

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

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

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ZBA 2019-46  
Petition of William & Jenna Dickson  
47 Avon Road

RECEIVED  
MAY 16 2019  
P 3  
WELLESLEY, MA 02482  
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WELLESLEY, MA 02482

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 William & Jenna Dickson 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 nonconforming structure with less than required front and right side yard setbacks, on an 8,457 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, in a Water Supply Protection District, at 47 Avon 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 William and Jenna Dickson, the Petitioner, and Nick Paolucci, Architect.

Mr. Dickson said that the house is on an existing nonconforming lot with nonconforming front and side yard setbacks. He said that they bought the home just after Christmas and their hope has always been to expand it from a two bedroom, one bathroom home of 1,038 square feet to a three bedroom, two bathroom home. He said that the plan is to rebuild the second floor on the same footprint. He said that after speaking with the neighbors and the Architect about trying to maintain the character of the structure, they came up with a plan that contemplates completely rebuilding the second floor of the home, making it a full second floor while maintaining the same roof height.

The Chairman said that the Board received letters of support from four neighbors.

A Board member confirmed that there will be no increase of the nonconformities. Mr. Dickson said that they will completely maintain the existing footprint and just add space on the second floor.

A Board member said that it is a nice set of plans. He said that there is an extra line on the front elevation shown on Sheet 4. He said that the roof curves rather than having a sharp break. He said that since the current recessed doorway gives some cover at the entrance, by pushing it out and having a lobby, they will no longer have a cover. He said that there is an opportunity to extend the roofline over the door to provide weather coverage. Mr. Dickson said that they will consider making that change.

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 47 Avon Road, on an 8,457 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, in a Water Supply Protection District, with a minimum front yard setback of 26 feet where 30 feet is required, and a minimum right side yard setback of 12.3 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 construction of a second story addition over an existing nonconforming structure with less than required front and right side yard setbacks, on an 8,457 square foot lot in a Single Residence District in which the minimum lot size is 10,000 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 3/21/19, stamped by Terrence M. Ryan, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 2/19/19, and height from average grade, dated 3/22/19, prepared by Mass Architect, 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 nonconforming structure with less than required front and right side yard setbacks, on an 8,457 square foot lot in a Single Residence District in which the minimum lot size is 10,000 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 nonconforming structure with less than required front and right side yard setbacks, on an 8,457 square foot lot in a Single Residence District in which the minimum lot size is 10,000 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.

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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, Acting Chairman



David G. Sheffield



Derek B. Redgate

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY, MA 02482  
2019 MAY 16 P 3:06

ZBA 2019-46  
Applicant William & Jenna Dickson  
Address 47 Avon 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

# PROPOSED PLOT PLAN

## 47 AVON ROAD

### WELLESLEY, MASS.

DATE: MARCH 21, 2019

SCALE: 1" = 20'

PREPARED FOR:

WILLIAM & JENNA DICKSON  
47 AVON ROAD  
WELLESLEY, MASS. 02482

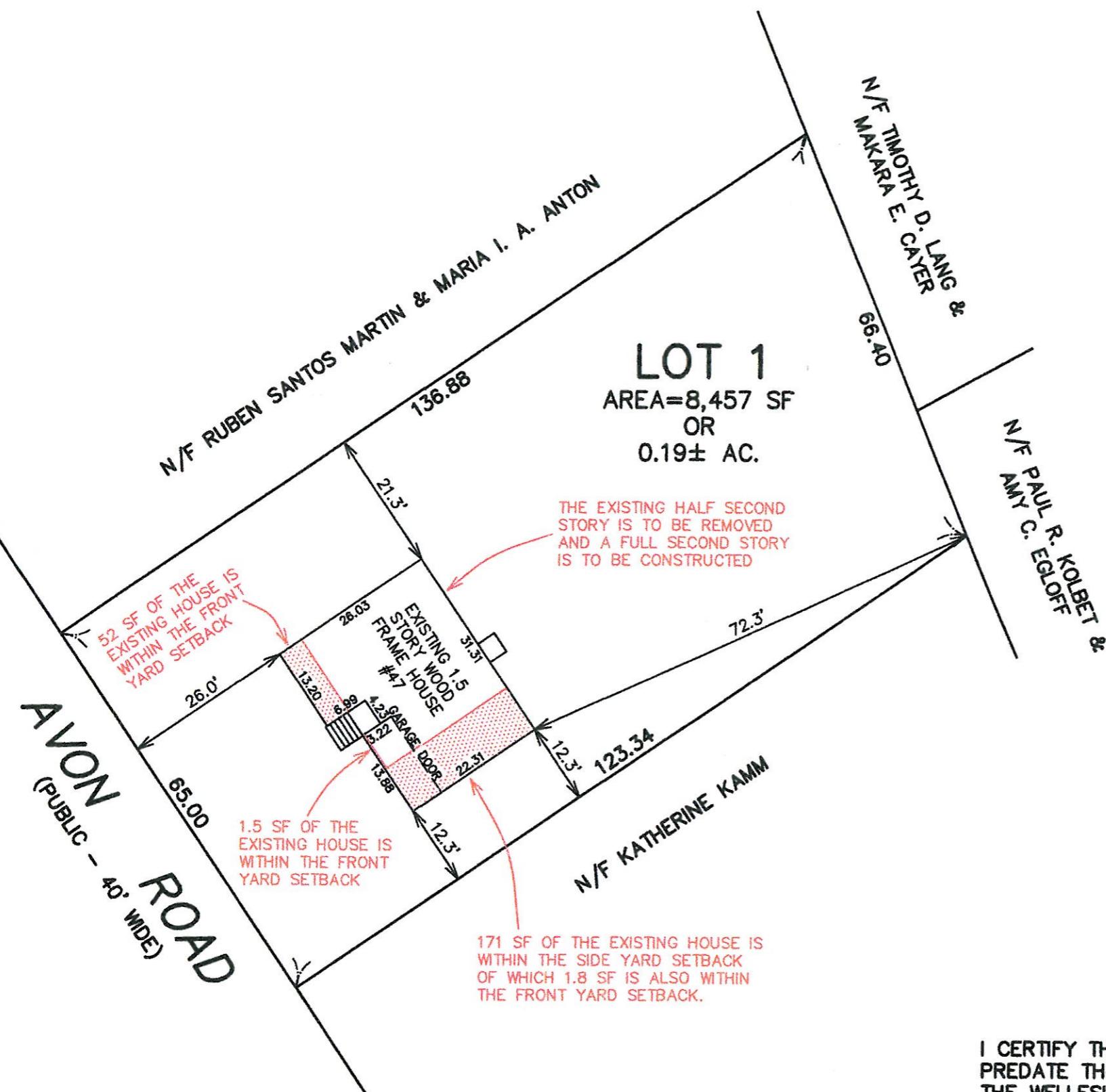
ENGINEERS & SURVEYORS:

APPLEWOOD SURVEY LLC  
21 GREEN STREET  
HOLLISTON, MASS. 01746  
TERRENCE M. RYAN R.L.S. 37057

ZONED: SINGLE RES.  
AREA: 10,000 SF  
FRONTAGE: 60 FT  
SETBACK: 30 FT \*  
SIDEYARD: 20 FT  
REARYARD: 10 FT  
COVERAGE: 2,500 SF

\* SUBJECT TO 500' RULE

DEED BOOK 36527 PAGE 472  
ASSESSORS MAP 148 LOT 18  
EXISTING COVERAGE: 734 SF = 8.9%



I CERTIFY THAT THE LOT SHOWN AND EXISTING HOUSE SHOWN THEREON  
PREDATE THE DIMENSIONAL AND THE DIMENSIONAL OFFSET REGULATIONS OF  
THE WELLESLEY ZONING BYLAWS.

I CERTIFY THAT THE LOT SHOWN AND EXISTING HOUSE SHOWN THEREON ARE  
LOCATED IN A FEDERAL FLOOD HAZARD ZONE "X" - SUBJECT TO MINIMAL  
FLOODING (SOURCE: F.I.R.M. 25021C0016E).