



## ZONING BOARD OF APPEALS

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

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ZBA 2015-10  
 Petition of Nicole Zinny  
 9 Madison Road

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 2015 FEB 19 P 3:04

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 5, 2015, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of NICOLE ZINNY 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 two-story addition and construction of a second story addition that will meet all setback requirements, on an existing nonconforming structure with less than required front yard, left side yard and right side yard setbacks, on a 12,143 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, and a Water Supply Protection District, at 9 MADISON ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On January 20, 2015, 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 Brian Dalmaso and Alex Zinny, (the Petitioner).

Mr. Dalmaso said that they were present at the previous hearing where it was determined that insufficient materials had been submitted.

Mr. Dalmaso said that the request is to build a small addition on a nonconforming lot. He said that the change in the roof design was not shown on the original plans. He said that they submitted full elevation drawings and plan view as well as plans for the storm drainage system that will compensate for 19 feet of roof.

The Board said that the issue last time was that not all of the elevation drawings were submitted. The Board said that it has now seen those plans.

The Board commended the Applicant for getting the drywell and the drywell detail right on the plan.

The Board said that the lot size is nonconforming and there is a side yard setback of 17.2 feet. The Board said that the addition will meet the setback requirements.

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 9 Madison Road, on a 12,143 square foot lot in a Water Supply Protection District and a Single Residence district in which the minimum lot size is 15,000 square feet, with a minimum front yard setback of 29.6 feet, a minimum left side yard setback of 18.5 feet and a minimum right side yard setback of 17.2 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 two-story addition and construction of a second story addition that will meet all setback requirements, on an existing nonconforming structure with less than required front yard, left side yard and right side yard setbacks, on a 12,143 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, and a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 10/27/14 and Prop. Drainage Plan, dated 12/23/14, stamped by Bradley J. Simonelli, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 10/12/14 and 12/12/14, prepared by Wayne A Rawley Designs, and photographs were submitted.

On January 29, 2015, the Planning Department Staff reviewed the petition and recommended that the petition 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 two-story addition and construction of a second story addition that will meet all setback requirements, on an existing nonconforming structure with less than required front yard, left side yard and right side yard setbacks, on a 12,143 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, and a Water Supply Protection District is increasing a nonconformity, such increase shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of a two-story addition and construction of a second story addition that will meet all setback requirements, on an existing nonconforming structure with less than required front yard, left side yard and right side yard setbacks, on a 12,143 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, and a Water Supply Protection District, in accordance with the submitted plot plan and the 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.

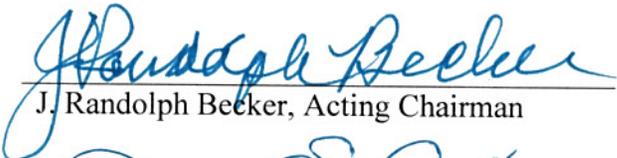
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ZBA 2015-10  
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9 Madison Road

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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

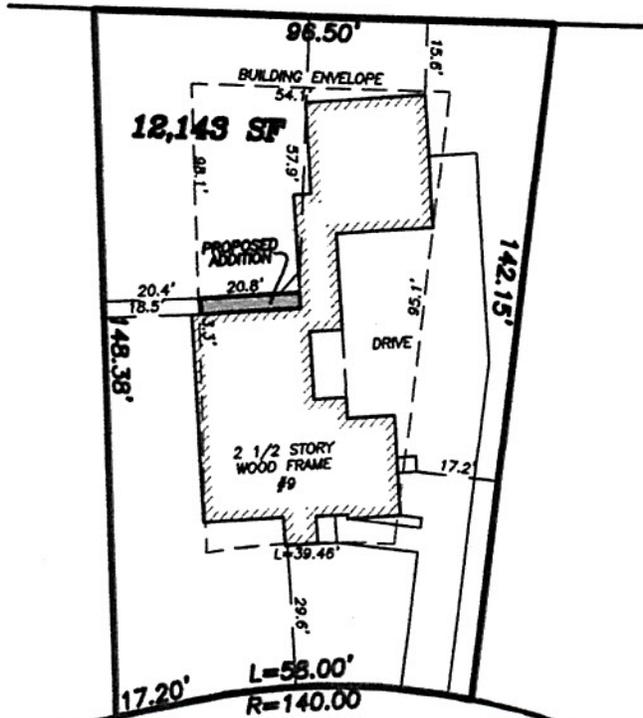
  
\_\_\_\_\_  
David G. Sheffield

  
\_\_\_\_\_  
Robert W. Levy

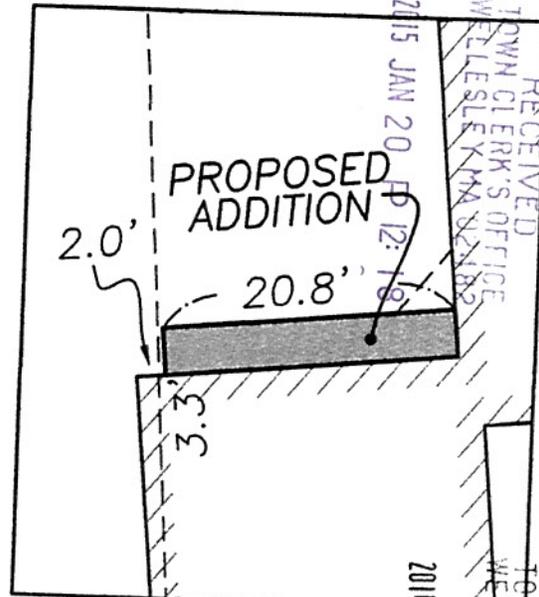
cc: Planning Board  
Inspector of Buildings  
lrm

MAP 23 PARCEL 1  
12,143 SF  
ZONE: SR15

EXISTING LOT COVERAGE = 19.5%  
PROPOSED LOT COVERAGE = 20.1%  
EXISTING BUILDING COVERAGE = 2367 SF  
PROPOSED BUILDING COVERAGE = 2442 SF



**ADDITION DETAIL  
NOT TO SCALE**



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**MADISON ROAD**

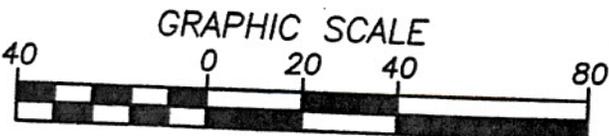


ZONING INFORMATION: SINGLE RESIDENCE 15 (SR15)

MINIMUM LOT AREA .....15,000 SF.  
 MINIMUM LOT FRONTAGE.....60 FEET  
 MINIMUM FRONT SETBACK.....30 FEET\*  
 MINIMUM SIDE YARD.....20 FEET  
 MINIMUM REAR YARD .....15 FEET  
 MAXIMUM BUILDING COVERAGE.....20% OR 2500 SF  
 (WHICHEVER IS LARGER)  
 MAXIMUM BUILDING HEIGHT.....36 FEET  
 MAXIMUM BUILDING HEIGHT.....2 1/2 STORIES

\*FRONT SETBACK TO BE DETERMINED BY 500 FOOT RULE

**ZONING BOARD OF  
APPEALS PLAN  
9 MADISON ROAD  
WELLESLEY, MA**



121-06

Field Resources, Inc.  
LAND SURVEYORS

OCTOBER 27, 2014      SCALE 1"=40'

P.O. BOX 324      281 CHESTNUT ST.  
AUBURN, MA      NEEDHAM, MA.  
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fieldresources@hotmail.com