

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ZBA 2018-73

Petition of Michael & Nicole Ferrante
14 Ox Bow Road

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2018 NOV 15 P 3:00

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 Michael & Nicole Ferrante requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of one and two-story additions that will meet setback requirements, and construction of a second story addition with less than required right side yard setbacks, on an existing nonconforming structure with less than required left side yard and right side yard setbacks, at 14 Ox Bow Road, on a 17,407 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.

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 Jan Gleysteen, Architect, and Michael Ferrante, the Petitioner.

Mr. Gleysteen said that the request is for relief for a 9.9 foot right side yard setback. He said that the house was built in 1931. He said that the TLAG threshold for Large Review for the district is 5,900 square feet. He said that TLAG of the existing house is 3,092 square and they will add 649 square feet, for a total of 3,741 square feet.

Mr. Gleysteen said that the exiting house is nonconforming on the right side and the lot size is under 17,500 square feet in a district in which the minimum conforming lot size is 20,000 square feet. He said that the request is for a special permit to build an addition, partially one story and partially two story.

Mr. Gleysteen said that the Ferrantes had a third child a short time ago. He said that the plan is to add a third bedroom and bathroom and bump out the kitchen for a breakfast nook.

Mr. Ferrante said that they spoke with their neighbors about the plans. He said that Anne Melvin, who is the neighbor who would be most affected, sent an email in support of the project.

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 Ox Bow Road, on a 17,407 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 10.2 feet and a minimum right side yard setback of 9.9 feet where 20 feet is required.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of one and two-story additions that will meet setback requirements, and construction of a second story addition with less than required right side yard setbacks, on an existing nonconforming structure with less than required left side yard and right side yard setbacks, on a 17,407 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 8/24/18, revised 9/12/18, stamped by Bradley J. Simonelli, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 8/28/18, prepared by Jan Gleysteen Architects Inc., and photographs were submitted.

On October 23, 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 construction of one and two-story additions that will meet setback requirements, and construction of a second story addition with less than required right side yard setbacks, on an existing nonconforming structure with less than required left side yard and right side yard setbacks, on a 17,407 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 construction of one and two-story additions that will meet setback requirements, and construction of a second story addition with less than required right side yard setbacks, on an existing nonconforming structure with less than required left side yard and right side yard setbacks, on a 17,407 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, in accordance with the submitted plot plan and construction drawings.

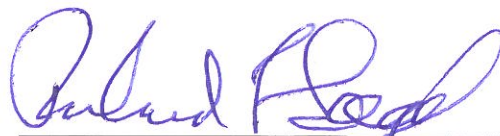
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed constructions plans.

If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

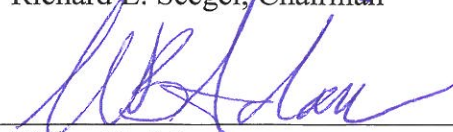
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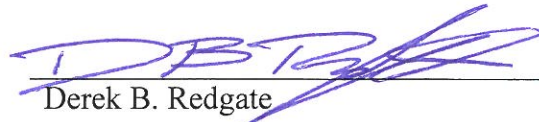
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



Richard L. Seegel, Chairman

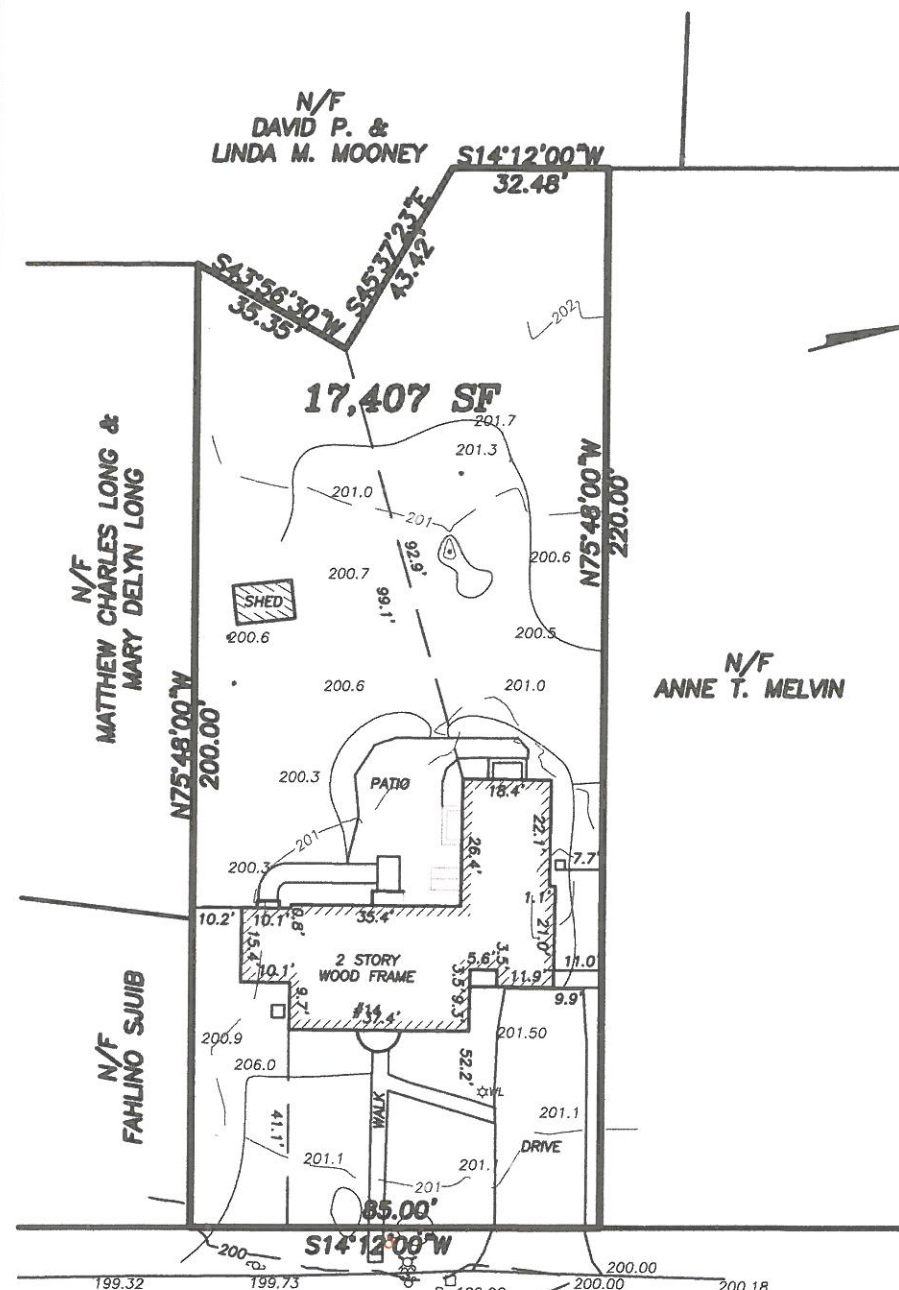


Walter B. Adams



Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm

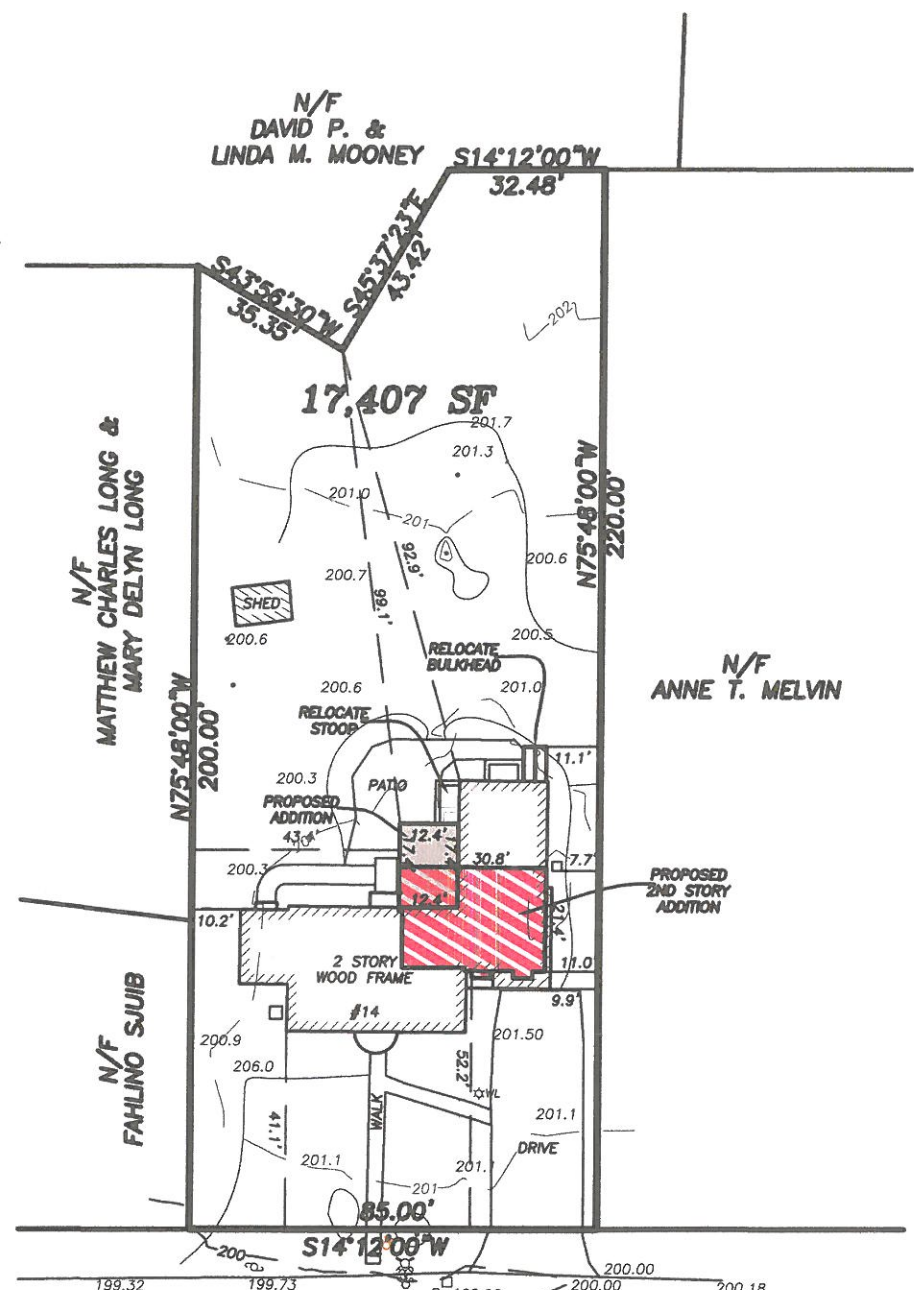


OX BOW ROAD
199.74

EXISTING SITE PLAN

ZONING INFORMATION: SINGLE RESIDENCE 20 (SR20)

	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA	20,000 SF	17,407 SF	17,407 SF
MINIMUM LOT FRONTAGE	60 FEET	85.00 FEET	85.00 FEET
MINIMUM FRONT SETBACK	30 FEET	41.1 FEET	41.1 FEET
MINIMUM SIDE YARD	20 FEET	9.9 FEET	9.9 FEET
MINIMUM REAR YARD	20 FEET	92.9 FEET	92.9 FEET
MAXIMUM BUILDING COVERAGE	20%	11.7%(2032 SF)	13.0%(2264 SF)
MAXIMUM BUILDING HEIGHT	36 FEET		
MAXIMUM BUILDING HEIGHT	2 1/2 STORIES	2 STORIES	2 STORIES



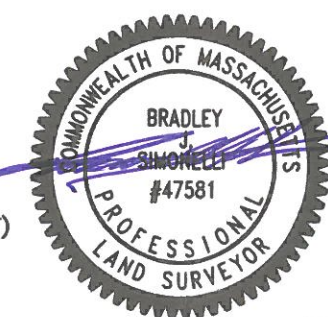
OX BOW ROAD
199.74

PROPOSED SITE PLAN

TOWN OF WELLESLEY
MAP 61 PARCEL 7

NORFOLK COUNTY
REGISTRY OF DEEDS
BOOK 31700 PAGE 238

OWNER/APPLICANT:
MICHAEL R. & NICOLE D. FERRANTE



REVISED: SEPTEMBER 12, 2018

ZONING BOARD OF APPEALS
PLAN OF LAND
14 OX BOW ROAD
WELLESLEY, MASS.

Field Resources, Inc.
LAND SURVEYORS

AUGUST 24, 2018 SCALE 1"=40'
P.O. BOX 324 281 CHESTNUT ST.
AUBURN, MA NEEDHAM, MA.
508 832 4332 781 444 5936
fieldresources@hotmail.com