



## ZONING BOARD OF APPEALS

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

J. RANDOLPH BECKER, CHAIRMAN  
RICHARD L. SEEDEL  
DAVID G. SHEFFIELD

LENORE R. MAHONEY  
EXECUTIVE SECRETARY  
TELEPHONE  
(781) 431-1019 EXT. 2208

ROBERT W. LEVY, VICE CHAIRMAN  
WALTER B. ADAMS  
DEREK B. REDGATE

ZBA 2019-34

Petition of Jacob & Joanna Troy  
57 Fuller Brook Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, March 7, 2019 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Jacob & Joanna Troy requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing one-car garage and construction of a two-car garage with living space above, and construction of a one-story addition that will all setback requirements, on a 12,920 square foot corner lot in a Single Residence District in which the minimum lot size is 20,000 square feet, at 57 Fuller Brook Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On February 1, 2019, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Present at the public hearing were Joanne Powell, Architect, and Jacob and Joanna Troy, the Petitioner.

Mr. Troy said that they moved to 57 Fuller Brook Road in January with their twin three year old daughters. He said that their hope is that this renovation will give the house some much needed love and updating and it will be their home for the next 20 years or more.

Ms. Powell said that the proposal is for a modest addition. She said that the lot is nonconforming for size. She said that the proposed work will meet all other Zoning requirements. She said that the proposed work consists of a one story addition on the rear for a new kitchen and breakfast room, and replacement of the existing one car garage with a two car garage with living space above. She said that the existing house has 1.5 bathrooms. She said that the proposed space above the garage will give them a second bathroom.

A Board member said that the Board received a letter of support from the abutter to the east at 51 Fuller Brook Road. He read a letter from the abutter at 8 Juniper Road. He said that he did not share the Juniper Road neighbor's views because the proposed construction will not impinge on the setbacks and the abutter's request for privacy plantings should not be a condition of approval. Ms. Troy said that she spoke with the neighbors about putting up some sort of screening that will be mutually agreeable.

Ms. Powell said that the existing TLAG is in the low 3,000's and the TLAG for the proposed construction will be approximately 4,200 square feet, which is below the threshold for the district.

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

Statement of Facts

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02152  
21 P KVC  
2019 MAR 22 12:38

The subject property is located at 57 Fuller Brook Road, on a 12,920 square foot corner lot in a Single Residence District in which the minimum lot size is 20,000 square feet.

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 one-car garage and construction of a two-car garage with living space above, and construction of a one-story addition that will all setback requirements, on a 12,920 square foot corner lot in a Single Residence District in which the minimum lot size is 20,000 square feet, at 57 Fuller Brook Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 1/24/19, stamped by Robert A. Gemma, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 1/25/19, prepared by JGA, and photographs were submitted.

On February 28, 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 an existing one-car garage and construction of a two-car garage with living space above, and construction of a one-story addition that will all setback requirements, on a 12,920 square foot corner lot in a Single Residence District in which the minimum lot size is 20,000 square feet shall result in the intensification of existing nonconformities, it shall 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 an existing one-car garage and construction of a two-car garage with living space above, and construction of a one-story addition that will all setback requirements, on a 12,920 square foot corner 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.

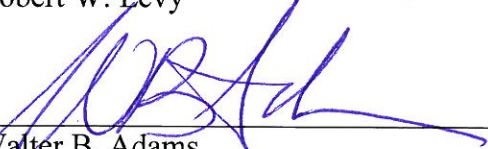
ZBA 2019-34  
Petition of Jacob & Joanna Troy  
57 Fuller Brook Road

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02482  
21 P KKK  
2019 MAR 22 A 2:38

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.

  
J. Randolph Becker, Chairman

  
Robert W. Levy

  
Walter B. Adams

ZBA 2019-34  
Applicant Jacob & Joanna Troy  
Address 57 Fuller Brook Road

**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

