

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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ZBA 2018-57

Petition of Norbert & Ritu Anthony
7 Roberts Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 2, 2018, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Norbert & Ritu Anthony 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 one-story garage and construction of two-story garage on the same footprint, construction of a two-story addition and construction of a one-story addition with less than required left side yard setbacks, and construction of a one-story addition and a new front portico that will meet setback requirements, on an existing nonconforming structure with less than required left side yard and right side yard setbacks, on a 13,558 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, at 7 Roberts Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On June 28, 2018, 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 Williamson, Architect, Norbert and Ritu Anthony, the Petitioner.

Mr. Williamson said that the request is for a special permit for an addition and renovation to a nonconforming structure with less than required side yard setbacks on the west side. He said that Roberts Road is a cul de sac. He said that he did a similar project at 24 Roberts Road a few years ago.

Mr. Williamson said that the requested relief is to reconstruct an existing one-car garage that does not have a suitable foundation to support the proposed second story addition, as well as an extension of the setback to build an addition behind it. He said that the addition will be partially one and partially two stories. He said that the goal of the project is to provide two more bedrooms and bathrooms for the family and guests.

Mr. Williamson said that the lot is good sized and there are no issues with coverage. He said that all work on the east will comply. He said that there is a big back yard and there are no issues with setbacks at the rear. He said that they are also proposing a small one-story addition so that the mudroom can function and a portico over the front entrance of the house.

The Chairman said that there are three nonconformities, left and right side yard setbacks, and lot size.

Mr. Williamson said that the ridgeline of the addition above the one-story garage will not exceed the ridgeline of the existing house. He said that the new space above the existing garage will have a positive effect on the front elevation.

Mr. Williamson said that the total TLAG will be approximately 3,500 square feet, including the attic and the garage.

The Chairman said that the Planning recommended that the Board insert a condition for plantings along the northwest property line. A Board member said that the house at 9 Roberts Road appears to be close to the property line. Mr. Anthony said that he has a lot more trees on his property than his neighbors but is willing to plant more. He said that he discussed the plans with the neighbors and they were willing to submit a letter of support.

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 7 Roberts Road, on a 13,558 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, with a minimum left side yard setback of 14.2 feet and a minimum right side yard setback of 13.7 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 one-story garage and construction of two-story garage on the same footprint, construction of a two-story addition and construction of a one-story addition with less than required left side yard setbacks, and construction of a one-story addition and a new front portico that will meet setback requirements, on an existing nonconforming structure with less than required left side yard and right side yard setbacks, on a 13,558 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 3/14/18, stamped by Neil J. Murphy, Registered Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 6/11/18, prepared by Williamson Building Works, LLC, and photographs were submitted.

On July 18, 2018, the Planning Board reviewed the petition and recommended that a Special Permit be approved.

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 demolition of an existing nonconforming one-story garage and construction of two-story garage on the same footprint, construction of a two-story addition and construction of a one-story addition with less than required left side yard setbacks, and construction of a one-story addition and a new front portico that will meet setback requirements, on an existing

nonconforming structure with less than required left side yard and right side yard setbacks, on a 13,558 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet 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 demolition of an existing nonconforming one-story garage and construction of two-story garage on the same footprint, construction of a two-story addition and construction of a one-story addition with less than required left side yard setbacks, and construction of a one-story addition and a new front portico that will meet setback requirements, on an existing nonconforming structure with less than required left side yard and right side yard setbacks, 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 construction 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
J. Randolph Becker, Acting Chairman

Robert W. Levy

Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm

