



ZONING BOARD OF APPEALS

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

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 web: www.wellesleyma.gov

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ZBA 2013-53
 Petition of Philip & Olga Marcasciano
 6 Wilde Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 11, 2013, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of PHILIP & OLGA MARCASCIANO requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII, and Section XXV of the Zoning Bylaw that construction of a second story addition over an existing nonconforming garage and construction of a two-story addition with less than required left side yard setbacks, demolition of an existing nonconforming three season porch with less than required right side yard setbacks and construction of a one-story addition that will meet all setback requirements, on a 7,800 square foot lot in a Water Supply Protection District in which the minimum lot size is 10,000 square feet, at 6 WILDE ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On June 24, 2013, 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 Steven Meyers, Architect, and Philip and Olga Marcasciano, (the "Petitioner").

Mr. Meyers said that the lot size and side yard setbacks are nonconforming.

Mr. Meyers said that the proposal is to construct a family room on the right side at the rear and a new mudroom entry on the left side. He said that they will expand the master bedroom suite on the second floor with a bath and closet area.

Mr. Meyers said that they will remove the existing nonconforming porch on the right side. He said that the family room addition will be conforming. He said that the second floor addition to be built over the garage will be within the setback area.

The Board said that the left side yard setback changed from 13 feet on the 1976 plot plan to 12.1 on the 2013 plot plan. The Board said that the 1976 plan does not show the dimension from the porch to the right side property line.

Mr. Meyers said that it is a square, regular lot.

2013 JUL 25 P 2:41
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The Board said that the 1976 decision granted relief for something that is not related to the current proposal. The Board said that the 1976 permit was never acted on.

Ms. Marcasciano said that they spoke with the neighbors on both sides of the house, as well as several people who live on the street. She said that the neighbors were all supportive of the project. She said that most of the people on the street have put on modest additions over the years.

The Board said that there is a large hedge at the back that separates the property from the neighbor. Mr. Meyers said that he submitted photographs to show how dense the foliage is. He said that the proposed addition will be fairly well screened.

Mr. Meyers said that they had several discussions with the Wetlands Protection Administrator and were deemed to be outside of the buffer zone.

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 6 Wilde Road, on a 7,800 square foot lot in a Water Supply Protection District in which the minimum lot size is 10,000 square feet, with a minimum left side yard setback of 12.1 feet and a minimum right side yard setback of 16.4 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII, and Section XXV of the Zoning Bylaw that construction of a second story addition over an existing nonconforming garage and construction of a two-story addition with less than required left side yard setbacks, demolition of an existing nonconforming three season porch with less than required right side yard setbacks and construction of a one-story addition that will meet all setback requirements, on a 7,800 square foot lot in a Water Supply Protection District in which the minimum lot size is 10,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 5/31/13, stamped by Peter G. Hoyt, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevations Drawings, dated 5/31/13, prepared by Studio-Meyers Architecture and Design, and photographs were submitted.

On July 9, 2013, the Planning Board reviewed the petition and recommended that the Special Permit be granted.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that although construction of a second story addition over an existing nonconforming garage and construction of a two-story addition with less than required left side yard setbacks is increasing a nonconformity, such increase shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

It is the opinion of this Authority that demolition of an existing nonconforming three season porch with less than required right side yard setbacks and construction of a one-story addition that will meet all setback requirements, 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, as voted unanimously by this Authority at the Public Hearing, for construction of a second story addition over an existing nonconforming garage and construction of a two-story addition with less than required left side yard setbacks, demolition of an existing nonconforming three season porch with less than required right side yard setbacks and construction of a one-story addition that will meet all setback requirements, in accordance with the submitted plot plan and construction drawings.

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

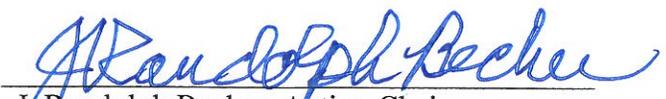
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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INSPECTOR'S OFFICE
WILMINGTON MA 02482

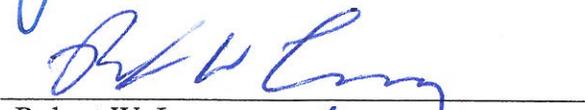
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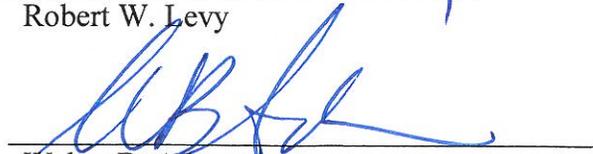
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



J. Randolph Becker, Acting Chairman

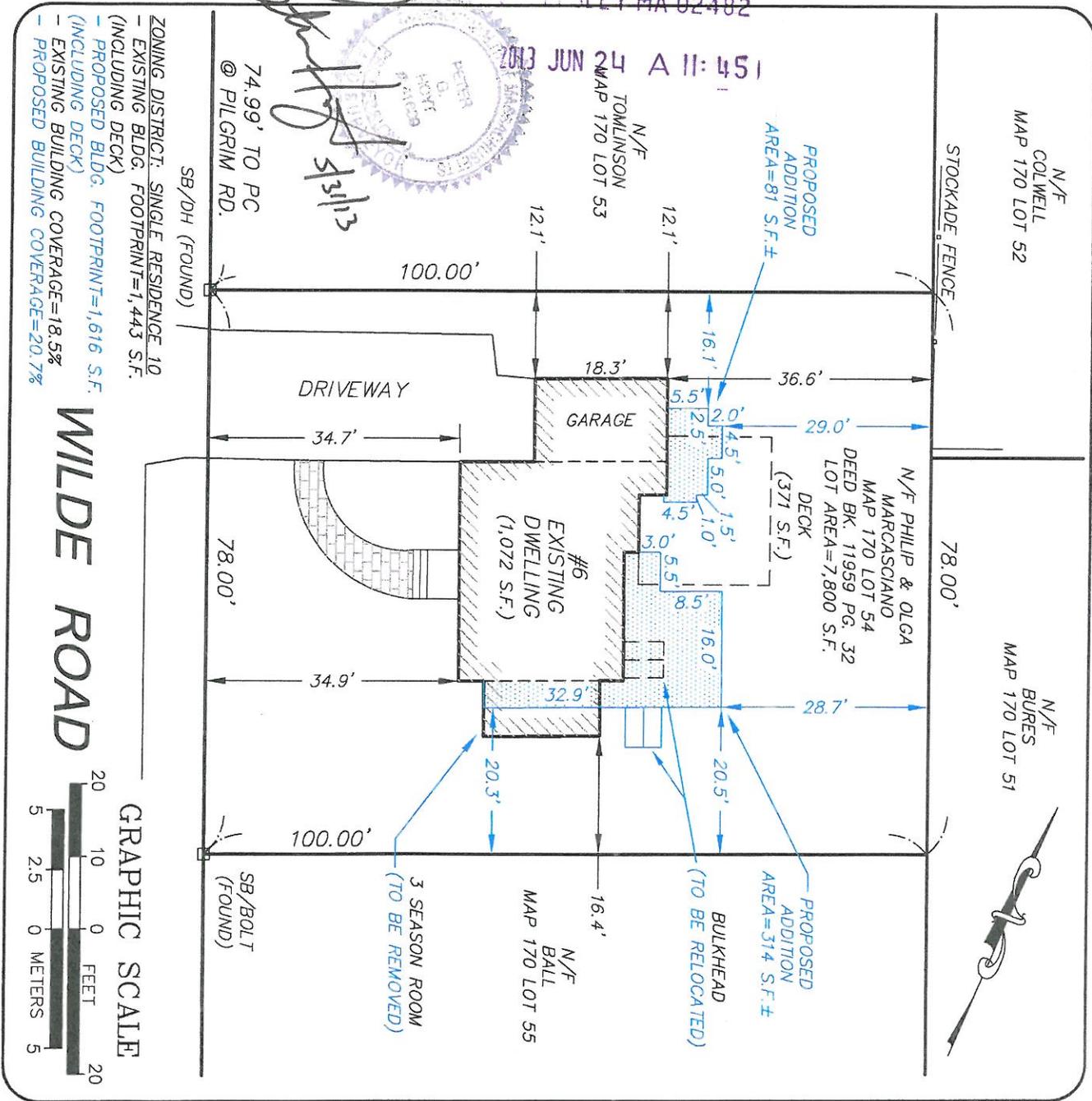


Robert W. Levy



Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrm



PLOT PLAN OF LAND

Project Name 6 WILDE ROAD WELLESLEY, MASSACHUSETTS NORFOLK COUNTY	Prepared for PHILIP & OLGA MARCASCIANO	Fig. No. 1
HOYT LAND SURVEYING 1287 WASHINGTON STREET WEYMOUTH, MASSACHUSETTS 02043 TEL:781-682-9192	Scale 1"=20'	Date MAY 31, 2013
	Project No.	File No.