

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ZBA 2019-15
Petition of Robert & Marybeth Martello
17 Cleveland Road

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WELLESLEY, MASS.

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, January 10, 2019 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Robert & Marybeth Martello requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that demolition of a portion of an existing nonconforming structure, and construction of a two story addition with less than required right side yard setbacks, on an existing nonconforming structure with less than required front yard and right side yard setbacks, on a 7,000 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet and a Water Supply Protection District, at 17 Cleveland Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On December 6, 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 Marybeth Martello, the Petitioner, and Jonathan Word, Builder.

Ms. Martello said that the request is for a special permit/finding to build a two story addition on the back of the house for a kitchen and a small family room with a master suite above. She said that she spoke with all of the abutting neighbors and they all support the project.

The Board said that it is an undersized lot with less than required front and right side yard setbacks. The Board said that the proposed addition will not increase the setback.

The Chairman asked about central air conditioning. Ms. Martello said that they are planning to have central air conditioning and will put the condensers where they will meet the setback requirements.

A Board member identified the nonconformities on the property and the Board made findings in accordance with Section XVII of the Zoning Bylaw.

Statement of Facts

The subject property is located at 17 Cleveland Road, on a 7,000 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet and a Water Supply Protection District, with a minimum front yard setback of 27.7 feet where 30 feet is required, and a minimum right side yard setback of 12.9 feet 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 a portion of an existing nonconforming structure, and construction of a two story addition with less than required right side yard setbacks, on an existing nonconforming structure with less than required front yard and right side yard setbacks, on a 7,000 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet and a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 11/28/18, stamped by Douglas Bailey, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 11/29/18, prepared by Rodenhiser Builders, and photographs were submitted.

On January 9, 2019, 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 demolition of a portion of an existing nonconforming structure, and construction of a two story addition with less than required right side yard setbacks, on an existing nonconforming structure with less than required front yard and right side yard setbacks, on a 7,000 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet and a Water Supply Protection District is intensifying an existing nonconformity, the proposed alteration will not result in additional nonconformities and shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

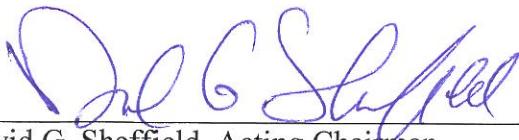
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for demolition of a portion of an existing nonconforming structure, and construction of a two story addition with less than required right side yard setbacks, on an existing nonconforming structure with less than required front yard and right side yard setbacks, on a 7,000 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet and 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 construction plans.

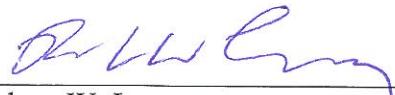
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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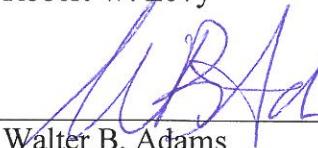
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



David G. Sheffield, Acting Chairman



Robert W. Levy



Walter B. Adams

ZBA 2019-15
Applicant Robert & Marybeth Martello
Address 17 Cleveland Road

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WELLESLEY, MA 02482
2019 JAN 24 PM 3:12

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Date:

Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm

