



ZONING BOARD OF APPEALS

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

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ZBA 2014-38

Petition of James & Margaret Gallerani
2 Willow Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 5, 2014, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of JAMES & MARGARET GALLERANI 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 mudroom with less than required front yard setbacks, on an existing nonconforming structure with less than required front and side yard setbacks, on a corner lot in a 10,000 square foot Single Residence and Water Supply Protection District, at 2 WILLOW ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On May 19, 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 James and Margaret Gallerani, (the "Petitioner").

Mr. Gallerani said that the request is to extend the mudroom but not outside the boundaries of the existing square of the house. He said that it will be 6 feet out to the edge and then past the staircase.

The Board identified the nonconformities as being the left side yard and the right side yard when looking at the house from Weston Road because it is a corner lot having two front yard and two side yard setbacks.

The Board said that on the plot plan the 20.3 foot dimension is to the stairway but should be to the house. The Board estimated that the addition will be 24.13 feet from the side lot line.

The Board that it does not show on the drawings whether there will be any footings under the concrete block walls or slab. Mr. Gallerani said that it will be footing with foundation. He said that the new part is going to be slab. The Board asked if there is a crawl space above the slab. Mr. Gallerani said that there is not. He said that there will be no access there.

The Board said that there are a lot of inconsistencies in the drawings. The Board said that none of the plans are labeled as to its being an elevation, north, east, etc., a floor plan or a foundation plan. The Board said that the plans need to be brought up to a level to where people in the future can understand what is going on.

The Board said that there is a note on the elevation to relocate an existing window. Mr. Gallerani said that the existing window will be pulled out to the other façade. The Board said that should be noted on the plan.

The Board said that the plans appear to be doable and will have little impact but the project is not well documented for the record. The Board said that the notation on the plot plan has to be corrected with the dimension to the house and not to the stairs. The Board said that the plans have to be fully dimensioned. The Board said that the width of the stair is not shown. The Board said that the elements on the drawing need to be labeled as to what they are and each of the elements has to be identified. The Board said that the plans have to be acceptable to the Building Inspector before issuing a Building Permit.

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 2 Willow Road, on a corner lot in a 10,000 square foot Single Residence and Water Supply Protection District, with a minimum side yard setback of 12.5 feet and a minimum front yard setback of 19.8 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 a mudroom with less than required front yard setbacks, on an existing nonconforming structure with less than required front and side yard setbacks, on a corner lot 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, dated 3/31/14, stamped by Robert A. Gemma, Professional Land Surveyor, and Floor Plans & Elevation Drawings, dated 4/4/14, prepared by Joe Fahey were submitted.

On May 30, 2014, the Planning Department Staff 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 although construction of a mudroom with less than required front yard setbacks, on an existing nonconforming structure with less than required front and side yard setbacks, 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 mudroom with less than required front yard setbacks, on an existing nonconforming structure with less than required front and side yard setbacks, subject to the following condition:

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- The plans shall be dimensioned, annotated and labeled to the satisfaction of the Building Inspector.

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.

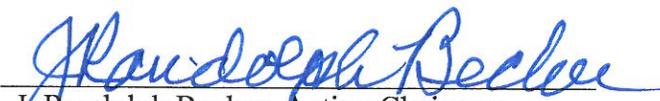
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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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



Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm

ZONING:

SINGLE RESIDENCE 10

MINIMUM AREA = 10,000 SQUARE FEET

MINIMUM FRONTAGE = 60 FEET

SETBACKS:

FRONT YARD = 30 FEET

SIDE YARD = 20 FEET

REAR YARD = 10 FEET

MAXIMUM HEIGHT = 2.5 STORIES (36- FEET)

MAXIMUM BUILDING COVERAGE = 20% OR 2,500 SQUARE FEET

EXISTING FRONT SETBACKS:

2 WILLOW ROAD = 19.8 FEET

8 WILLOW ROAD = 20.3 FEET

12 WILLOW ROAD = 19.2 FEET

14 WILLOW ROAD = 18.8 FEET

16 WILLOW ROAD = 13.2 FEET

18 WILLOW ROAD = 30.91 FEET

259 WESTON ROAD = 24.6 FEET

261 WESTON ROAD = 27.3 FEET

263 WESTON ROAD = 26.8 FEET

265 WESTON ROAD = 9.2 FEET

ZBA PLOT PLAN
IN
WELLESLEY, MASS.

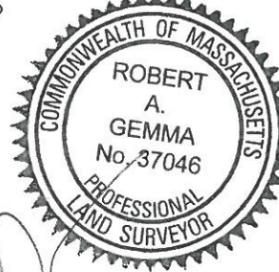
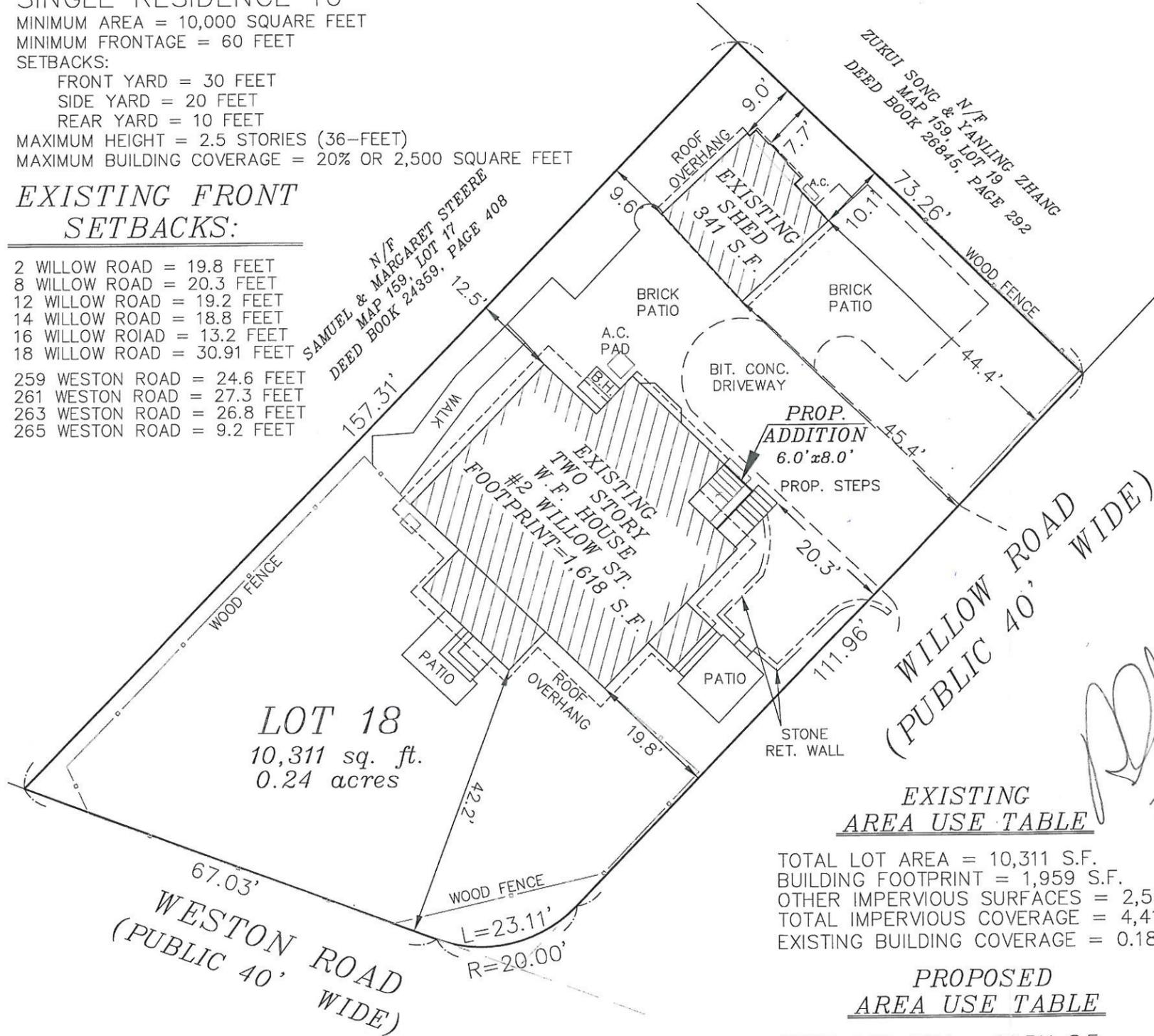
SCALE: 1" = 20'

LOCATION: 2 WILLOW ROAD

DATE: MARCH 5, 2014

PREPARED FOR: JAMES GALLEANI

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James Galleani
3/31/14

EXISTING AREA USE TABLE

TOTAL LOT AREA = 10,311 S.F.
BUILDING FOOTPRINT = 1,959 S.F.
OTHER IMPERVIOUS SURFACES = 2,531 S.F.
TOTAL IMPERVIOUS COVERAGE = 4,419 S.F.
EXISTING BUILDING COVERAGE = 0.189 (18.9%)

PROPOSED AREA USE TABLE

TOTAL LOT AREA = 10,311 S.F.
BUILDING FOOTPRINT = 2,007 S.F.
OTHER IMPERVIOUS SURFACES = 2,571 S.F.
TOTAL IMPERVIOUS COVERAGE = 4,459 S.F.
PROPOSED BUILDING COVERAGE = .194 (19.4%)

ENGINEERS & SURVEYORS:



METROWEST ENGINEERING, INC.
75 FRANKLIN STREET
FRAMINGHAM, MA 01701
ROBERT A. GEMMA PLS #37046

I CERTIFY THAT THE LOT SHOWN AND BUILDINGS THEREON
PREDATE THE CURRENT TOWN OF WELLESLEY ZONING BYLAWS.

I CERTIFY THAT THE LOT SHOWN AND BUILDINGS
THEREON ARE NOT WITHIN THE FEDERAL FLOOD
HAZARD AREA.

NOTES

THIS PLAN IS PREPARED FROM LINES OF OCCUPATION.
THE TIES TO THE LOT LINES ARE NOT TO BE USED IN
THE SETTING OF FENCES, HEDGES, ETC.