

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ZBA 2019-58
Petition of Nanette & Chris Adair
30 Whiting Road

1 2019 JUN 20 P
TOWN CLERK'S OFFICE
WELLESLEY MA 02482

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 6, 2019 7:30 pm in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Nanette & Chris Adair requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a two-story rear addition that will meet setback requirements, on an existing nonconforming structure with less than required left side yard setbacks, at 30 Whiting Road, in a 20,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On May 8, 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 John Chace, Duckham Architects, and Nanette Adair.

Mr. Chace said that the property is located in a 20,000 square foot Single Residence District with a TLAG threshold of 5,900 square feet. He said that there is a pre-existing nonconforming side yard setback of 9.3 feet to the garage where 20 feet is required. He said that the proposal is for a two story addition at the rear that will not be visible from the street. He said that the height of the addition will be less than the height of the existing house. He said that the plan is to fill in the breezeway between the garage and the main house for a mudroom where the infill will maintain the architecture of the existing breezeway. He said that the proposed construction will meet setback requirements, will be in keeping with the original design and will not be more detrimental to the neighborhood.

A Board member asked about the portico at the front. Mr. Chace said that there is currently an uncovered entry door. He said that the new entry will provide weather protection and will meet setback requirements.

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 30 Whiting Road, in a 20,000 square foot Single Residence District, with a minimum left side yard setback of 9.3 feet where 20 feet is required.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a two-story rear addition that will meet setback

requirements, on an existing nonconforming structure with less than required left side yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 3/27/19, revised 4/30/19 & 5/8/19, stamped by Daniel A. O'Driscoll, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 5/8/19, prepared by Duckham Architecture & Interiors, and photographs were submitted.

On May 24, 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 rear addition that will meet setback requirements, on an existing nonconforming structure with less than required left side yard setbacks, will not result in the intensification of existing nonconformities, 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 rear addition that will meet setback requirements, on an existing nonconforming structure with less than required left side yard setbacks, 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.

J. Randolph Becker
J. Randolph Becker, Chairman

David G. Sheffield
David G. Sheffield

Walter B. Adams
Walter B. Adams

ZBA 2019-58
Applicant Nanette & Chris Adair
Address 30 Whiting 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

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