



ZONING BOARD OF APPEALS

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

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ZBA 2013-70
 Petition of Jennifer Chen
 10 Durant Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, October 10, 2013, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of JENNIFER CHEN 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 over an existing nonconforming structure, construction of a two-story addition, and reconstruction of a one-story structure, with less than required front yard, left side yard and right side yard setbacks, on a 5,000 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 10 DURANT ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On September 25, 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 Casey Dowgiert, Architect and Joe and Alyssa Creney.

Ms. Dowgiert said that the request is for a special permit for a second story addition on a nonconforming house. She said that the lot is 5,000 square feet. She said that the existing house has less than required front and side yard setbacks. She said that the proposal is to also add a two-story at the back, staying within the existing setbacks.

Ms. Dowgiert said that she walked the plans around to show the neighbors. She said that Mr. and Ms. Creney introduced themselves to the neighbors. She said that the neighbors are excited to have the Creneys move into the neighborhood. She said that the Creneys have a 14 month old child and are expecting another child within the few weeks.

Ms. Dowgiert said that the lots on either side of this one are 5,000 square feet as well.

The Board said that the existing right side yard setback is 14.8 feet and the proposed right rear yard setback is 14 feet. The Board said that the setback will increase on one side and decrease on the other. Ms. Dowgiert said that there is a bigger buffer between the houses on the right side. The Board said that the .8 feet would be considered to be di minimis.

There was no one present at the public hearing who wished to speak to the petition.

2013 OCT 24 A 11:28

TOWN'S OFFICE
 WELLESLEY MA 02482

Statement of Facts

The subject property is located at 10 Durant Road, on a 5,000 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 12.9 feet, a minimum right side yard setback of 14.8 feet, a minimum front yard setback of 28.8 feet, and frontage of 50 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a second story over an existing nonconforming structure, construction of a two-story addition, and reconstruction of a one-story structure, with less than required front yard, left side yard and right side yard setbacks, on a 5,000 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 shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan for Existing House and a Plot Plan for Proposed Second Floor Addition dated 7/10/13, stamped by Frank Iebba, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 8/20/13, prepared by Wicked Good Properties, LLC, and photographs were submitted.

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 over an existing nonconforming structure, construction of a two-story addition, and reconstruction of a one-story structure, with less than required front yard, left side yard and right side yard setbacks, on a 5,000 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, 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 second story over an existing nonconforming structure, construction of a two-story addition, and reconstruction of a one-story structure, with less than required front yard, left side yard and right side yard setbacks, and less than required frontage, 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.

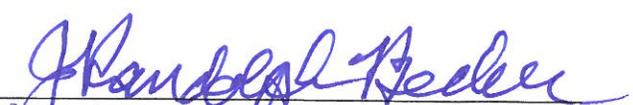
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

2013 OCT 21 A 11:48
BUILDING DEPARTMENT
MA 02488

ZBA 2013-70
Petition of Jennifer Chen
10 Durant Road

2013 OCT 24 A 11:48
TOWN'S OFFICE
SHEFFIELD 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

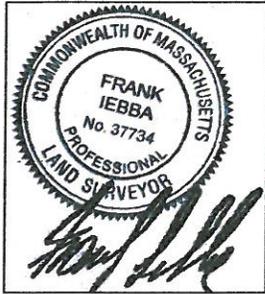


David G. Sheffield



Robert W. Levy

cc: Planning Board
Inspector of Buildings
lrm



PROPOSED SECOND FLOOR ADDITION
 10 DURANT ROAD
 WELLESLEY, MA,
 JULY 10, 2013
 SCALE: 1 IN = 20 FT

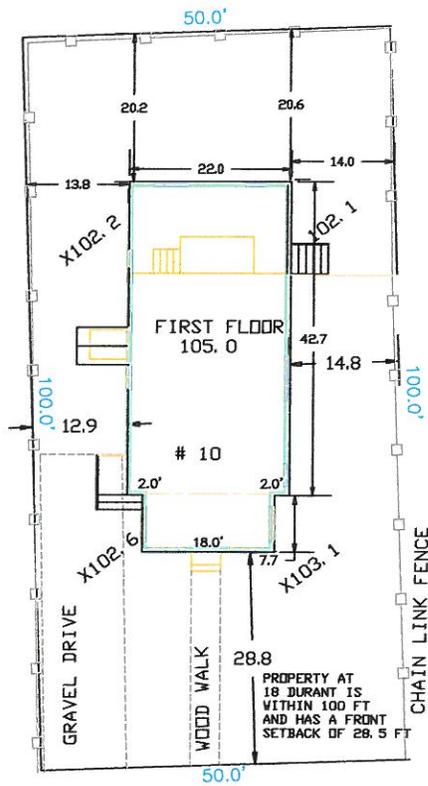
OWNER: JENNIFER CHEN

ASSESSORS MAP 190 PARCEL 11
 SINGLE RESIDENCE 10

LOT AREA: 5000 SF

EXIST LOT COVER: 17.3 %
 865 SF

PROPOSED LOT COVER: 23.3 %
 1165 SF



EXISTING HOUSE ———

DURANT ROAD

2013 SEP 25 A 11:09

FRANK'S OFFICE
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