

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

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

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2019 MAY 16 P 31  
RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY, MA 02482

ZBA 2019-39

Petition of Jennifer Wound & Robert Haselhurst  
52 Emerson Road

Haselhurst  
L.M.

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 2, 2019 7:30 pm in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Jennifer Wound & Robert Haselhurst 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 two-story addition at the rear of the house that will meet all setback requirements on an existing nonconforming structure with less than required left side yard setbacks, on a 14,480 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, in a Water Supply Protection District, at 52 Emerson Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On March 28, 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 Kent and Sam Soderholm, Soderholm Custom Builders, Inc., and Robert Haselhurst, the Petitioner.

Sam Soderholm said that the lot is 14,480 square feet in a district where the minimum lot size is 15,000 square feet. He said that the existing home was renovated in 2003 with a garage, master bedroom and bath addition. He said that the proposed construction will meet the Zoning setbacks. He said that the goal is to bump out the back for an enlarged kitchen and space on the second floor for a bedroom and reorganize the back façade.

A Board member confirmed that the hatched play area is not a structure.

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 52 Emerson Road, on a 14,480 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, in a Water Supply Protection District, with a minimum left side yard setback of 19.9 feet and a minimum right side yard setback of 16.5 to the air conditioning condenser 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 construction of a two-story addition at the rear of the

*Haselhurst L.M.*

house that will meet all setback requirements on an existing nonconforming structure with less than required left side yard setbacks, on a 14,480 square foot lot in a Single Residence District in which the minimum lot size is 15,000 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 2/12/19, stamped by Todd P. Chapin, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 2/7/19, prepared by Christopher O'Connell Associates, and photographs were submitted.

On May 2, 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 construction of a two-story addition at the rear of the house that will meet all setback requirements on an existing nonconforming structure with less than required left side yard setbacks, on a 14,480 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, in a Water Supply Protection District, will result in the intensification of existing nonconformities, it will not result in additional nonconformities, and will 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 a two-story addition at the rear of the house that will meet all setback requirements on an existing nonconforming structure with less than required left side yard setbacks, on a 14,480 square foot lot in a Single Residence District in which the minimum lot size is 15,000 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 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.

2019 MAY 16 PM 3:11  
MELCHIOR MEL  
TOWN CLERK'S OFFICE  
WELLESLEY, MA 02482

ZBA 2019-39

Petition of Jennifer Wound & Robert Haselhurst  
52 Emerson Road

*Haselhurst*  
lrm

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*

Richard L. Seegel, Acting Chairman

*David G. Sheffield*

David G. Sheffield

*Derek B. Redgate*

Derek B. Redgate

ZBA 2019-39  
Applicant Jennifer Wound & Robert Haselhurst  
Address 52 Emerson Road

*Haselhurst*  
lrm

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WELLESLEY MA 02482  
2019 MAY 16 P 3:1

**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

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**LEGEND**

-----W-----	.....	EXISTING WATER SERVICE
WG 	.....	EXISTING WATER GATE
HYD 	.....	EXISTING HYDRANT
-----S-----	.....	EXISTING SEWER PIPE
SMH 	.....	EXISTING SEWER MANHOLE
AD 	.....	EXISTING AREA DRAIN
-----UE-----	.....	EXISTING UNDERGROUND ELECTRIC
-----OW-----	.....	EXISTING OVERHEAD WIRES
UP 	.....	EXISTING LIGHT POLE
-----G-----	.....	EXISTING GAS SERVICE
GG 	.....	EXISTING GAS GATE
-----	.....	EXISTING EDGE OF PAVEMENT
-----	.....	EXISTING STOCKADE FENCE
 AC	.....	EXISTING HVAC UNIT
	.....	PROPOSED ADDITION

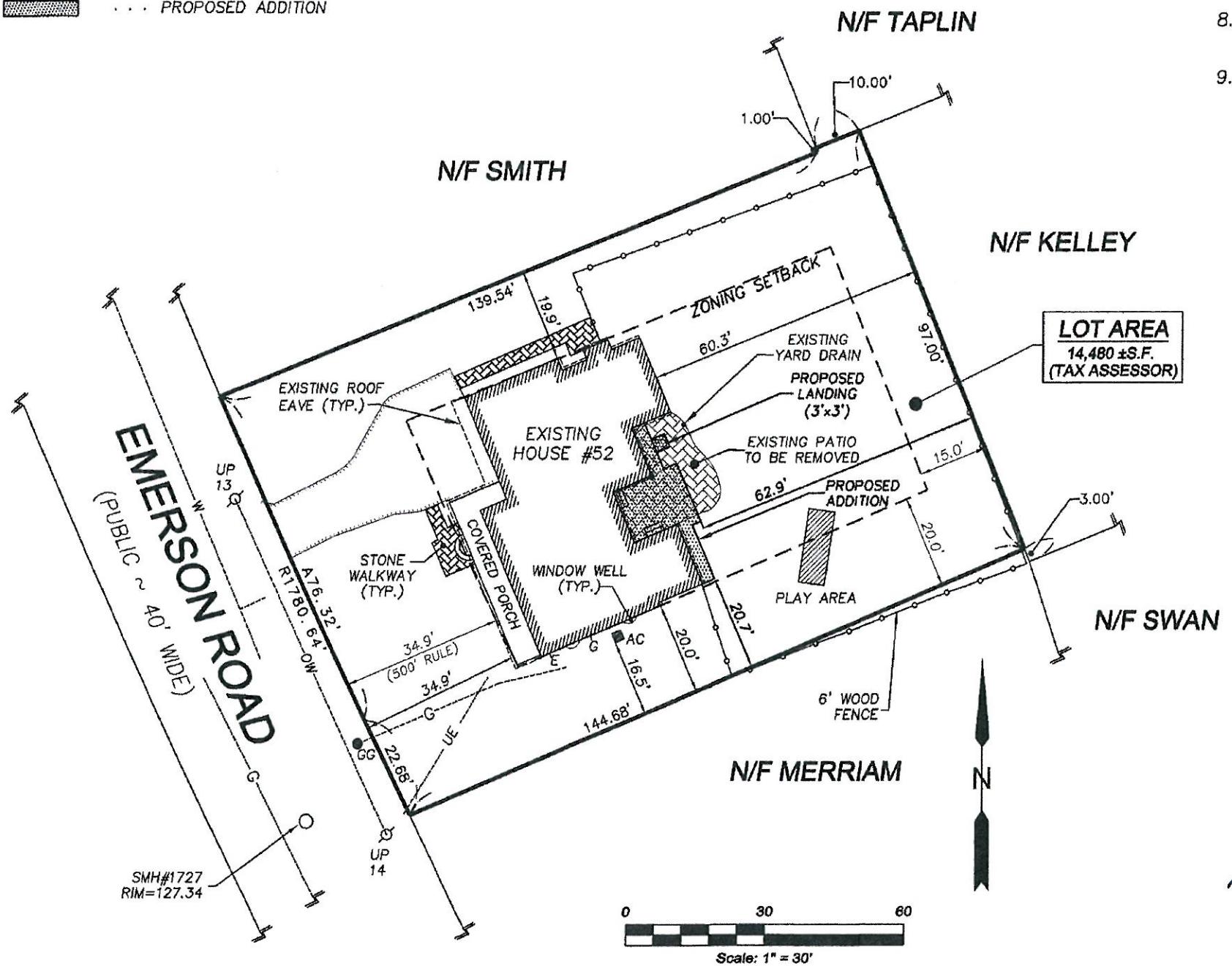
## **EXISTING HOUSE ELEVATIONS**

HIGHEST ROOF RIDGE = 163.7±  
FIRST FLOOR (THRESHOLD) = 137.2±  
TOP OF FOUNDATION = 135.9±  
GARAGE SLAB (EXIT) = 135.3±

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**NOTES**

1. THIS PLAN SHALL NOT BE USED TO ESTABLISH PROPERTY LINES.
2. FOR ADDITIONAL PROPERTY LINE INFORMATION REFER TO THE DEED, CERTIFICATE NUMBER 186622 RECORDED AT THE NORFOLK REGISTRY OF DEEDS.
3. THIS PLAN REFERS TO THE TOWN OF WELLESLEY ASSESSOR'S MAP 29, LOT 62.
4. ZONING CLASSIFICATION: SR15.
5. ALL ELEVATIONS SHOWN HEREON REFER TO N.A.V.D. OF 1988.
6. THE PLANIMETRIC SITE FEATURES SHOWN HEREON ARE BASED ON FIELD SURVEY WORK PERFORMED BY THE JILLSON COMPANY IN DECEMBER 2018.
7. ANY EXISTING UNDERGROUND UTILITY LOCATIONS SHOWN HEREON ARE BASED ON INFORMATION PROVIDED BY THE TOWN AND DIG SAFE FLAGGING AND SHALL BE CONSIDERED APPROXIMATE. FURTHERMORE, THE TOTAL EXTENT OF THE UNDERGROUND UTILITIES IS UNKNOWN.
8. THE PROJECT SITE IS LOCATED IN 'ZONE X - AREA OF MINIMAL FLOOD HAZARD' AS SHOWN ON FIRM FLOOD MAP NUMBER 25021C0009E, EFFECTIVE ON 07/17/12.
9. THIS PLAN IS INTENDED FOR PERMITTING PURPOSES ONLY



PREPARED FOR:  
JENNIFER WOUND  
52 EMERSON ROAD  
WELLESLEY, MA 02481

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## LOT COVERAGE

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$$\begin{aligned}
 \text{ALLOWED} &= 20.0\% \pm / 2,896 \pm \text{S.F.} \\
 \text{EXISTING} &= 16.1\% \pm / 2,331.4 \pm \text{S.F.} \\
 \text{PROPOSED} &= 17.9\% \pm / 2,593.8 \pm \text{S.F.}
 \end{aligned}$$

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## BUILDING COVERAGE

$$\begin{aligned}
 \text{ALLOWED} &= 20.0\% \pm / 2,896 \pm \text{S.F.} \\
 \text{EXISTING} &= 14.1\% \pm / 2,034.7 \pm \text{S.F.} \\
 \text{PROPOSED} &= 15.8\% \pm / 2,288.2 \pm \text{S.F.}
 \end{aligned}$$

### **IMPERVIOUS AREA**

EXISTING = 25.2%  $\pm$  / 3,654.6  $\pm$  S.F.  
PROPOSED = 24.5%  $\pm$  / 3,545.3  $\pm$  S.F.

**"No. 52 EMERSON ROAD  
PETITIONER'S PLAN"  
LAND IN  
WELLESLEY, MASS.**

SCALE: 1" = 30' DATE: 12 FEBRUARY 2019  
PREPARED BY: **THE JILLSON COMPANY, INC.**  
P.O. BOX 2135  
FRAMINGHAM, MA 01703-2135  
(781) 400-5946  
[www.JILLSONCOMPANY.com](http://www.JILLSONCOMPANY.com) **JOB #295**