



ZONING BOARD OF APPEALS

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

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ZBA 2015-43
Petition of Nan Covert
410 Weston Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 7, 2015, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of NAN COVERT requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that demolition and reconstruction on the same footprint of an existing nonconforming garage with less than required left side yard setbacks, on a 7,585 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, in a Water Supply Protection District, at 410 WESTON ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On April 21, 2015, 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 was Nan Covert, (the Petitioner).

Ms. Covert said that she would like to rebuild an existing one car detached garage on the same footprint. She said that the garage was damaged beyond repair when a section of a pine tree from the neighbor's yard came down on it following a microburst.

The Board said that the lot is nonconforming. The Board said that, to make the garage conforming, it would have to be moved nine feet into the middle of the backyard.

Ms. Covert said that she shared her plans with the neighbors and they approved of them.

The Board asked if the height of the garage will change. Ms. Covert said that it will not.

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 410 Weston Road, on a 7,585 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, in a Water Supply Protection District. The garage has a minimum left side yard setback of 10.7 feet.

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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 and reconstruction on the same footprint of an existing nonconforming garage with less than required left side yard setbacks, on a 7,585 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 12/1/14, stamped by Daniel F. Stasz, Professional Land Surveyor, and Existing & Proposed Floor Plans and Elevation Drawings, dated 12/9/14, prepared by Hudson Design Group LLC were submitted.

On May 4, 2015, 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 demolition and reconstruction on the same footprint of an existing nonconforming garage with less than required left side yard setbacks, on a 7,585 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, 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.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for demolition and reconstruction on the same footprint of an existing nonconforming garage with less than required left side yard setbacks, on a 7,585 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, 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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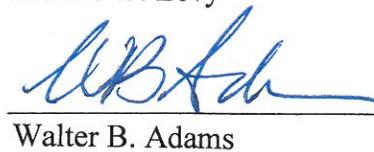
ZBA 2015-43
Petition of Nan Covert
410 Weston Road

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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

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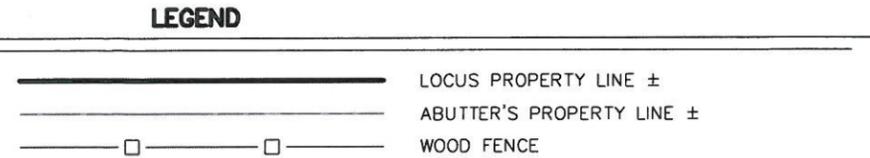
180-57
N/F
BRIAN J. LOFTUS
DEED: 27057~488

180-56
N/F
NAN M. COVERT
DEED: 19559~513

180-53
N/F
PHILIP L. JULIANO JR. &
SAMANTHA H. JULIANO
DEED: 27368~595

180-54
N/F
MICHAEL J. DIAS, TRUSTEE
DIAS FAMILY REALTY TRUST
DEED: 30559~42

180-55
N/F
JAMES R. & TAMARA L. KENNEDY
DEED: 27632~192

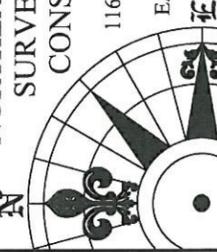


NOTES:

1. FIELD SURVEY BY EDM TOTAL STATION.
2. HORIZONTAL DATUM IS NAD83, AND IS BASED ON A DUAL FREQUENCY GPS SURVEY.
3. THE LOCATIONS OF UTILITIES ARE NOT SHOWN HEREON. CONTACT DIG-SAFE AT 1-888-344-7233 BEFORE EXCAVATION.
4. CORNERS OF GARAGE WERE LOCATED AT SURFACE OF CEDAR SHAKE SIDING. FOUNDATION WAS NOT VISIBLE.

NORTHEAST
SURVEY
CONSULTANTS

116 PLEASANT ST. SUITE 302
P.O. BOX 109
EASTHAMPTON, MA 01027
(413) 203-5144



EXISTING
CONDITIONS
SURVEY

SURVEYOR:	DJS
DRAFTING:	CJH
FIELD WORK:	CJH
PROJECT NUMBER:	14-285
DRAWING NAME:	1"=20'
HORIZ. SCALE:	14-285.DWG
DATE:	12/01/2014

PLAN OF LAND IN
WELLESLEY, MA
PREPARED FOR
HUDSON DESIGN GROUP



BRYN MAWR
ROAD

WESTON ROAD

DANIEL F. STASZ PLS #47160

