



## ZONING BOARD OF APPEALS

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

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2018 OCT 18 P 3:29  
ROBERT W. LEVY  
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ZBA 2018-66  
Petition of Craig Byrnes  
133 Abbott Road

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Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, October 4, 2018 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Craig Byrnes requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that construction of three (3) one-story additions, one side entry landing, and a second story addition over an existing structure, that will meet all setback requirements, on a conforming structure on an 18,212 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, in a Water Supply Protection District, at 133 Abbott Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On September 13, 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 was Jacob Lilley, Architect and Board member of the Wellesley Historic Commission, representing Craig Byrnes, the Petitioner. He said that the request is for relief for a pre-existing nonconforming lot. He said that the request is to build two modest additions to add a second story over an existing family room and to bump out to the driveway side to add a mudroom, a new entry and part of an eat-in breakfast nook. He said that all of the additions and the house are conforming to height, setback, TLAG, and lot area coverage. He said that the only relief that they are asking for has to do with the site. He said that the modest additions take their cues from the existing house for massing, the profile of the roofline, and detailing. He said that it is an attractive 1915 house where they will preserve the hip roof, rafter tails, and wooden downspouts that they will match with a protruded gutter that looks like wood. He said that they will work with Dan Gordon on the landscaping at the side to try to make it as pleasing as possible.

The Board confirmed that the height will be less than 30 feet 10 inches.

Mr. Lilley said that the Byrnes are part of the close Abbott community. He said that his understanding is that they have met with their neighbors and received favorable support from them.

Mr. Lilley said that the driveway will shift so that it will not hit the addition. He said that the amount of pervious surface is to be determined but should be relatively similar to what is there today. He said that the existing garage is tucked behind the house. He said that when an addition was put on the house about 25 years ago, it created a bit of a pinch point. He said that the thought is to have a planting area in front

of it. He said that it is on a north facing side and it is heavily treed on the neighbor's side. He said whatever grows there has to be a hardy and shade loving.

The Board asked about use of the garage. Mr. Lilley said that they can get one car in the garage and the rest of the space is for kids' accessories. He said that there is no work going on in the garage at this time.

Mr. Lilley said that all of the rain leaders on the existing house go inside, are manifolded around the basement and discharge to a catch basin to the street. He said that, in an effort to remediate to the greatest degree that they can, they are proposing a dry well so that they can at least take care of that portion of the runoff appropriately. He said that the gutters and drain leaders on the additions will be separate from the existing drainage system.

The Chairman asked about the exterior light that is shown on Plan A 5. The Chairman asked if ceiling lights in the alcove had been considered. Mr. Lilley said that there was an attempt with the roof to bring natural light in. He said that the kitchen is inboard and does not have a lot of exterior windows. He said that the goal is to have natural light in there. He said that it would make sense to bring the exterior light into the alcove.

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 133 Abbott Road, on an 18,212 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, in a Water Supply Protection District. The existing nonconforming garage has a minimum right side yard setback of 6 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XIV, Section XVII and Section XXV of the Zoning Bylaw that construction of three (3) one-story additions, one side entry landing, and a second story addition over an existing structure, that will meet all setback requirements, on a conforming structure on an 18,212 square foot lot in a Single Residence District in which the minimum lot size is 20,000 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 8/22/18, stamped by John R. Hamel, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 8/10/18, prepared by JacobLilley Architects, and photographs were submitted.

On September 19, 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 construction of three (3) one-story additions, one side entry landing, and a second story addition over an existing structure, that will meet all setback requirements, on a conforming structure on an 18,212 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as it 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 construction of three (3) one-story additions, one side entry landing, and a second story addition over an existing structure, that will meet all setback requirements, on a conforming structure on an 18,212 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, in a Water Supply Protection District, subject to the following condition:

- The exterior light shown on Plan A 5 at the side entrance on the left side shall be relocated into the alcove area at the center of the addition.

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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2018 OCT 18 P 3:30

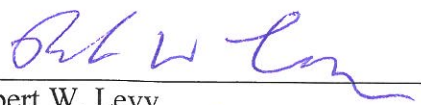
ZBA 2018-66  
Petition of Craig Byrnes  
133 Abbott Road

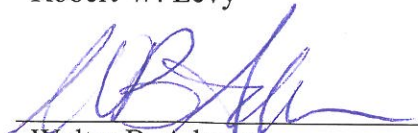
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APPEALS FROM THIS DECISION,  
IF ANY, SHALL BE MADE PURSUANT  
TO GENERAL LAWS, CHAPTER 40A,  
SECTION 17, AND SHALL BE FILED  
WITHIN 20 DAYS AFTER THE DATE  
OF FILING OF THIS DECISION IN THE  
OFFICE OF THE TOWN CLERK.

  
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David G. Sheffield, Acting Chairman

  
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Robert W. Levy

  
\_\_\_\_\_  
Walter B. Adams

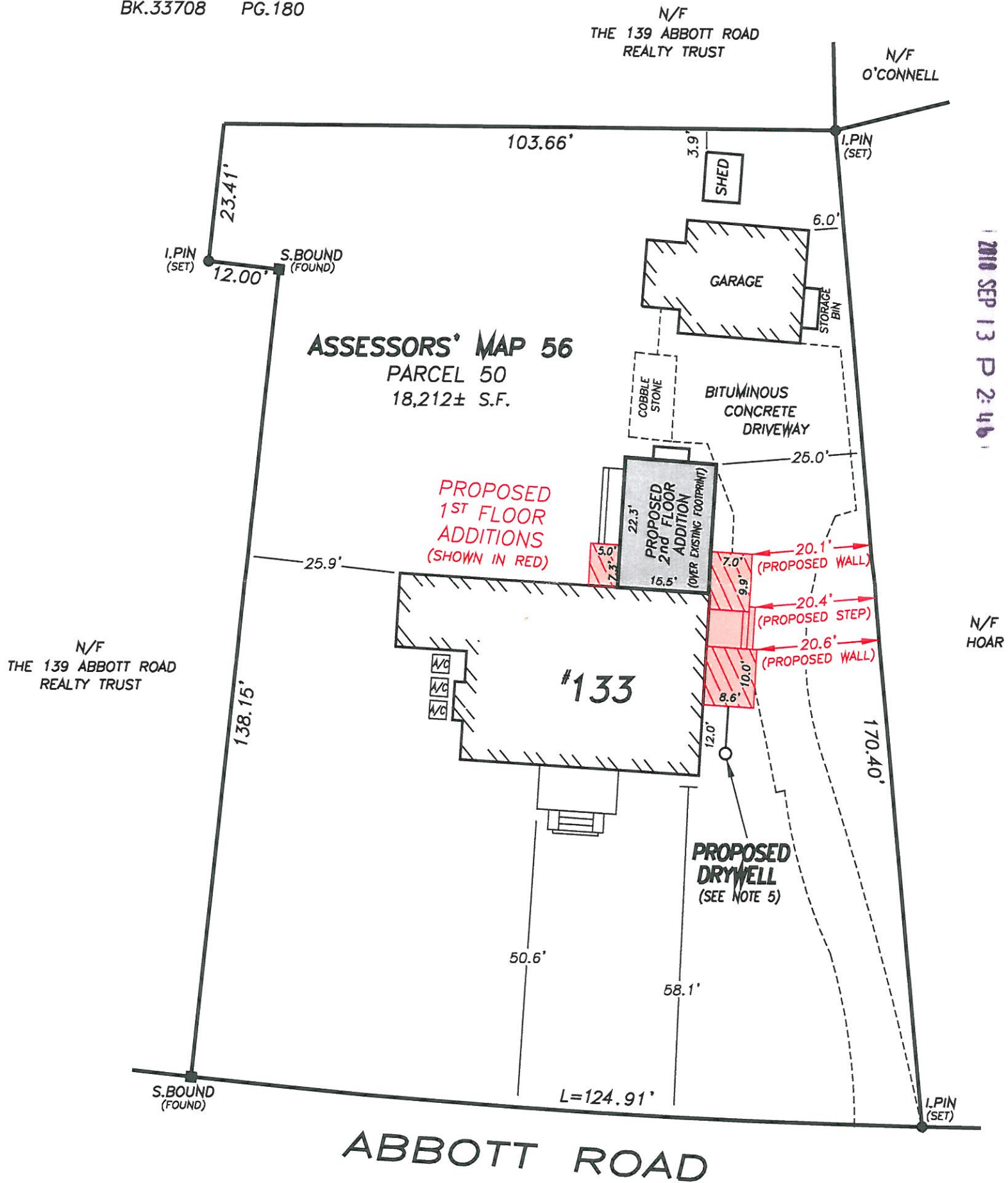
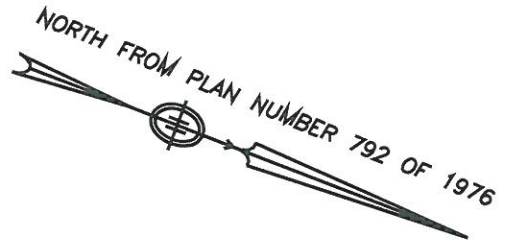
cc: Planning Board  
Inspector of Buildings  
lrm

SITE PLAN  
133 ABBOTT ROAD  
WELLESLEY, MASSACHUSETTS  
1 INCH = 20 FEET AUGUST 22, 2018  
SNELLING & HAMEL ASSOCIATES, INC.  
PROFESSIONAL LAND SURVEYORS & ENGINEERS  
10 LEWIS STREET P.O. BOX 102  
LINCOLN, MASSACHUSETTS 01773

OWNERS OF RECORD:  
CRAIG K. BYRNES  
&  
ERIN K. BYRNES  
BK.33708 PG.180

SCALE 1" = 20'

0 20 40 60 80



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I HEREBY STATE THAT THE LOCATION OF THE FEATURES SHOWN HEREON IS THE RESULT OF A FIELD SURVEY PERFORMED AS OF DECEMBER 13, 2012 WITH THE USE OF A TOPCON TOTAL STATION. THE SITE WAS FIELD REVIEWED MAY 9, 2018.

*John R. Hamel*

JOHN R. HAMEL  
PROFESSIONAL  
LAND SURVEYOR



AUGUST 22, 2018  
DATE

NOTES:

1. ZONING DISTRICT: SR20
2. EXISTING LOT COVERAGE: 12.9%
3. PROPOSED LOT COVERAGE: 14.2%
4. CONSTRUCTION STAKEOUT IS NECESSARY FOR THE PLACEMENT OF THE PROPOSED STRUCTURES
5. PROPOSED DRY-WELL CONNECTED TO DOWNSPOUTS THROUGH SUB-SURFACE PIPES FOR 1ST FLOOR ADDITION AND SIDE OF EXISTING MAIN ROOF FACING DRIVEWAY

15444.DWG  
AUGUST 22, 2018