



ZONING BOARD OF APPEALS

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

RICHARD L. SEEDEL, CHAIRMAN  
J. RANDOLPH BECKER, VICE CHAIRMAN  
DAVID G. SHEFFIELD

LENORE R. MAHONEY  
EXECUTIVE SECRETARY  
TELEPHONE  
(781) 431-1019 EXT. 2208  
web: www.wellesleyma.gov

ROBERT W. LEVY  
WALTER B. ADAMS  
DEREK B. REDGATE

ZBA 2013-54  
Petition of David Baum  
214 Walnut Street

---

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02482  
AUG 22 P 3:14

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 8, 2013, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of DAVID BAUM requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing shed and construction of a one-story addition on an existing nonconforming garage with less than required left side yard setbacks, on a 14,010 square foot lot in a Water Supply Protection District in which the minimum lot size is 15,000 square feet, at 214 WALNUT STREET, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On July 22, 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 were Douglas Ruther, Architect and David Baum, (the "Petitioner").

Mr. Ruther said that the request is to demolish a small shed that is on the property line and extend the existing garage eight feet further back at the same distance from the property line. He said that they will change from two garage doors to one large garage door and will upgrade detailing on the garage.

Mr. Ruther said that the shed is located on the left side of the property.

The Board said that the property is located in a Water Supply Protection District. The Board asked about storage of materials inside the addition. Mr. Ruther said that the space will be used to store bicycles and a snowblower. Mr. Baum said that they will move what is currently in the shed to the additional storage space in the garage. He said that there will be nothing other than what is currently being stored in the shed.

The Board said that Plan A1.1 is labeled as First Floor Plan – Option. Mr. Ruther said that it is the proposed plan.

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 214 Walnut Street, on a 14,010 square foot lot in a Water Supply Protection District in which the minimum lot size is 15,000 square feet, with a minimum front yard setback of 29.7 feet and a minimum left side yard setback of 9.54 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 demolition of an existing shed and construction of a one-story addition on an existing nonconforming garage with less than required left side yard setbacks, on a 14,010 square foot lot in a Water Supply Protection 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 6/21/13, stamped by Douglas L. Johnston, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevations Drawings, dated 6/18/13, prepared by Douglas Ruther, Architect, and photographs were submitted.

On August 6, 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 demolition of an existing shed and construction of a one-story addition on an existing nonconforming garage with less than required left side yard setbacks, on a 14,010 square foot lot in a Water Supply Protection District in which the minimum lot size is 15,000 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 demolition of an existing shed and construction of a one-story addition on an existing nonconforming garage with less than required left side yard setbacks, subject to the following conditions:

1. The existing nonconforming shed shall be removed.
2. There shall be no plumbing in the new addition to the garage.

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.

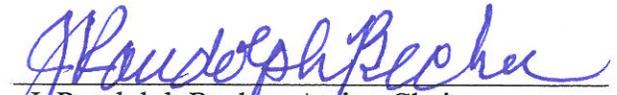
2013 AUG 22 PM 4:14  
BUILDINGS OFFICE  
MILLSLEY MA 02482

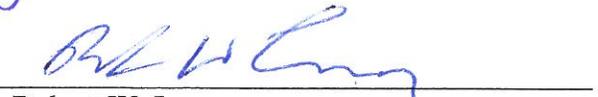
ZBA 2013-54  
Petition of David Baum  
214 Walnut Street

---

2013 AUG 22 P 3:14  
TOWN CLERK'S OFFICE  
MILLSLEY MA 02482

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

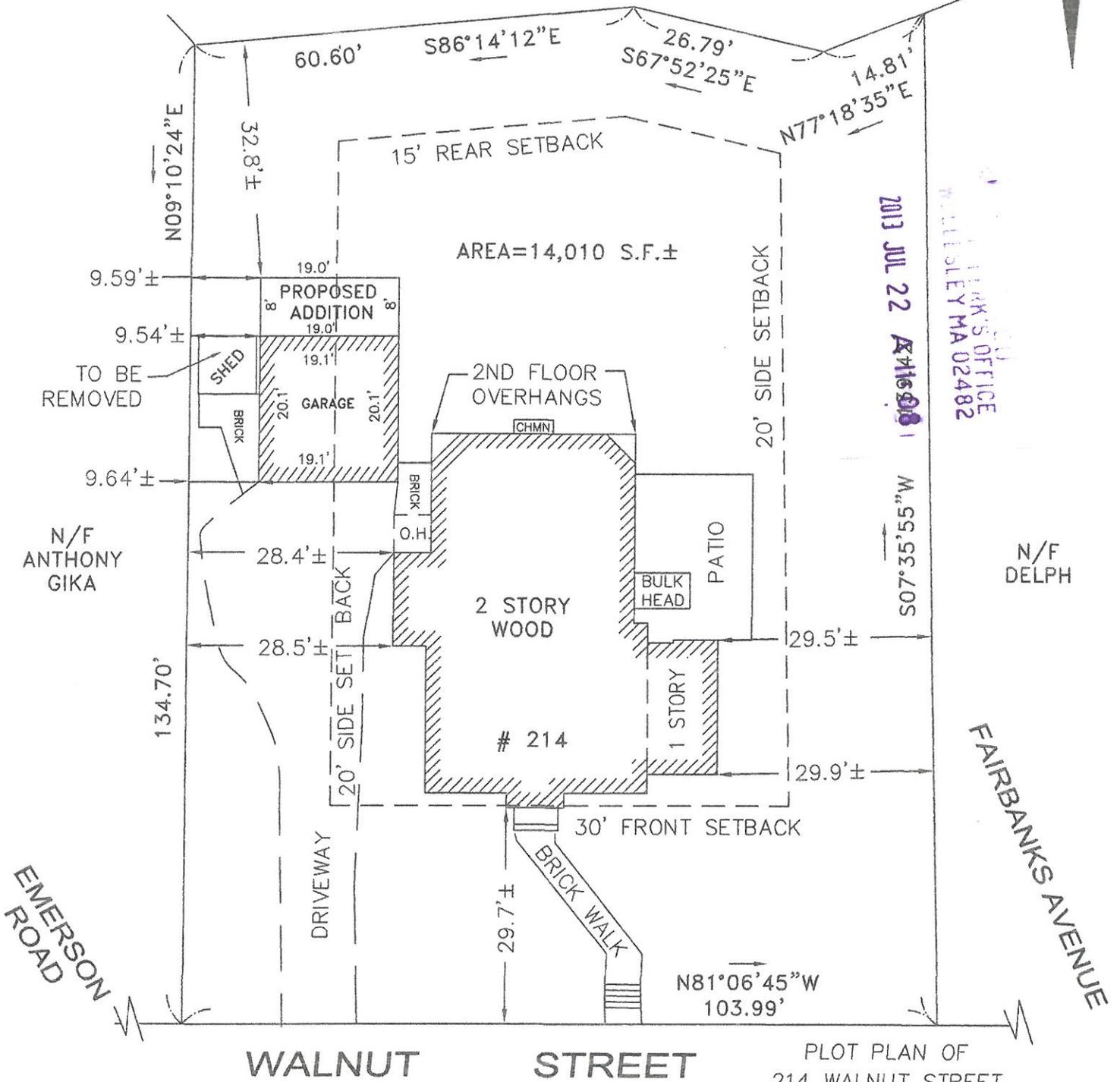
  
\_\_\_\_\_  
Robert W. Levy

  
\_\_\_\_\_  
Derek B. Redgate

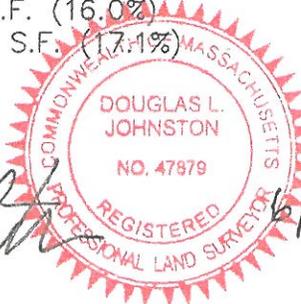
cc: Planning Board  
Inspector of Buildings  
lrm

SEE DEED RECORDED IN NORFOLK COUNTY REGISTRY OF DEEDS AS LAND COURT CERTIFICATE NO. 151538. SEE PLAN RECORDED IN NORFOLK COUNTY REGISTRY OF DEEDS LAND COURT PLAN 7129 C.

N/F ARTHUR SHEKTMAN



ZONING DISTRICT SRD-15  
MAX. ALLOWABLE BLDG. COV.=2802 S.F.  
EXISTING BLDG. COV.=2239 S.F. (16.0%)  
PROPOSED BLDG. COV.=2392 S.F. (17.1%)  
EXISTING OPEN SPACE=77%  
PROPOSED OPEN SPACE=76%



*Douglas Johnston* 6/21/13

PLOT PLAN OF  
214 WALNUT STREET  
WELLESLEY, MASS

SCALE: 1" = 20' JUNE 21, 2013  
DLJ GEOMATICS  
PROFESSIONAL LAND SURVEYING  
276 NORTH STREET  
WEYMOUTH, MA 02191  
(781) 812-0457  
214 WALNUT ST WELLESLEY.dwg