

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ZBA 2016-35
Petition of Edward & Maryann Pilat
8 Carver Road

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WELLESLEY MA 02482
MAY 19 P 2:49

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 Edward & Maryann Pilat requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV that construction of a second story addition that will meet all setback requirements, on an existing conforming structure, on a 10,952 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, in a Water Supply Protection District, at 8 Carver 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 Robert Heyn, Architect and Ed Pilat, the Petitioner. Mr. Heyn said that the request is for a special permit to build a bathroom over an existing structure on a nonconforming lot.

The Board confirmed that other than the nonconforming size of the lot, the property is compliant with the bylaw.

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 8 Carver Road, on a 10,952 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, in a Water Supply Protection District.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV that construction of a second story addition that will meet all setback requirements, on an existing conforming structure, on a 10,952 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 3/31/16, stamped by Joseph March, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 2/25/16 & 3/30/16, prepared by Designturn, and photographs were submitted.

On May 5, 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 construction of a second story addition that will meet all setback requirements, on an existing conforming structure, on a 10,952 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, in a Water Supply Protection District shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as it will 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 construction of a second story addition that will meet all setback requirements, on an existing conforming structure, on a 10,952 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, 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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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

ZONING DISTRICT

SINGLE RESIDENCE 15
WATER SUPPLY PROTECTION DISTRICT

REFERENCE

DEED BOOK 4998 PAGE 597
PLAN BOOK 2185 PAGE 564

LOT COVERAGE

MAX. ALLOWED	=	2,500 S.F.
EXISTING:		
BUILDING	=	1,490 S.F.
DECKS	=	410 S.F.
TOTAL	=	1,900 S.F. (17.3%)
PROPOSED:	=	1,900 S.F. (17.3%)

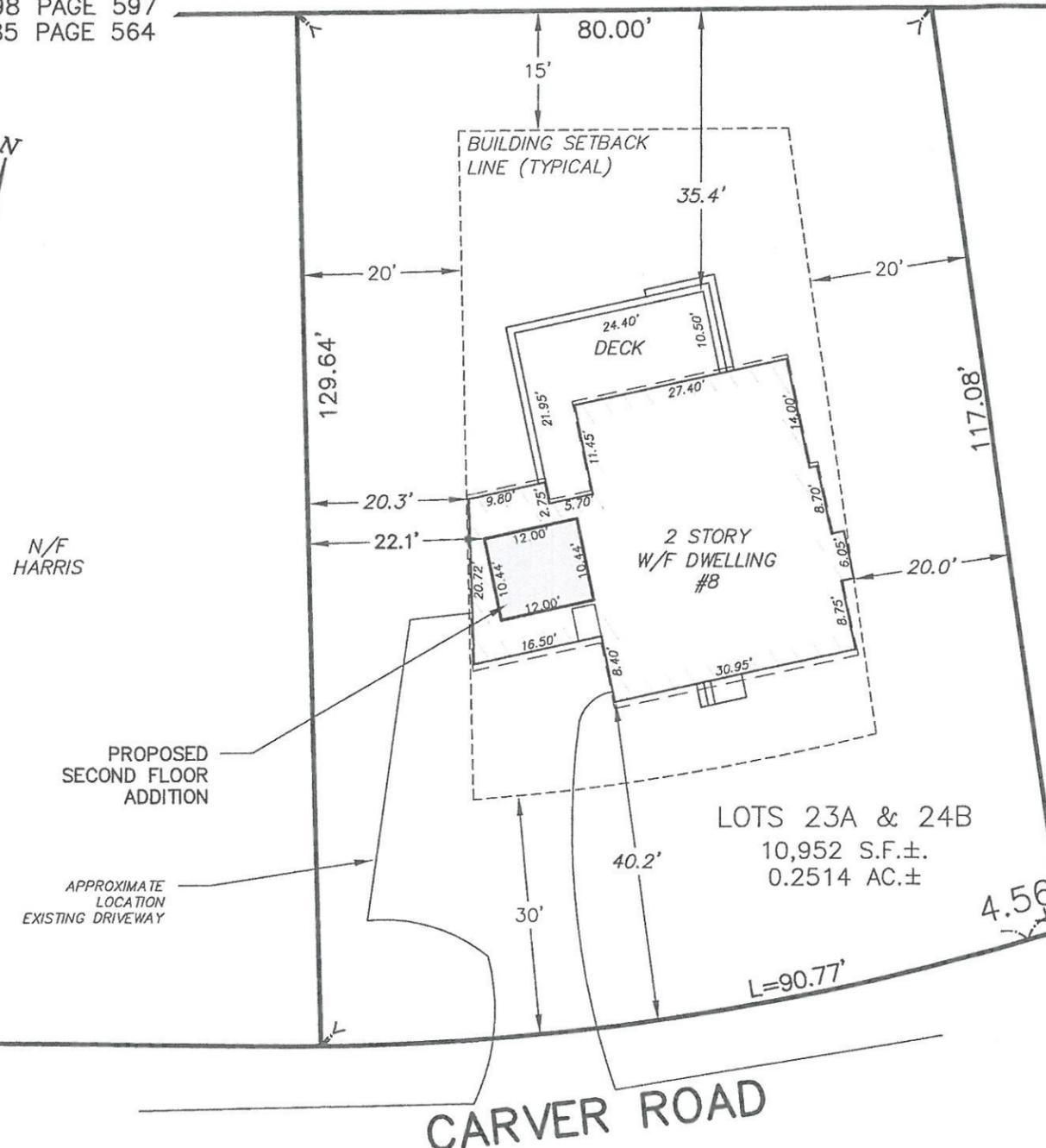
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N/F
HARRIS

N/F
MOORE

N/F
GASDIA



THE LOCATION OF THE EXISTING DWELLING AND THE PROPOSED ADDITION ON THIS PROPERTY CONFORMS WITH THE ZONING BYLAW (DIMENSIONAL SETBACK) OF THE TOWN OF WELLESLEY, MASSACHUSETTS AND THEY ARE NOT LOCATED IN A SPECIAL FLOOD HAZARD ZONE AS SHOWN ON FLOOD INSURANCE RATE MAP; NORFOLK COUNTY, MASSACHUSETTS; MAP NUMBER 25021C0009 E DATED: JULY 17, 2012.

3/31/16 *Joseph March*
DATE REGISTERED PROFESSIONAL LAND SURVEYOR

PROPOSED PLOT PLAN
IN
WELLESLEY, MASSACHUSETTS
(NORFOLK COUNTY)

FOR: PILAT
SCALE: 1"=20' MARCH 31, 2016

STAMSKI AND MCNARY, INC.
1000 MAIN STREET ACTON, MASSACHUSETTS
ENGINEERING - PLANNING - SURVEYING

(5628.PROP.PPL.ZBA.dwg) 8 Carver Road SM-5628

