



ZONING BOARD OF APPEALS

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

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ZBA 2014-11

Petition of Christopher & Karen Martin
 24 Beechwood Road

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 WELLESLEY MA 02482
 2014 MAR 20 P 12:45

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, March 6, 2014, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of CHRISTOPHER & KAREN MARTIN 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 that will meet setback requirements on an existing nonconforming structure with less than required front yard and left side yard setbacks, in a 10,000 square foot Single Residence and Water Supply Protection District, at 24 BEECHWOOD ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On February 18, 2014, 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 Michael Hally, Architect, Sue Campos, ABRN Development, and Christopher Martin, (the "Petitioner").

Mr. Hally said that the request is for a Special Permit/Finding to build a two-story addition on a pre-existing nonconforming structure.

Ms. Campos submitted letters of support from the neighbors and a revised plot plan.

Mr. Hally said that the front yard setback is less than 30 feet and the left side yard setback is less than 20 feet. He said that the proposed construction will be at the rear of the house in the buildable area of the lot.

Mr. Hally said that there is a sunroom at the back of the existing house that was originally built as a porch. He said that it was subsequently enclosed and heated. He said that they would like to remove that existing porch and the slab that it is on, pour a new foundation and build a two-story addition on top of that. He said that all of this is part of an extensive interior renovation. He said that there will be a new mudroom, eating area and kitchen on the first floor and part of the new master bedroom suite on the second floor.

Mr. Hally said that the front elevation will look pretty much the same as it does today except for replacement of the aluminum siding with fiber cement board. He said that on the rear elevation, the addition will have the same pitch as the existing roof. He said that they included colonial details and bays to break up the flat side.

The Board said that the entire addition is compliant.

Sarah Baron, 31 Shirley Road, said that there are 100 foot pine trees around the property. She said that the trees are very old and very tall. She said that the houses in that area converge on a point. She said that they are small lots and there is not a lot of privacy. She said that she can hear everything in the lots around her and vice versa. She said that if the plans include cutting down the trees, she feels that it would be substantially more detrimental to the neighborhood. The Board said that the plans do not indicate that trees will be cut down. Mr. Martin said that there are no plans to cut the trees down.

Statement of Facts

The subject property is located at 24 Beechwood Road, in a 10,000 square foot Single Residence and Water Supply Protection District, with a minimum left side yard setback of 19.8 feet and a minimum front yard setback of 29.6 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 enclosed porch and slab and construction of a two-story addition with foundation that will meet setback requirements on an existing nonconforming structure with less than required front yard and left side yard setbacks, in a 10,000 square foot Single Residence and Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, stamped by Joseph R. Porter, Professional Land Surveyor, Existing Floor Plans and Elevation Drawings, dated 4/9/12, Proposed Floor Plans, dated 1/27/14 and Proposed Elevation Drawings, dated 1/27/14, revised 1/29/14, prepared by Michael Hally Design, Inc., and photographs were submitted.

On February 25, 2014, the Planning Board 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 demolition of an existing enclosed porch and slab and construction of a two-story addition with foundation that will meet setback requirements on an existing nonconforming structure with less than required front yard and left side yard setbacks, in a 10,000 square foot Single Residence and Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as it shall neither increase an existing nonconformity nor create a new nonconformity.

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Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for demolition of an existing enclosed porch and slab and construction of a two-story addition with foundation that will meet setback requirements on an existing nonconforming structure with less than required front yard and left side yard setbacks, in a 10,000 square foot Single Residence and Water Supply Protection District, 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.

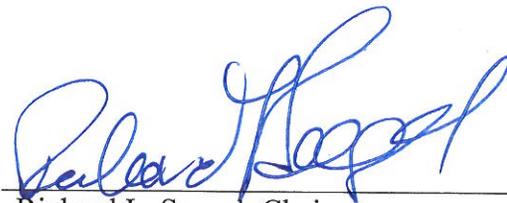
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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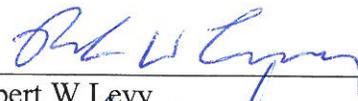
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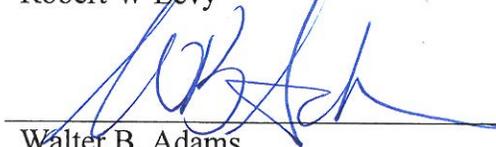
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



Richard L. Seegel, Chairman



Robert W Levy



Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrm

LOT AREA
15,935±s.f.

EXIST. LOT COVERAGE=9.7%
PROP. LOT COVERAGE=10.1%
EXIST. BUILDING COVERAGE=1542.7 S.F.
PROP. BUILDING COVERAGE=1614.92 S.F.
MAX. BUILDING COVERAGE(25%)=3983.8 S.F.
BUILDING HEIGHT=27.36'



STOCKADE FENCE

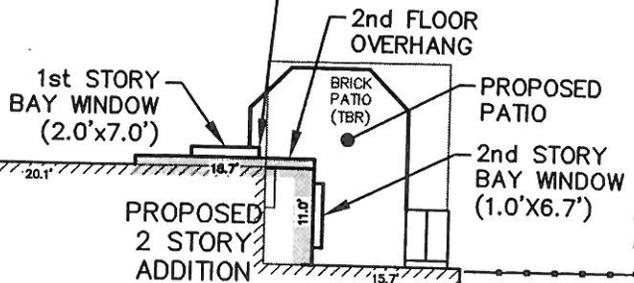
STOCKADE FENCE

S18°59'52"E
170.66'

S76°33'33"W
96.45'

95.0'

N18°59'52"W
161.32'



2 STORY WOOD #24

BITUMINOUS DRIVEWAY

LANDING

96.00'
N71°00'08"E

ZONE: SRB-10
PROJECT: 213239
SCALE: 1"=20'



BEECHWOOD ROAD