



ZONING BOARD OF APPEALS

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

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 TELEPHONE
 (781) 431-1019 EXT. 2208

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2019 SEP 26 P
 RECLIVED
 TOWN CLERK'S OFFICE
 WELLESLEY MA 02482

ZBA 2019-75
 Petition of Terri Rawson
 4 Bryn Mawr Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 12, 2019 at 7:30 pm in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Terri Rawson requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing nonconforming garage and construction of a new attached one-story mudroom and two-car garage with less than required front and side yard setbacks, on an existing nonconforming structure with less than required front yard and side yard setbacks, on a 6,646 square foot corner lot in a Single Residence District in which the minimum lot size is 10,000 square feet, in a Water Supply Protection District, at 4 Bryn Mawr Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On August 14, 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 Daniel O'Connor, representing Terri Rawson, the Petitioner. He said that the request is for a special permit to build a new two car garage to replace an existing detached single car garage and a new mudroom leading to the kitchen, to improve functionality.

A Board member confirmed that the entrance to the garage will be off of Claflin Road.

The Chairman said that the lot and the frontage on Bryn Mawr Road are undersized, and it is a corner lot that is subject to two front and two side yard setback requirements. A Board member said that the existing nonconforming garage is to be removed. A Board member said that connecting the garage to the house will make the whole structure nonconforming.

A Board member said that new construction in the neighborhood has been at a much larger scale than the proposed building. He said that the proposed structure with the addition will be within or at smaller scale than the rest of the neighborhood.

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 4 Bryn Mawr Road, on a 6,646 square foot corner 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 to Bryn Mawr Road of 16.8 feet and a minimum front yard setback to Claflin Road of 15.8 feet where 30 feet is required. The existing nonconforming garage has a

minimum front yard setback of 20.1 feet to Claflin Road where 30 feet is required and no side yard setback 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 demolition of an existing nonconforming garage and construction of a new attached one-story mudroom and two-car garage with less than required front and side yard setbacks, on an existing nonconforming structure with less than required front yard and side yard setbacks, on a 6,646 square foot corner 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 7/22/19, stamped by Bradley J. Simonelli, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 5/12/19, prepared by John Chapman, Architect, and photographs were submitted.

On September 11, 2019, the Planning Board reviewed the petition and recommended that the special permit be approved.

Decision

2019 SEP 26 P259
IOWA CITY CLERK'S OFFICE
WELLESLEY, MASS.

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.

The Board found that the Design and Operation Standards in Part F are adequately satisfied and not otherwise prohibited in Part D.1, of Section XIVE of the Zoning Bylaw for Water Supply Protection Districts.

It is the opinion of this Authority that demolition of an existing nonconforming garage and construction of a new attached one-story mudroom and two-car garage with less than required front and side yard setbacks, on an existing nonconforming structure with less than required front yard and side yard setbacks, on a 6,646 square foot corner lot in a Single Residence District in which the minimum lot size is 10,000 square feet, will 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 demolition of an existing nonconforming garage and construction of a new attached one-story mudroom and two-car garage with less than required front and side yard setbacks, on an existing nonconforming structure with less than required front yard and side yard setbacks, on a 6,646 square foot corner lot in a Single Residence District in which the minimum lot size is 10,000 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 construction plans.

If construction has not commenced, except for good cause, the 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

Richard L. Seegel
Richard L. Seegel

David G. Sheffield
David G. Sheffield

ZBA 2019-75
Applicant Terri Rawson
Address 4 Bryn Mawr Road

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

RECEIVED IN
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2019 SEP 26 PM 12:59

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.

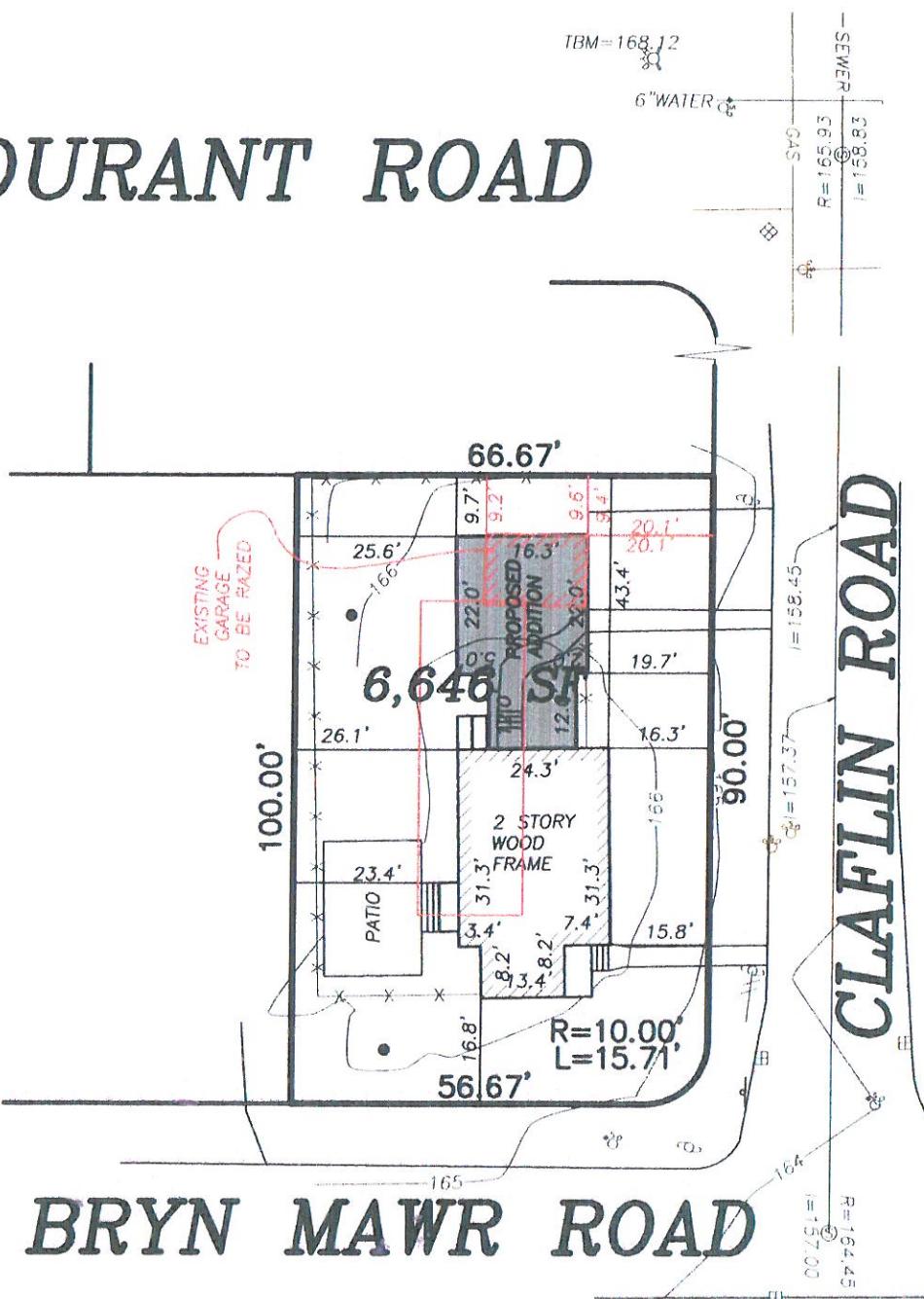
Date:

Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm

DURANT ROAD



NOTES

- 1) BENCHMARK INFORMATION:
TEMPORARY BENCHMARKS SET :
"X" CUT SET IN A FLANGE BOLT ON A HYDRANT
AT THE NORTHWESTERLY CORNER OF THE
INTERSECTION OF CLAFLIN ROAD AND DURANT
ROAD ON THE NORTHERLY SIDE OF DURANT ROAD.
ELEVATION = 168.12
- 2) ELEVATIONS REFER TO TOWN OF WELLESLEY BASE
- 3) CONTOUR INTERVAL EQUALS ONE (1) FOOT.
- 4) UTILITY INFORMATION SHOWN IS BASED ON BOTH A FIELD SURVEY AND THE LATEST PLANS OF RECORD. THE LOCATIONS OF UNDERGROUND PIPES AND CONDUITS HAVE BEEN DETERMINED FROM THE AFOREMENTIONED RECORD PLANS AND ARE APPROXIMATE ONLY. BEFORE PLANNING FUTURE CONNECTIONS, THE PROPER UTILITY ENGINEERING DEPARTMENT SHOULD BE CONSULTED AND THE ACTUAL LOCATION OF SUB-SURFACE STRUCTURES SHOULD BE DETERMINED IN THE FIELD. CALL, TOLL-FREE, THE DIG SAFE CALL CENTER AT 1-888-344-7233 (1-888-DIG-SAFE) SEVENTY-TWO HOURS PRIOR TO EXCAVATION.

ZONING INFORMATION: SINGLE RESIDENCE 10 (SR10)

ZONING INFORMATION: SINGLE RESIDENCE (SR10)	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA	10,000 SF.....	6,646 SF.....	6,646 SF.....
MINIMUM LOT FRONTAGE.....	60 FEET.....	162.38 FEET.....	162.38 FEET
MINIMUM FRONT SETBACK.....	30 FEET.....	16.8 FEET..... 15.8 FEET.....	16.8 FEET 15.8 FEET
MINIMUM SIDE YARD.....	20 FEET..... (LEFT)..... (RIGHT).....	23.4 FEET..... 43.4 FEET..... (9.2 FEET GARAGE)	23.4 FEET (25.6 TO ADDITION) 9.6 FEET
MINIMUM REAR YARD	N/A		
MAXIMUM BUILDING COVERAGE.....	25%(1,661 SF).....	17.3%(1,153 SF).....	23.8%(1,585 SF)
MAXIMUM BUILDING HEIGHT.....	36 FEET	25.0± FEET	25.0± FEET**
MAXIMUM BUILDING HEIGHT.....	2 1/2 STORIES.....	1 1/2 STORIES.....	1 1/2 STORIES

**AS PER THE TOWN OF WELLESLEY ZONING BYLAW, ALL HEIGHTS ARE DERIVED BY MEASURING FROM THE RIDGE TO THE AVERAGE GRADE PLANE.



ZONING BOARD OF APPEALS
PLAN OF LAND
4 BRYN MAWR
WELLESLEY, MASS.

Field Resources, Inc.

LAND SURVEYORS

A graphic scale with a horizontal axis. The scale is marked with numerical values: 30, 0, 15, 30, and 60. The first 30 is at the far left, followed by a short black segment. The next segment is divided into three equal parts by tick marks, with '0' at the first tick and '15' at the second. A longer black segment follows, ending at '30'. Another short black segment follows, ending at '60'. The text 'GRAPHIC SCALE' is written above the axis.

JULY 22, 2019

SCALE 1" = 30'

P O BOX 324

281 CHESTNUT ST

AUBURN, MA

NEEDHAM, MA.

508 832 4333

781 444 5936

fieldresources@hotmail.com