



ZONING BOARD OF APPEALS

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

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 1 FEB 18 P 3:00
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ZBA 2016-13
 Petition of Anthony Weikel
 72 Great Plain Avenue

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 4, 2016, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Anthony Weikel requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing nonconforming structure and construction of a new structure that will meet all Zoning requirements, on 29,274 square foot lot in a Single Residence District in which the minimum lot size is 30,000 square feet, at 72 Great Plain Avenue, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On January 19, 2016, 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 Ken Leitner, Esq., Stephen Corbett, and Fergal Brennock, representing Anthony Weikel, the Petitioner.

Mr. Leitner said that the request is for a special permit for demolition and reconstruction on an undersized lot. He said that when the house was built in 1982, they thought that the property was located in a 20,000 square foot Single Residence District. He said that it is actually located in a 30,000 square foot Single Residence District. He said that the lot is 29,274 square feet, which is 726 square feet less than what is required. He said that from the lot line to the street is 50 feet. He said that there is a large section on public land. He said that the proposal is to build a colonial that will be in keeping with a lot of housing stock in the neighborhood. He said that it will be a 2.5 story structure with a two car garage underneath, with 2,000 square feet on each floor. He said that the Total Living Area plus Garage (TLAG) will be well under the threshold of 7,200 square feet for Large House Review (LHR) in a 30,000 square foot Single Residence District. He said that there is a winding driveway. He said that from the far end to the beginning of the property is an almost 80 foot drop. He said that the Building Department suggested new construction. He said that the existing soffit line is the same height as the proposed pitched roof. He said that the Architect submitted a letter discussing the height of the proposed structure. He said that there will be three dormers across the front. He said that the footprint will be smaller than the existing structure. He said that existing lot coverage is 9 percent and proposed lot coverage will be 7.2 percent. He said that they will terrace the front to mitigate the height of the lot. He said that the view from Great Plain Avenue will be the sill of the house. He said that the front yard setback will be 30 feet.

A Board member confirmed that the only nonconformity is the lot size.

A Board member confirmed that the railroad tie retaining wall on the left side will be replaced with masonry walls. He said that the lot is shallow on the left side until you reach the rear of the house. Mr. Brennock said that the walls will create landscaping to give a more defined backyard. The Board member asked about the intersection of the walls. Mr. Brennock said that when they get to the intersection, they will reinforce with concrete. The Board member confirmed that all of the retaining walls will be less than four feet and the space between the walls will be approximately eight feet.

A Board member asked about the curved walls on either side of the stairs at the front. Mr. Brennock said that they will be modular block. The Board member said that it will be a feature of the house. He said that a little space adjacent to that with a strip of planting could soften the wall.

A Board member asked about the relationship of the height to the house next door. He said that the proposed structure will be imposing from the street. He asked if there are some trees between the properties. Mr. Brennock said that there is 80 feet between the houses horizontally. He said that he did not know the vertical distance. Mr. Corbett said that the grade here is higher. He said that with the new building, trees will be visible over the ridge of the house. Mr. Leitner said that they kept the soffit in line with the upper end of the pitched roof going back so that you will not see the house next door.

A Board member said that the TLAG will be well under the threshold. Mr. Corbett said that it will be 5,200 square feet.

A Board member said that there is interesting siting. He said that other lots on Great Plain Avenue are located in the 20,000 square foot Single Residence District but this property is located in a 30,000 square foot Single Residence District.

A Board member suggested that the Petitioner consider adding an eyebrow over the French doors on the south elevation to add architectural interest.

Statement of Facts

The subject property is located at 72 Great Plain Avenue, on 29,274 square foot lot in a Single Residence District in which the minimum lot size is 30,000 square feet, with a minimum front yard setback of 27.7 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing nonconforming structure and construction of a new structure that will meet all Zoning requirements, on 29,274 square foot lot in a Single Residence District in which the minimum lot size is 30,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 11/6/15, and Proposed Plot Plan showing the front setbacks of houses within 500 feet, dated 11/6/15, stamped by Clifford E. Rober, Professional Land Surveyor, and Proposed Floor Plans and Elevation Drawings, dated 1/11/16, prepared by Avo Asdourian, Architect, and photographs were submitted.

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On February 4, 2016, 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 of an existing nonconforming structure and construction of a new structure that will meet all Zoning requirements, on 29,274 square foot lot in a Single Residence District in which the minimum lot size is 30,000 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 of an existing nonconforming structure and construction of a new structure that will meet all Zoning requirements, on 29,274 square foot lot in a Single Residence District in which the minimum lot size is 30,000 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.

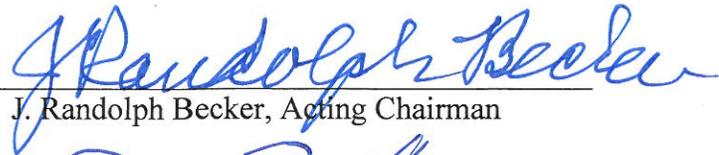
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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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

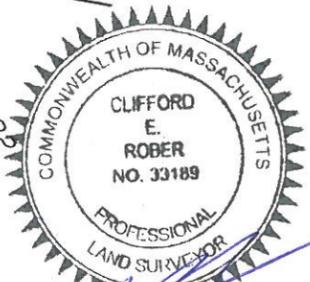


Robert W. Levy

cc: Planning Board
Inspector of Buildings
lrm

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2016 JAN 19 A 11:43



CR 11/6/15

GREAT PLAIN AVENUE



LOT 19
29,274± S.F.

LOT 16

LOT 18

PREPARED FOR: STEVEN CORBETT
72 GREAT PLAIN AVENUE
WELLESLEY

72 GREAT PLAIN AVENUE

PROPOSED PLOT PLAN
IN
WELLESLEY, MA
(NORFOLK COUNTY)

SCALE: 1" = 20' DATE: NOVEMBER 6, 2015



ROBER SURVEY
1072A MASSACHUSETTS AVENUE
ARLINGTON, MA 02476
(781) 648-5533
4695PP2.DWG

EXISTING LOT COVERAGE = 2,649 S.F. 9.0%
PROPOSED LOT COVERAGE = 2,111 S.F. 7.2%