



ZONING BOARD OF APPEALS

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

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ZBA 2012-56
 Petition of Richard Gianattasio
 302 Weston Road

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 2012 JUL 26 P 3:01

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 12, 2012, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of RICHARD GIANATTASIO requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that construction of an 8.8 foot by 9.7 foot second story addition over an existing nonconforming structure with less than required front yard setbacks, on an 8,000 square foot corner lot in a Water Supply Protection District in which the minimum lot size is 10,000 square feet, at 302 WESTON ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On June 26, 2012, 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 was Richard Gianattasio, (the "Petitioner").

Mr. Gianattasio said that it is an existing nonconforming lot with less than required setbacks and lot area.

Mr. Gianattasio said that the request is for a Special Permit to add a bathroom. He said that the existing house has one and one-half baths. He said that the addition will allow for expansion to two full baths.

Mr. Gianattasio said that the proposed construction will go on top of the existing structure. He said that the addition will not affect setbacks or footprint.

The Board said that the peak of the addition will be lower than the peak of the existing house.

The Board said that the addition will be closest to the neighbor on Fells Road but it will be most visible from the Library parking lot.

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 302 Weston Road, on an 8,000 square foot corner lot in a Water Supply Protection District in which the minimum lot size is 10,000 square feet, with a minimum front yard setback of 29.4 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 an 8.8 foot by 9.7 foot second story addition over an existing nonconforming structure with less than required front yard setbacks, on an 8,000 square foot corner 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 6/4/12, stamped by Michael P. Antonino, Proposed Second Floor Addition, dated 6/8/12, Elevation Drawings, dated 5/18/12, prepared by Pegasus, and photographs were submitted.

On July 6, 2012, the Planning Department Staff 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 finding of this Authority that although construction of an 8.8 foot by 9.7 foot second story addition over an existing nonconforming structure with less than required front yard setbacks, on an 8,000 square foot lot in a Water Supply Protection District in which the minimum lot size is 10,000 square feet, 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 an 8.8 foot by 9.7 foot second story addition over an existing nonconforming structure with less than required front yard setbacks, 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 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.

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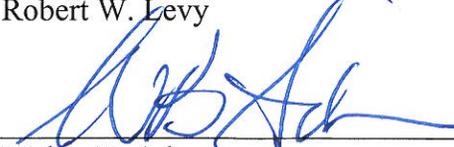
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



J. Randolph Becker, Acting Chairman



Robert W. Levy



Walter B. Adams

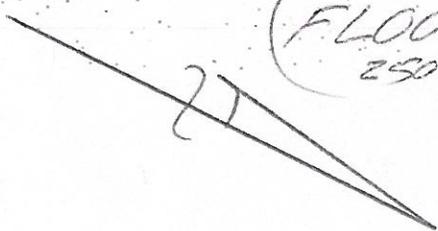
cc: Planning Board
Inspector of Buildings
lrm

GIANATTASIO
SRD 10

MICHAEL P. ANTONINO
REGISTERED LAND SURVEYOR

31 LEDGEBROOK AVE.
STOUGHTON, MASSACHUSETTS 02072
PHONE/FAX (781) 344-4550

(FLOOD ZONE "1")
250 255 000 50
9/5/12



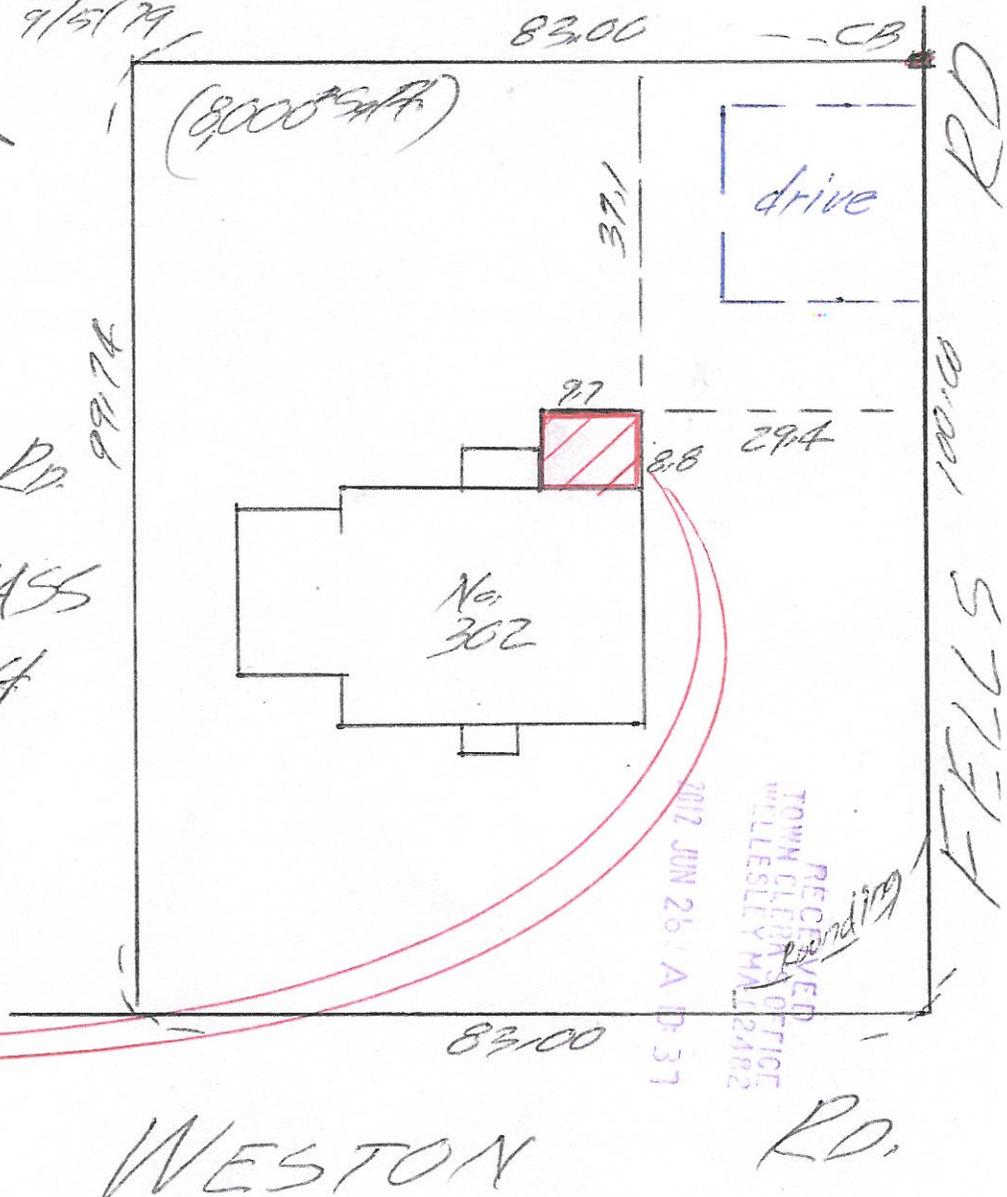
ADDITION PLAN

No. 302 WESTON RD.

WELLESLEY, MASS

Scale: 1" = 20'

June 4, 2012



proposed
8.8' x 9.7'
addition

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pending



930 sqft - Existing
Lot Coverage = 12%

1,015 sqft - Proposed
Lot Coverage = 12%