

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

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

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ZBA 2016-34  
Petition of Rajeev Bhangoo  
12 Princeton Road

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WELLESLEY MA 02482  
MAY 19 2 19 PM '16

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 5, 2016, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Rajeev Bhangoo 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 addition over an existing nonconforming garage with less than required left side yard setbacks, and construction of a two-story addition that will meet all setback requirements, on an existing nonconforming structure with less than required left side yard setbacks, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, at 12 Princeton Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On April 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 David Himmelberger, Esq. and Rajeev Bhangoo, the Petitioner.

Mr. Himmelberger said that the Bhangoos have lived there for three years. He said that the request is for a special permit for an addition. He said that a small portion of the existing structure is within the 20 foot side yard setback. He said that proposed lot coverage will 2,047 square feet, or 16.12 percent, which is less than the 20 percent maximum. He said that the height will remain at 26.4 feet, which is less than the maximum height of 36 feet. He said that the proposed Total Living Area plus Garage (TLAG) will be 3,175 square feet, which is well under the maximum for Large House Review. He said that the front yard setbacks will remain in place. He said that the proposed elevations confirm that the house is in scale with the lot and the neighborhood. He said that the principal amount of the addition is to the rear and will not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

The Board said that the existing garage is partially nonconforming and the proposal is to build on top of that and build an addition at the back that will be fully compliant.

A Board member asked if there were constraints to breaking up what appears to be a massive façade on the left side elevation with more windows. Mr. Bhangoo said that side looks out to the side of a house with no windows.

The Board confirmed that Mr. Bhangoo received the emails from the Town Engineer and the Health Department Director about the cesspool. Mr. Bhangoo said that he met with the Town Engineer on site.

He said that he has to locate the cesspool. He said that it is not an active cesspool. He said that he is connected to Town sewer and water. He said that if the cesspool is still there, he will go back to DPW and the BOH to put a plan together to address the situation when he applies for the 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 12 Princeton Road, in a 10,000 square foot Single Residence District, with a minimum left side yard setback of 18.3 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 second story addition over an existing nonconforming garage with less than required left side yard setbacks, and construction of a two-story addition that will meet all setback requirements, on an existing nonconforming structure with less than required left side yard setbacks, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 1/5/16, stamped by Wayne C. Jalbert, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 4/23/15, 12/23/15, & 3/22/16, prepared by Mark Schryver, Architect, and photographs were submitted.

On April 25, 2016, Leonard Izzo, Director of Public Health, reviewed the plans and submitted comments.

On April 27, 2016, David Hickey, Town Engineer, reviewed the plans and submitted comments.

On May 3, 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 although construction of a second story addition over an existing nonconforming garage with less than required left side yard setbacks, and construction of a two-story addition that will meet all setback requirements, on an existing nonconforming structure with less than required left side yard setbacks, in a Water Supply Protection District, is increasing a nonconformity, such increase shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

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Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of a second story addition over an existing nonconforming garage with less than required left side yard setbacks, and construction of a two-story addition that will meet all setback requirements, on an existing nonconforming structure with less than required left side yard setbacks, in a 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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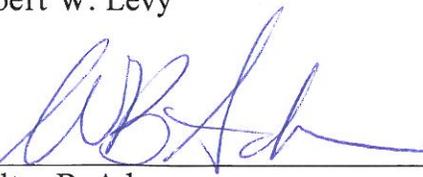
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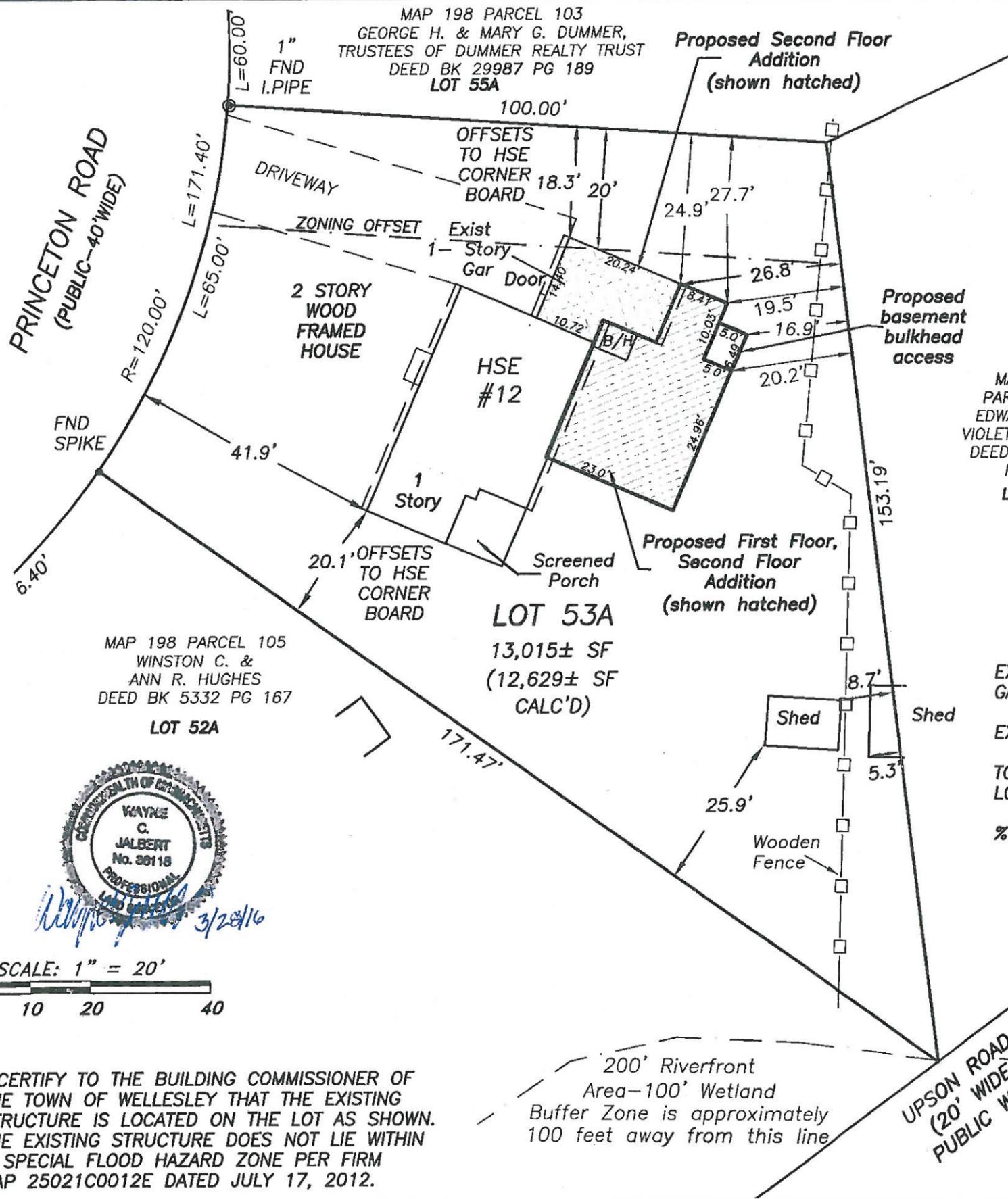
APPEALS FROM THIS DECISION,  
IF ANY, SHALL BE MADE  
PURSUANT  
TO GENERAL LAWS, CHAPTER 40A,  
SECTION 17, AND SHALL BE FILED  
WITHIN 20 DAYS AFTER THE DATE  
OF FILING OF THIS DECISION IN  
THE  
OFFICE OF THE TOWN CLERK.

  
Richard L. Seegel, Chairman

  
Robert W. Levy

  
Walter B. Adams

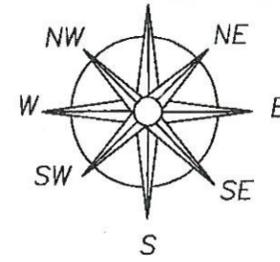
cc: Planning Board  
Inspector of Buildings  
lrm



- NOTES:**
1. THE 500 FOOT RULE DOES NOT APPLY AS THERE IS NO NEW CONSTRUCTION CLOSER TO THE STREET THAN THE EXISTING STRUCTURE.
  2. BUILDING HEIGHT TO EXISTING GRADE IS 26'-4" FROM DATA PROVIDED BY ARCHITECT AND NOT FROM FIELD SURVEY.

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APR 19 11:52



REF: PLAN NO. 860 OF 1950

MAP 198  
PARCEL 111  
EDWARD C. &  
VIOLET V. HOBBS  
DEED BK 6017  
PG 30  
LOT 54A

RECORD OWNER:  
RAJEEV & MARCELL M. BHANGOO  
12 PRINCETON ROAD  
WELLESLEY, MA 02482

ASSESSOR'S MAP 198 PARCEL 104  
DEED BK 31122 PG 167  
PLAN NO 860 OF 1950

ZONING DISTRICT: SINGLE RESIDENCE 10

EXISTING HOUSE GARAGE, BULKHEAD.....	1,257 SQ.FT.	PROPOSED ADDITION FOOTPRINT WITH BULKHEAD.....	689 SQ.FT.
EXISTING SHED.....	101 SQ.FT.	EXISTING LOT COVERAGE.....	1,358 SQ.FT.
TOTAL EXISTING LOT COVERAGE.....	1,358 SQ.FT.	PROPOSED LOT COVERAGE.....	2,047 SQ.FT.
% OF LOT COVERAGE.....	10.75% OF LOT	% OF PROPOSED LOT COVERAGE.....	16.21%

MAP 198 PARCEL 105  
WINSTON C. &  
ANN R. HUGHES  
DEED BK 5332 PG 167  
LOT 52A



3/28/16



I CERTIFY TO THE BUILDING COMMISSIONER OF THE TOWN OF WELLESLEY THAT THE EXISTING STRUCTURE IS LOCATED ON THE LOT AS SHOWN. THE EXISTING STRUCTURE DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD ZONE PER FIRM MAP 25021C0012E DATED JULY 17, 2012.

200' Riverfront Area-100' Wetland Buffer Zone is approximately 100 feet away from this line

REVISED: MARCH 28, 2016

<b>CERTIFIED PLOT PLAN</b> 12 PRINCETON ROAD WELLESLEY, MA 02482 <b>HANCOCK</b> <b>Survey Associates, Inc.</b> 185 CENTRE STREET, DANVERS, MA. 01923 VOICE (978) 777-3050, FAX (978) 774-7816		DATE: 1/5/16	SHEET 1 OF 1
		LAYOUT: CPP	JOB NO. 18989
DESIGN: PMC		SCALE: 1"=20'	
DRAWN: PMC			
DWG: 18989-base.dwg			