



ZONING BOARD OF APPEALS

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

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ZBA 2017-39
Petition of Andy Langowitz
35 Stanford Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 4, 2017, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Andy Langowitz requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that construction of a one-story addition and deck that will meet all setback requirements, on a 19,886 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 35 Stanford Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On April 3, 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 were James Goodhue, Esq., Andy and Nan Langowitz, the Petitioner, and Barney Maier, Architect.

Mr. Goodhue said that the request is for a special permit to add a 760 square foot addition to the rear of the property, along with a 272 square foot deck. He said that the rear of the property abuts land that they believe is under the jurisdiction of the Natural Resources Commission (NRC). He said that he submitted a letter to the Board outlining how this lot came to be nonconforming.

Mr. Goodhue said that they obtained an Order of Condition from the Wetlands Protection Committee.

The Board said that it could be that the original parcel had a different area than the current survey shows. Mr. Goodhue said that he believed that Gleason Engineering did the original survey. He said that other issues with them have come to light over the years. He said that technology has changed over the years.

There was no one present who wished to speak to the petition.

Statement of Facts

The subject property is located at 35 Stanford Road, on a 19,886 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 Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that construction of a one-story addition and deck that will meet all setback requirements, on a 19,886 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 1/4/17, stamped by Clifford E. Rober, Professional Land Surveyor, Existing & Proposed Floor Plans & Elevation Drawings, dated 3/6/17, prepared by Feinmann, Inc., and photographs were submitted.

On May 2, 2017, the Planning Board reviewed the petition and recommended that the special permit be granted.

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 a one-story addition and deck that will meet all setback requirements, on a 19,886 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 a one-story addition and deck that will meet all setback requirements, on a 19,886 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, 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.

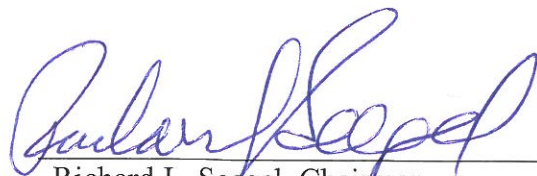
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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WELLESLEY MA 02482
1 2017 MAY 18 P 2:33

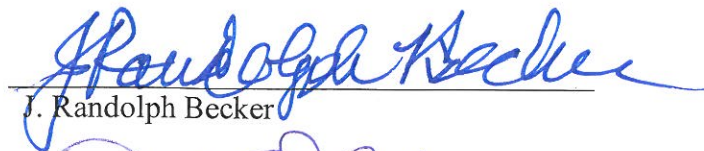
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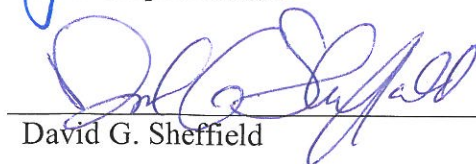
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



Richard L. Seegel, Chairman

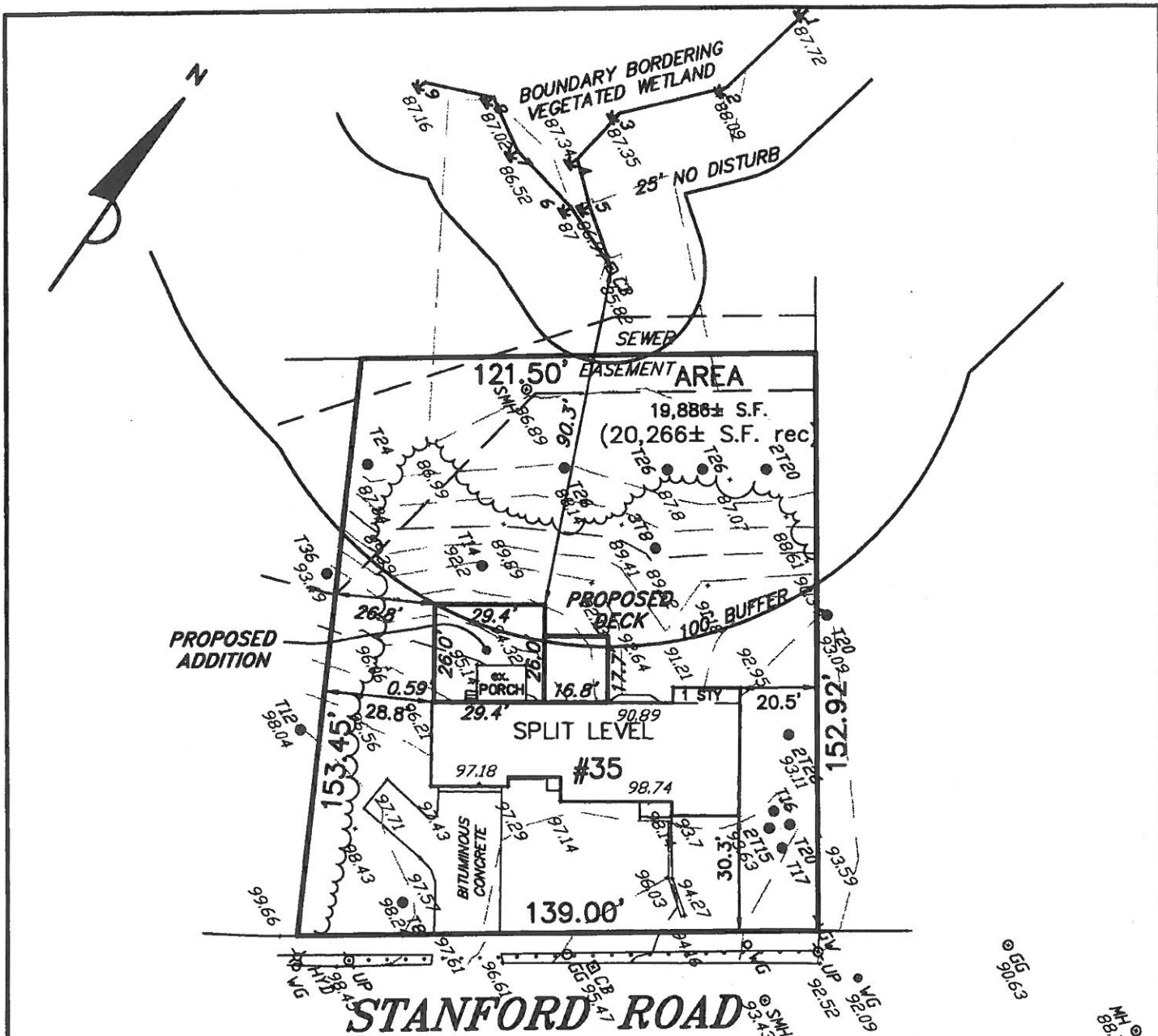


J. Randolph Becker



David G. Sheffield

cc: Planning Board
Inspector of Buildings
lrn

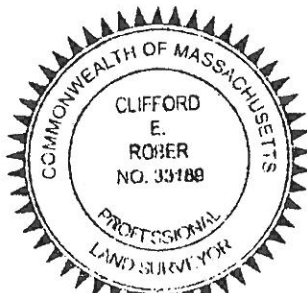


WETLANDS DELINEATED BY LEC ENVIRONMENTAL JANUARY 2017.

LOT COVERAGE = 11.3%

I HEREBY CERTIFY THAT THE BUILDING IS
LOCATED AS SHOWN.

PREPARED FOR: ANDREW & NAN LANGOWITZ



[Signature]
CLIFFORD E. ROBER, PLS DATE
THIS PLAN MAY HAVE BEEN ALTERED IF
THE SIGNATURE IS NOT SIGNED IN BLUE.

**PROPOSED PLOT PLAN
#35 STANFORD ROAD
IN
WELLESLEY, MA
(NORFOLK COUNTY)**

SCALE: 1" = 40' DATE: 1/4/2017



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