



ZONING BOARD OF APPEALS

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

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ZBA 2012-78

Petition of Christopher & Jessica Sullivan
 15 Bryn Mawr Road

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 2012 NOV 15 A 10: 07

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 1, 2012, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of CHRISTOPHER & JESSICA SULLIVAN requesting a Special Permit/Finding pursuant to the provisions of Section XVII, Section XIVE and Section XXV of the Zoning Bylaw that enclosure of an existing nonconforming porch with less than required left side yard setbacks, construction of a two-story addition and a second story addition over an existing nonconforming structure with less than required left side yard and right side yard setbacks, and construction of a front entry porch, on a 5,021 square foot lot in a Water Supply Protection District in which the minimum lot size is 10,000 square feet, with less than required frontage, at 15 BRYN MAWR ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On October 15, 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 were Jessica and Christopher Sullivan, (the "Petitioner") and Aaron Socrat, Architect.

Ms. Sullivan said that they moved into the house in July. She said that the house has three bedrooms and two bathrooms. She said that the addition off of the back of the house was put there about 30 years ago as a bedroom for a woman who was disabled.

Ms. Sullivan said that they have two small children. She said that the previous addition is not really usable space for them. She said that, in order to acquire a little more living space, they would like to take off the back addition and when they rebuild, slightly enlarge it. She said that they would also like to add an addition on the second floor as a third bedroom.

Ms. Sullivan said that the request is for relief on the right hand side. She said that the addition will conform to the rear yard setbacks. She said that they would also like to enclose a small deck off the dining room that is not usable to make that a half bath and laundry.

The Board said that only the rear yard setback is conforming. The Board said that this is a tough lot.

The Board said that there are a number of 5,000 square foot lots in the neighborhood. The Board said that, because of trouble in the past with contractors not building according to the approved plans on 5,000 square foot lots, it will need to ensure that the project will conform to the approved plans.

The Board that if it wants to save some of the older smaller houses in the neighborhood it will have to yield on some of the side yard encroachments. The Board said that the architect has done a good job with the scale of the proposed addition. The Board said that, compared with other houses that were recently under construction on Bryn Mawr Road and adjacent streets, this will not encroach upon its neighbors.

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 15 Bryn Mawr Road, on a 5,021 square foot lot in a Water Supply Protection District in which the minimum lot size is 10,000 square feet, with 50 feet of frontage, a minimum left side yard setback of 11 feet, and a minimum right side yard setback of 10 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII, Section XIVE and Section XXV of the Zoning Bylaw that enclosure of an existing nonconforming porch with less than required left side yard setbacks, construction of a two-story addition and a second story addition over an existing nonconforming structure with less than required left side yard and right side yard setbacks, and construction of a front entry porch, on a 5,021 square foot lot in a Water Supply Protection District in which the minimum lot size is 10,000 square feet, with less than required frontage, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 10/4/12, revised 10/9/12, stamped by James P. Troupes, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevations Drawings, dated 10/5/12, prepared by Architectural Services, and photographs were submitted.

On October 26, 2012, the Planning Board 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 opinion of this Authority that although enclosure of an existing nonconforming porch with less than required left side yard setbacks, construction of a two-story addition and a second story addition over an existing nonconforming structure with less than required left side yard and right side yard setbacks, and construction of a front entry porch, on a 5,021 square foot lot in a Water Supply Protection District in which the minimum lot size is 10,000 square feet, with less than required frontage is increasing a nonconformity, such increase shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

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Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for enclosure of an existing nonconforming porch with less than required left side yard setbacks, construction of a two-story addition and a second story addition over an existing nonconforming structure with less than required left side yard and right side yard setbacks, and construction of a front entry porch, 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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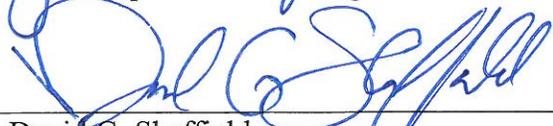
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APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



J. Randolph Becker, Acting Chairman



David G. Sheffield



Robert W. Levy

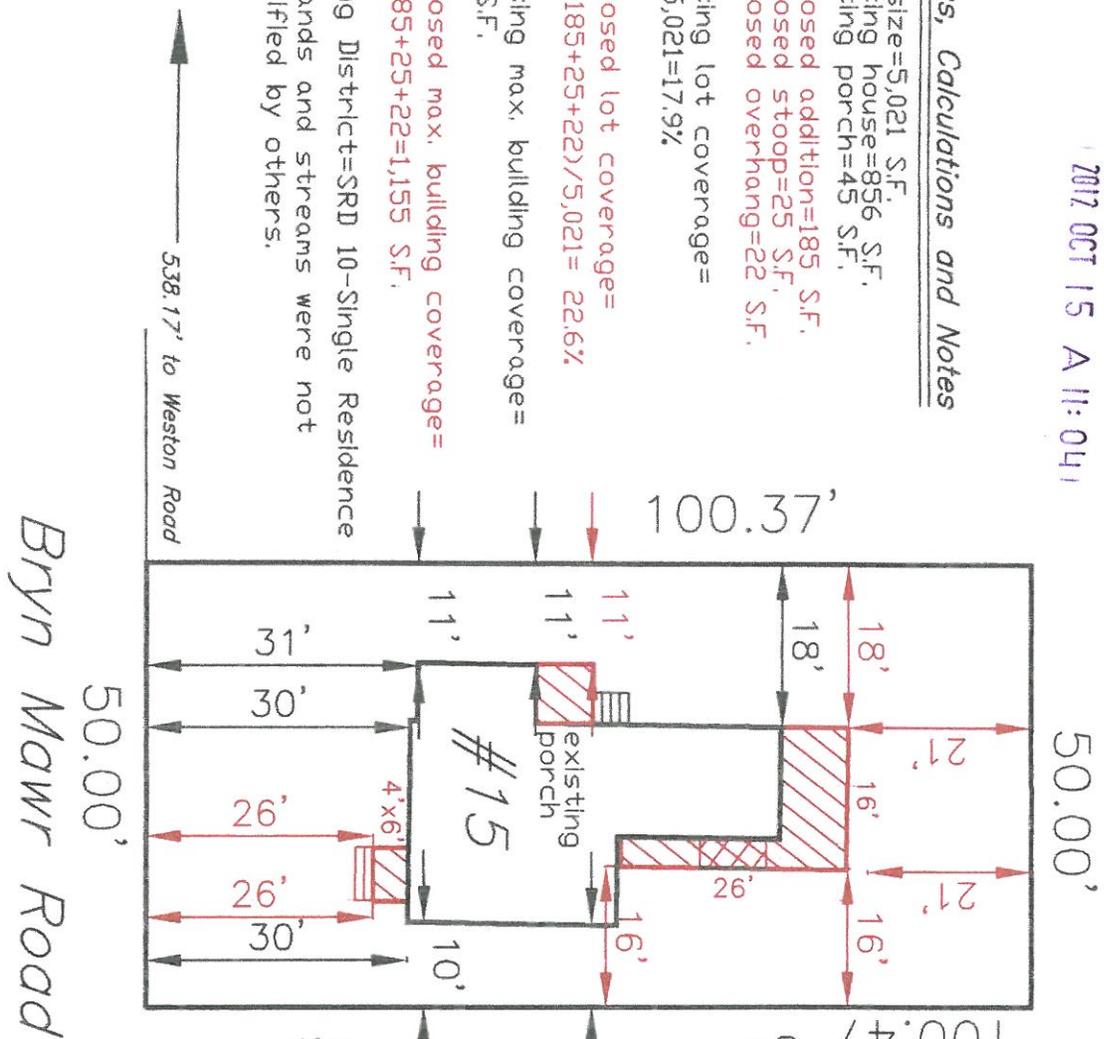
cc: Planning Board
Inspector of Buildings
lrm

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2012 OCT 15 A 11:04

Areas, Calculations and Notes

lot size=5,021 S.F.
 existing house=856 S.F.
 existing porch=45 S.F.
 Proposed addition=185 S.F.
 Proposed stoop=25 S.F.
 Proposed overhang=22 S.F.
 existing lot coverage=
 $901/5,021=17.9\%$
 Proposed lot coverage=
 $(901+185+25+22)/5,021= 22.6\%$
 existing max. building coverage=
 901 S.F.
 Proposed max. building coverage=
 $901+185+25+22=1,155$ S.F.
 Zoning District=SRD 10-Single Residence
 Wetlands and streams were not
 identified by others.



"PROPOSED CONDITIONS"

Certified Plot Plan
 of Land in
 Wellesley, MA
 For Building Permit
 Purposes ONLY
 October 4, 2012
 Scale: 1 inch = 20 Feet



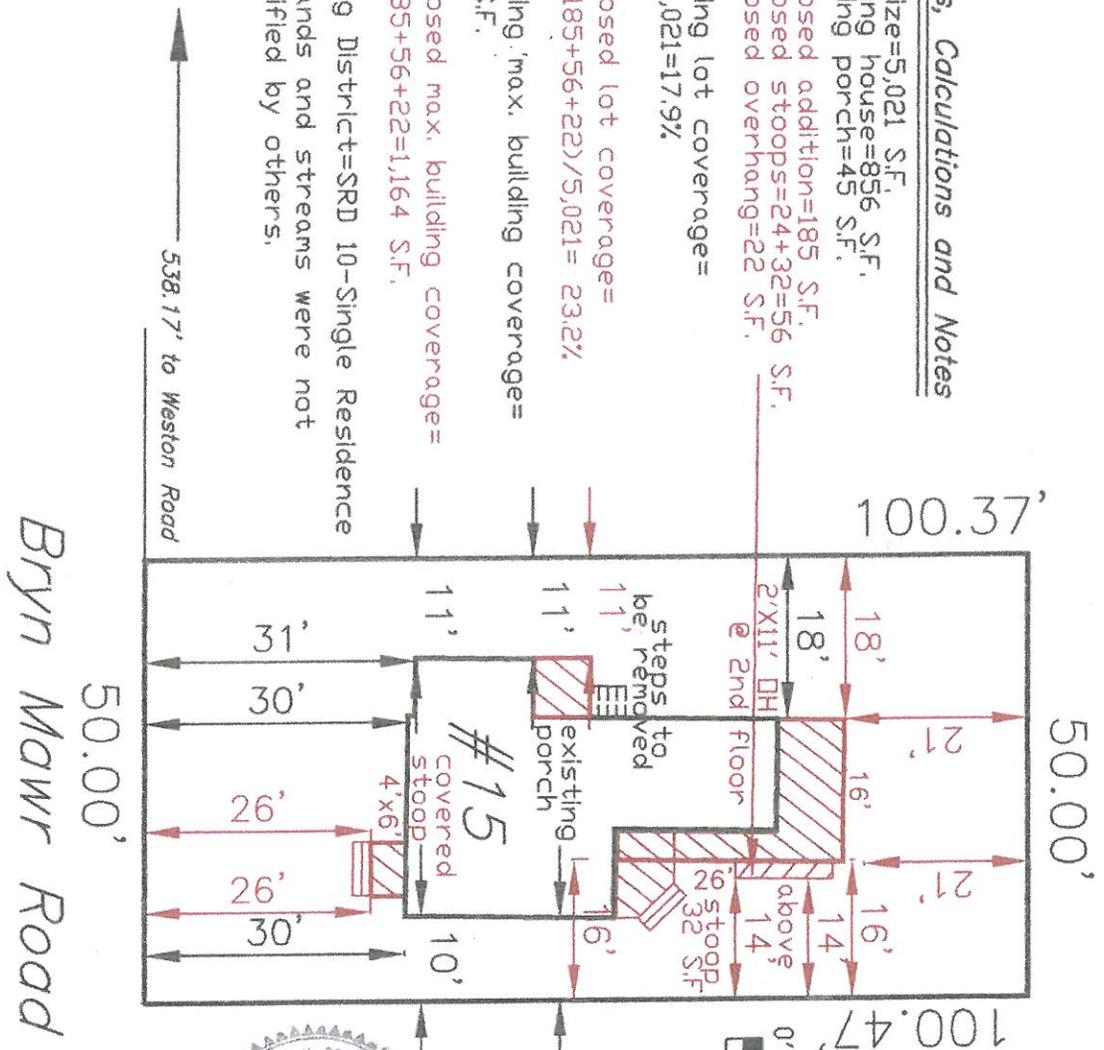
prepared for:
 Christopher P. Sullivan
 Jessica G. Sullivan
 15 Bryn Mawr Road
 Wellesley, MA

prepared by:
 Jim Troupes, R.L.S.
 31 Walcott Street
 Hopkinton, MA 01748
 508-435-6592


 James P. Troupes
 Registered Professional Land Surveyor
 #31323

Areas, Calculations and Notes

lot size=5,021 S.F.
 existing house=856 S.F.
 existing porch=45 S.F.
 proposed addition=185 S.F.
 proposed stoops=24+32=56 S.F.
 proposed overhang=22 S.F.
 existing lot coverage=
 $901/5,021=17.9\%$
 proposed lot coverage=
 $(901+185+56+22)/5,021=23.2\%$
 existing max. building coverage=
 901 S.F.
 proposed max. building coverage=
 $901+185+56+22=1,164$ S.F.
 Zoning District=SRD 10-Single Residence
 Wetlands and streams were not
 identified by others.



50.00'

100.37'

Bryn Mawr Road

50.00'

538.17' to Weston Road

"PROPOSED CONDITIONS"
 Certified Plat Plan
 of Land in
 Wellesley, MA

For Building Permit
 Purposes ONLY

October 9, 2012

Scale: 1 inch = 20 Feet



prepared for:
 Christopher P. Sullivan
 Jessica G. Sullivan
 15 Bryn Mawr Road
 Wellesley, MA

prepared by:
 Jim Troupes, R.L.S.
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