

TOWN OF WELLESLEY



MASSACHUSETTS

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WELLESLEY MA 02482

2017 APR 20 P 4:20

ZONING BOARD OF APPEALS

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

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ZBA 2017-26

Petition of Emily Rome
75 Abbott Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 6, 2017, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Emily Rome 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 deck with less than required left side yard setbacks, demolition of an existing nonconforming garage and deck with less than required right side yard setbacks, and construction of a two story addition that will consist of a first floor level addition with a side facing garage under that will meet all setback requirements, on an 18,764 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, at 75 Abbott Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On February 22, 2017, 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 David Stern, Architect, representing Bill Mone and Emily Rome, the owners of 75 Abbott Road. He said that the petition is for a special permit for an addition and renovations to the existing structure. He said that the proposed work will be as of right. He said that they are requesting a special permit because the lot is 18,764 square feet in a district in which the minimum lot size is 20,000 square feet.

The Board said that the existing house is nonconforming but will be conforming when the decks are razed. Mr. Stern said that the existing nonconformities are the garage and a small deck to the south of the house. He said that they will remove both of those. He said that the proposed addition will be entirely conforming. The Board confirmed that the proposed structure will conform to the 500 Foot Rule.

Mr. Stern said that the TLAG will be approximately 1,000 square feet under the allowable amount. He said that the garage is just under 600 square feet. He said that they will be at 4,003 square feet. He said that the threshold is 5,900 square feet.

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 75 Abbott Road, on an 18,764 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 18 feet and a minimum right yard setback of 18.9 feet. The garage has a minimum right side yard setback of 9.9 feet.

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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 deck with less than required left side yard setbacks, demolition of an existing nonconforming garage and deck with less than required right side yard setbacks, and construction of a two story addition that will consist of a first floor level addition with a side facing garage under that will meet all setback requirements, on an 18,764 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 Plan dated 2/16/17, stamped by Todd P. Chapin, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, prepared by Stern McCafferty, dated 2/17/17, and photographs were submitted.

On March 28, 2017, the Planning Board reviewed the petition and recommended that the 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 demolition of an existing nonconforming deck with less than required left side yard setbacks, demolition of an existing nonconforming garage and deck with less than required right side yard setbacks, and construction of a two story addition that will consist of a first floor level addition with a side facing garage under that will meet all setback requirements, on an 18,764 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, 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 deck with less than required left side yard setbacks, demolition of an existing nonconforming garage and deck with less than required right side yard setbacks, and construction of a two story addition that will consist of a first floor level addition with a side facing garage under that will meet all setback requirements, on an 18,764 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.

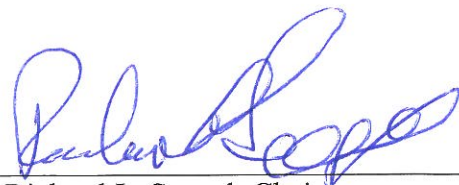
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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75 Abbott Road

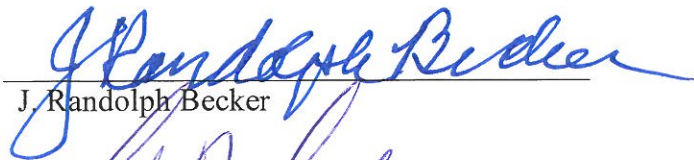
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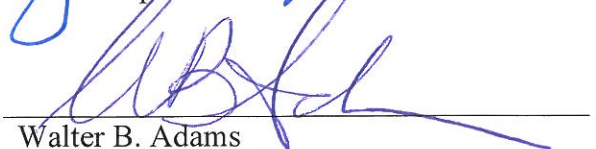
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



Richard L. Seegel, Chairman

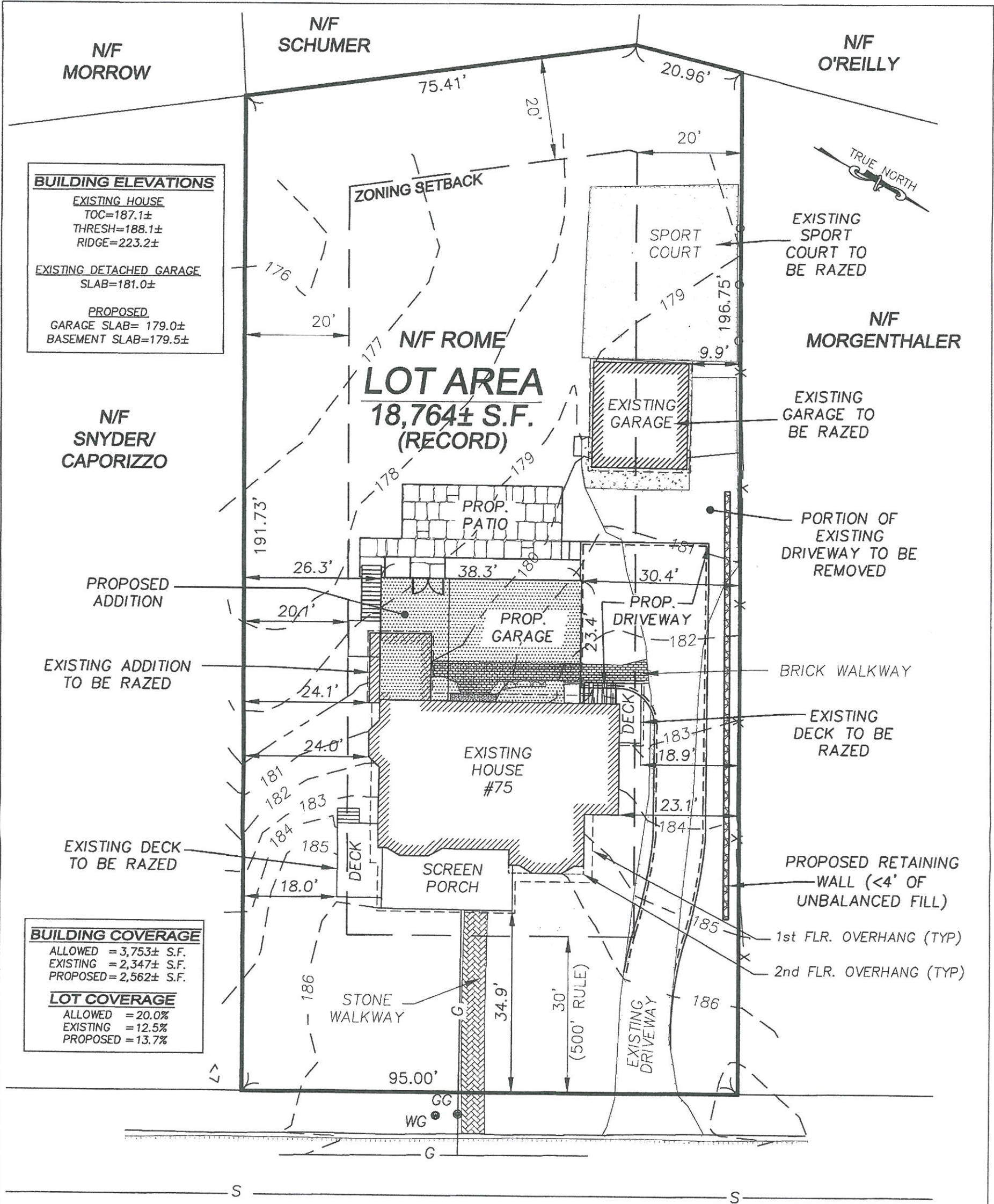


J. Randolph Becker



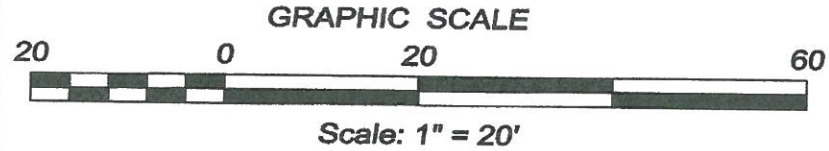
Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrm

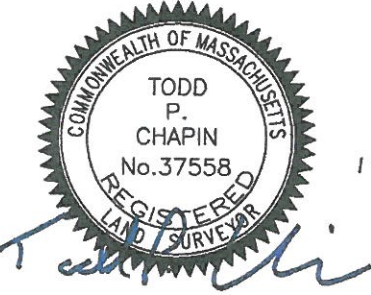


ABBOTT ROAD
(PUBLIC ~ 40' WIDE)

HYDRANT



PREPARED FOR: EMILY ROME
75 ABBOTT ROAD
WELLESLEY, MA 02481



"BASED ON AN INSTRUMENT SURVEY,
I CERTIFY THAT THE EXISTING BUILDINGS
ARE LOCATED AS SHOWN HEREON."

**"No. 75 ABBOTT ROAD
PETITIONER'S PLAN"**

LAND IN
WELLESLEY, MASS.

SCALE: 1" = 20' DATE: 16 FEBRUARY 2017

PREPARED BY: **THE JILLSON COMPANY, INC.**

P.O. BOX 2135
FRAMINGHAM, MA 01703-2135
(781) 400-5946

www.JILLSONCOMPANY.com **JOB #2713**