lot Area (SF)	_____
Proposed Lot Coverage (SF)	_____
Proposed Lot Coverage (%)	_____
FOR THE BUILDING TO BE CONSTRUCTED OR ALTERED UNDER THIS PERMIT	
5.3 Building Height & Area	
Footprint New Construction (SF)	_____
Proposed Total Footprint (SF)	_____
Height of Building (FT)	_____
5.4 Living Area	
Gross SF	_____
Finished	_____
Unfinished	_____
5.5 Rooms	
Total # Rooms	_____
# Bedrooms	_____
# Full Bathrooms	_____
# Half Bathrooms	_____



For Office Use Only

APPLICATION # _____



RESIDENTIAL BUILDING PERMIT

Property (Number and Street) _____

Date Permit Granted _____

Reviewed By _____

Fees Collected:

Permit _____
 Microfilming _____
 Advertising _____
 Cert. of Occ. _____
 TOTAL _____

RECEIVED
 TOWN CLERK'S OFFICE
 WELLESLEY MA 02482
 2010 OCT 18 A 10:08