

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ZBA 2018-71

Petition of Gerardo Ventura
14 Wilde Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 1, 2018 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Gerardo Ventura requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing nonconforming two-story structure and construction of a one and two-story addition 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, at 14 Wilde Road, 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.

On October 16, 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 Tara and Gerardo Ventura, the Petitioner, and Michael Hally, Architect.

Ms. Ventura said that the request is for relief for a side yard setback. She said that they purchased the house in 2012 when they had two children and they now have three children. She said that they would like to build an addition to their house because they love the neighborhood and want to stay there. She said that they spoke with all of their abutters and showed them the plans. She submitted a letter that was signed by abutters, stating that they do not object to the proposed changes.

Mr. Hally said that the existing garage with a bedroom on top on the left side of the house is 9.7 feet off the left side lot line. He said that it is connected to the house by an open breezeway. He said that the plan is to demolish the existing garage and pull a square garage with a dormered bedroom on top forward. He said that they will construct a one story addition across the back of the new garage and the house, and a small two-story addition on the right side that will meet setback requirements. He said that they will move the garage away from the left side lot line but it will not be totally conforming. He said that they will maintain the look and profile on the left side elevation. He said that the house was built in the 1930's and there is no basement, just crawl space under. He said that the new foundation under the great room will have full basement for utilities. He said that the small addition at the back will provide a stairway down to the basement space. He said that they went to great lengths to make sure that this project was affordable and the homeowners got what they wanted. He said that the project was approved by the Wetlands Protection Committee (WPC) earlier this evening.

A Board member said that, although there will be continued encroachment into the side setback, the design has reduced the impact to the neighbor by the arrangement of the forms that make up that side. He said that it was nicely done.

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 14 Wilde Road, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, with a minimum 9.7 left side yard setback where 20 feet is required.

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 demolition of an existing nonconforming two-story structure and construction of a one and two-story addition 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, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 9/24/18, stamped by John R. Hamel, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 5/15/18, prepared by Michael Hally Design, Inc., and photographs were submitted.

On October 23, 2018, the Planning Board reviewed the petition and recommended that a Special Permit be approved.

Decision

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NORFOLK COUNTY

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 two-story structure and construction of a one and two-story addition 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, 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 two-story structure and construction of a one and two-story addition 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, subject to the following condition:

- The Order of Conditions shall be recorded at the Norfolk County Registry of Deeds.

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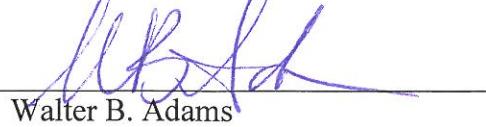
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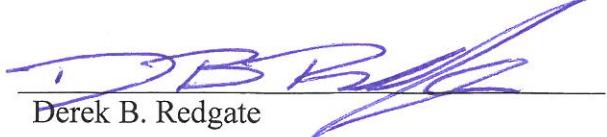
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



Richard L. Seegel, Chairman



Walter B. Adams



Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm

SITE PLAN

14 WILDE ROAD

WELLESLEY, MASSACHUSETTS

1 INCH = 20 FEET SEPTEMBER 24, 2018

SNELLING & HAMEL ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS & ENGINEERS
10 LEWIS STREET P.O. BOX 102
LINCOLN, MASSACHUSETTS 01773
(781) 259-0071

OWNERS OF RECORD:

GERARDO T. VENTURA
&
TARA VENTURA
BK.29687 PG.87

N/F
DANIEL GARRISON
&
JILL C. GARRISON

100 00'

1 INCH = 20 FEET

NOTE:

- ZONING DISTRICT: SR-10
- THE LOCATION OF SUBSURFACE UTILITIES IS APPROXIMATE & BASED ON FIELD OBSERVATION & INFORMATION PROVIDED BY OTHERS. DIG-SAFE SHOULD BE CONTACTED & THE UTILITIES MARKED ON THE GROUND PRIOR TO ANY EXCAVATION. CALL (800) DIG-SAFE.
- CONSTRUCTION SKATEOUT IS NECESSARY TO ASSIST WITH THE PLACEMENT OF PROPOSED FEATURES.
- THE BOUNDARY OF BORDERING VEGETATED WETLANDS & THE MEAN ANNUAL HIGH WATER WAS IDENTIFIED & FLAGGED BY DAVID W. BURKE, WETLANDS RESOURCE SPECIALIST, IN JUNE 25, 2018.

PLAN REFERENCES.

THEIR PREFERENCES:

AREA CALCULATIONS:

- EXISTING LOT COVERAGE: $1,266 \pm$ S.F. OR 12.7%
- PROPOSED LOT COVERAGE: $2,070 \pm$ S.F. OR 20.7%
- MAXIMUM LOT COVERAGE: 2,500 S.F.

I HEREBY STATE THAT THE LOCATION OF THE FEATURES SHOWN HEREON IS THE RESULT OF A FIELD SURVEY PERFORMED AS OF JULY 11, 2018, WITH THE USE OF A TOPCON TOTAL STATION.

JOHN R. HAMEL
PROFESSIONAL
LAND SURVEYOR



SEPTEMBER 24, 2018

DATE:

16342.DWG
SEPTEMBER 24, 2018