

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ZBA 2019-44
Petition of Amy & Gregg Barton
18 Brewster Road

2019 MAY 16
ZONING BOARD OF APPEALS
WELLESLEY, MASSACHUSETTS

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 Amy & Gregg Barton 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 second story addition over an existing structure that will meet all setback requirements, on an existing conforming structure, on a 10,254 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 18 Brewster 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 was Gregg Barton, the Petitioner, who said that the request is to build an addition on top of the existing home on a nonconforming lot. He said that he lives in the home with his wife, two children and a new baby. He said that they would like to add a bedroom, bathroom and closet above an existing three season porch, which they closed in two years ago when they moved in.

A Board member said that the drawings show that the construction is on posts. Mr. Barton said that the photographs show that the area is closed in. The Board member said that the drawings do not represent the current condition and need to be corrected to show what the actual construction conditions will be. He asked if the structure will be supported on the same sona tubes. Mr. Barton said that the existing sona tubes were assessed and the engineer is convinced that the sona tubes will hold up the second floor. The Chairman said that the Board will not release the decision until revised plans are submitted.

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 18 Brewster Road, on a 10,254 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.

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 second story addition over an existing structure that will meet all setback requirements, on an existing conforming structure, on a 10,254 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 3/8/19, stamped by Bruce Bradford, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 3/1/19, prepared by McGavern Design, 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 second story addition over an existing structure that will meet all setback requirements, on an existing conforming structure, on a 10,254 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 second story addition over an existing structure that will meet all setback requirements, on an existing conforming structure, on a 10,254 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, subject to the following condition:

- Amended plans that show actual conditions shall be submitted.

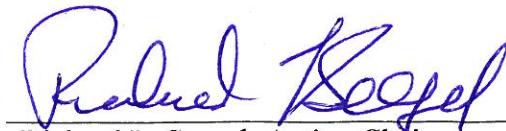
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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 P 3:08
RECEIVED
TOWN OF FERK'S OFFICE
MELISSA YANOWSKI

ZBA 2019-44
Petition of Amy & Gregg Barton
18 Brewster Road

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, Acting Chairman



David G. Sheffield



Derek B. Redgate

2019 MAY 16 P 3:08
RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02481

ZBA 2019-44
Applicant Amy & Gregg Barton
Address 18 Brewster Road

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

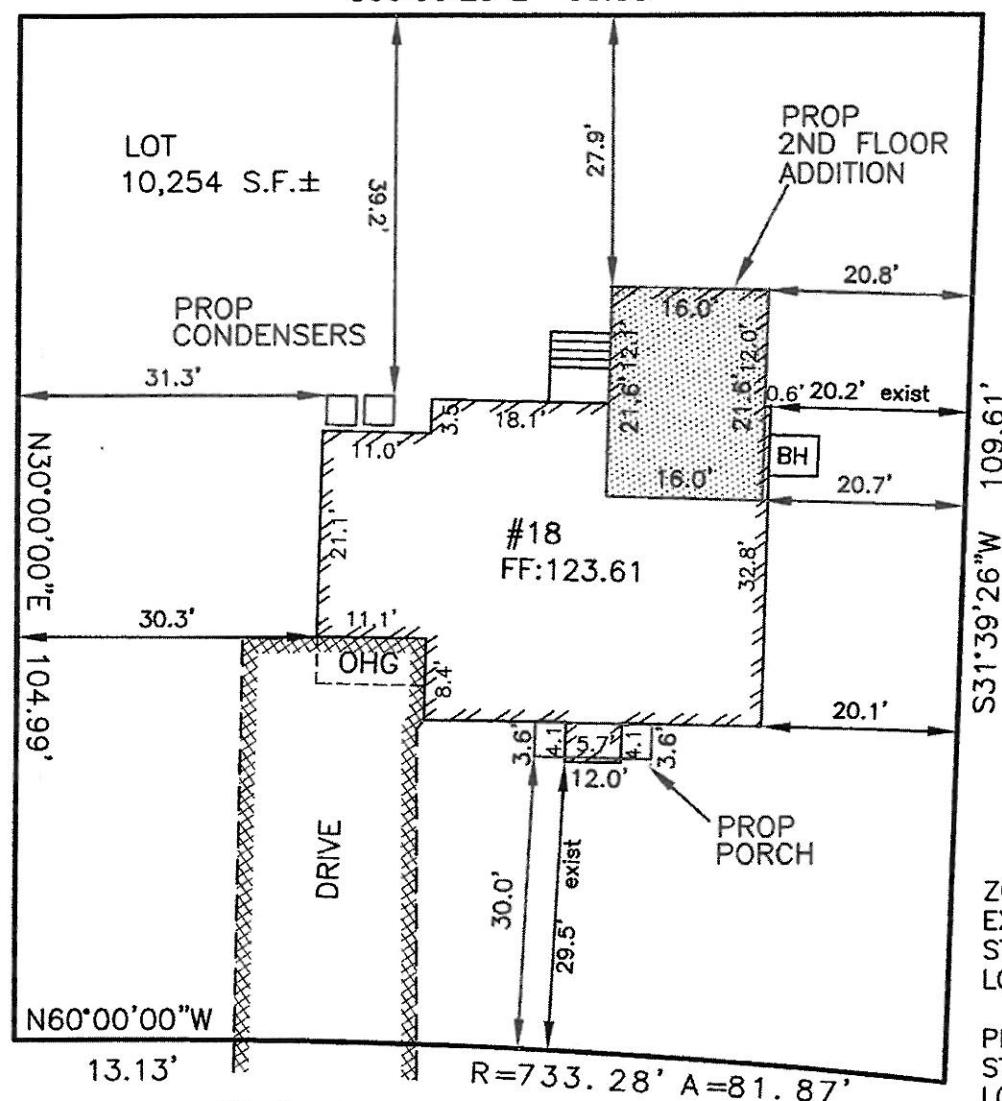
In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed,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

Date:

Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm



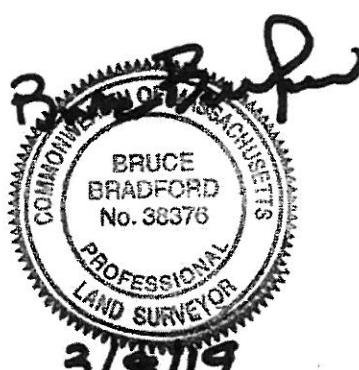
BREWSTER ROAD

ZONING DISTRICT S15
EXISTING
STRUCTURE: 1,603 S.F.
LOT COVERAGE: 15.6%

PROPOSED
STRUCTURE: 1,623 S.F.
LOT COVERAGE: 15.8%

ESTABLISHED 1916
EMB
EVERETT M. BROOKS CO.
SURVEYORS & ENGINEERS
49 LEXINGTON STREET
WEST NEWTON, MA 02465

(617) 527-8750
info@everettbrooks.com



PLAN OF LAND IN WELLESLEY, MA

18 BREWSTER ROAD

PREPARED FOR:
AMY BARTON

SCALE: 1 IN.= 20 FT.

DATE: MARCH 8, 2019

DRAWN: GAR

CHECK: BB

PROJECT NO. 25787