

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ZBA 2019-92

Petition of David & Pamela Donohue
17 Allen Road

2019 DEC 10
WELLESLEY TOWN CLERK

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, December 5, 2019 at 7:30 pm in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of David & Pamela Donohue requesting a Special Permit/Finding pursuant to the provisions of Section 17 and Section 25 of the Zoning Bylaw that demolition of an existing one-story structure and construction of a two-story structure at the rear, construction of a one-story structure on the left side of the structure that will meet setback requirements, and construction of a second story addition over an existing nonconforming structure with less than required right side yard setbacks, on a 17,207 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, at 17 Allen Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On November 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 Michael Tartamella, Architect, representing David and Pamela Donohue, the Petitioner.

Mr. Tartamella said that the property is pre-existing nonconforming due to lot size with an existing nonconforming structure. He said that the proposal is for demolition of an existing one story structure and construction of a new addition at the rear that will conform to setbacks, construction of a one-story addition on the south side of the property that will maintain the 22 foot setback, and construction above an existing structure on the north side with an existing side yard setback of 15.7 feet.

Mr. Tartamella said that the lot is 17,207 square feet in 20,000 square foot Single Residence District. He said that allowed lot coverage is 3,441 square feet and proposed lot coverage will be 2,921 square feet, which is below the TLAG threshold for the district. He said that there will be no change to the existing detached garage other than an entry door on the exterior.

A Board member asked if Mr. Tartamella had spoken with the neighbors about the proposed alterations. He said that the Board had not received any letters from the public. Mr. Tartamella said that there were no direct conversations with neighbors but he had not heard of any opposition to the proposed plans.

A Board member confirmed that the fire escape will be removed.

Robert Sechrest, 15 Allen Road, said that he is an abutter to 17 Allen Road. He said that he was disappointed that the Proponent did not have any renderings of what is proposed. He said that he had not seen the plans that were submitted to the Board. After reviewing the plans, Mr. Sechrest said that one of

the additions will be nonconforming because it encroaches into the setback. He said that the structure is 25 percent closer to the lot line than what is allowed. Mr. Tartamella said that they will add a half story over the existing nonconforming one story structure and will not expand the footprint on that side.

Mr. Sechrest asked about the height of the existing nonconforming structure. Mr. Tartamella said that it is approximately 12 feet high and the proposed height will be 20 to 22 feet high. Mr. Sechrest said that the added height will be more in his face and he objected to having something that close to his house. He said that the design could be changed so that it would not seem so much closer. He asked if the slope of the roof could be changed. Mr. Tartamella said that the slope matches the character of the existing house.

Mr. Sechrest asked about tree removal. A Board member said that there are no plans that show any tree removal.

Mr. Sechrest discussed construction noise in the morning before 7 am. A Board member said that is regulated by town bylaws. He said that if there is a problem, Mr. Sechrest can speak with the Building Inspector about it. Mr. Tartamella said that he will ask the contractor to reach out to Mr. Sechrest.

Mr. Sechrest discussed connecting the house to the garage in the future.

Statement of Facts

The subject property is located at 17 Allen Road, on a 17,207 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, with a minimum right side yard setback of 15.7 feet where 20 feet is required.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section 17 and Section 25 of the Zoning Bylaw that demolition of an existing one-story structure and construction of a two-story structure at the rear, construction of a one-story structure on the left side of the structure that will meet setback requirements, and construction of a second story addition over an existing nonconforming structure with less than required right side yard setbacks, on a 17,207 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Letter to Zoning Board of Appeals, dated 10/8/19, from Michael Tartamella, AIA, a Plot Plan dated 10/3/19, stamped by Daniel J. Tivnan, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 10/8/19, prepared by Patrick Ahearn Architect, and photographs were submitted.

On December 3, 2019, the Planning Board reviewed the petition and recommended that the 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 demolition of an existing one-story structure and construction of a two-story structure at the rear, construction of a one-story structure on the left side of the structure that will meet setback requirements, and construction of a second story addition over an existing nonconforming structure with less than required right side yard setbacks, on a 17,207 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, 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 demolition of an existing one-story structure and construction of a two-story structure at the rear, construction of a one-story structure on the left side of the structure that will meet setback requirements, and construction of a second story addition over an existing nonconforming structure with less than required right 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, the Special Permit shall expire two years after the date time stamped on this decision.

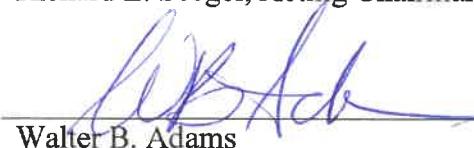
PLUMBERS
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2019 DEC 19 A 8:46

ZBA 2019-92
Petition of David & Pamela Donohue
17 Allen 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



Walter B. Adams



Derek B. Redgate

ZBA 2019-92
Applicant David & Pamela Donohue
Address 17 Allen Road

2019 DEC 5
TOWN CLERK'S OFFICE
WELLESLEY MASS.

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.

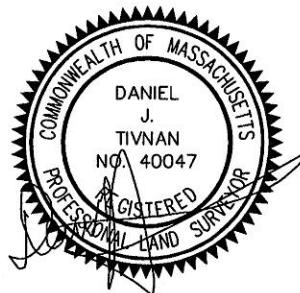
Date:

Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm

I CERTIFY THAT THIS PLAN FULLY AND ACCURATELY DEPICTS
THE LOCATION OF THE BUILDING AND DIMENSIONS AS SHOWN.

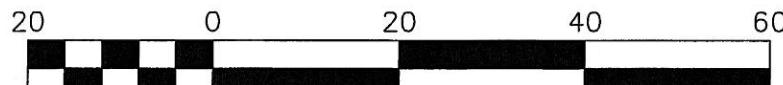


H. S. & T. GROUP, INC.

PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS
75 HAMMOND STREET – 2ND FLOOR
WORCESTER, MASSACHUSETTS 01610-1723
PHONE: (508) 757-4944 FAX: (508) 752-8895
EMAIL: INFO@HSTGROUP.NET WWW.HSTGROUP.NET

SPECIAL PERMIT PLAN

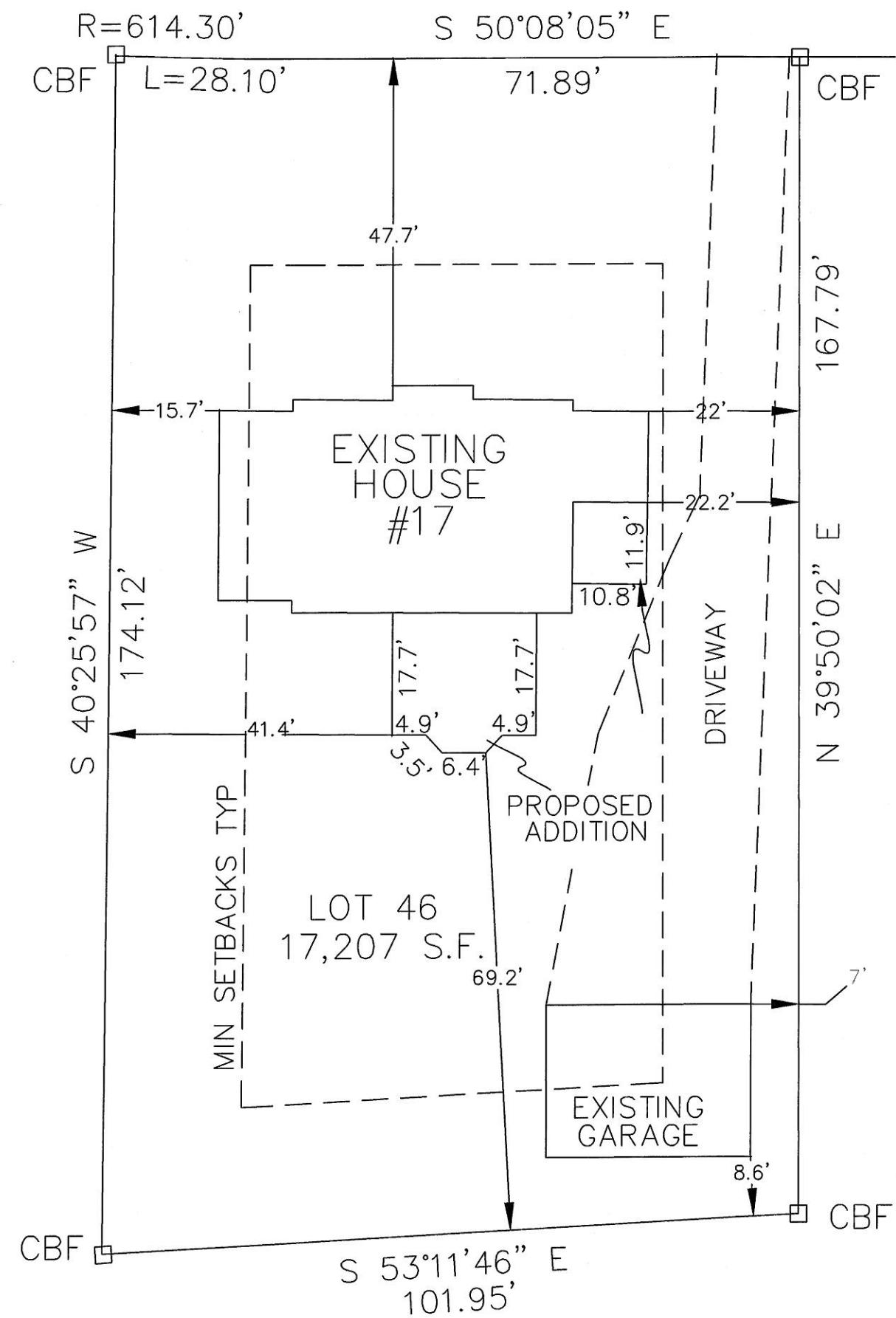
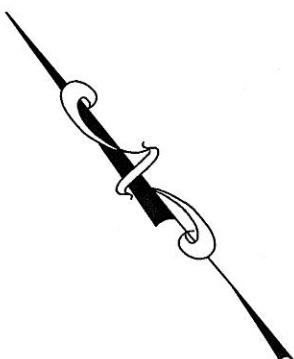
PROJECT: 17 ALLEN RD PLAN: 3274V
WELLESLEY MA
OWNER: DONOHUE FLD.
DATE: 10-03-19 BK: 656-46
ZONE: SR-20 JOB #: 6773
SCALE: 1"=30'
COMP'D: DJT
CAD: DJT



SCALE 1"=20'

EXISTING LOT COVERAGE
2745 S.F. 15%

PROPOSED LOT COVERAGE
2921 S.F. 16%



**The
Donohue
Residence**

17 Allen Road
Wellesley, Massachusetts

General Notes:
GENERAL CONTRACTOR SHALL MAKE ALL SUB-CONTRACTORS AND SUPPLIERS AWARE OF THE REQUIREMENTS OF THESE NOTES.

ALL WORK SHALL BE PERFORMED IN COMPLIANCE WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL LIFE SAFETY, ELECTRICAL AND PLUMBING CODES.

GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR SECURING ALL PERMITS NECESSARY FOR COMPLETION OF WORK THROUGHOUT THE CONTRACT DOCUMENTS.

GENERAL CONTRACTOR SHALL LAYOUT IN THE FIELD THE ENTIRE WORK TO BE PERFORMED TO VERIFY DIMENSIONAL RELATIONSHIPS BEFORE CONSTRUCTING ANY PART, AND SHALL VERIFY ALL EXISTING CONDITIONS AND LOCATIONS BEFORE PROCEEDING WITH WORK.

GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE COORDINATION OF DIMENSIONAL REQUIREMENTS BETWEEN THE WORK OF REQUIRED TRADES SUB-CONTRACTORS.

ANY DISCREPANCIES FOUND IN THE PLANS, DIMENSIONS, EXISTING CONDITIONS OR ANY APPARENT ERROR IN THE CLASSIFYING OR SPECIFICATION OF A PRODUCT, MATERIAL OR METHOD OF ASSEMBLY IS TO BE BROUGHT TO THE ATTENTION OF THE GENERAL CONTRACTOR IMMEDIATELY.

REGARDLESS OF WHETHER OR NOT AN ITEM IS SHOWN OR SPECIFIED, THE GENERAL CONTRACTOR SHALL PROVIDE SAID ITEM IF IT IS NECESSARY FOR THE PROPER INSTALLATION OR FUNCTION OF AN ITEM SHOWN OR SPECIFIED. CONTRACTOR SHALL NOT BE HELD LIABLE FOR ANY MANNER NOR SHALL THEY BE ASSIGNED FOR USE TO ANY THIRD PARTY WITHOUT FIRST OBTAINING EXPRESS WRITTEN PERMISSION OF PATRICK AHEARN ARCHITECT LLC, AND PATRICK AHEARN, AIA.

DRAWINGS SHALL NOT BE SCALED FOR DIMENSIONS AND/OR SIZES. DRAWINGS MAY HAVE BEEN DRAWN AND/OR COPIED IN A MANNER DIFFERENT THAN ORIGINALLY DRAWN.

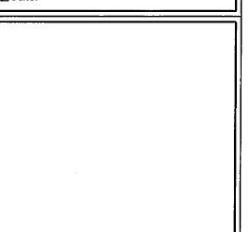
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Drawing Title:
**Illustrative
Site Plan**

Zoning Board of Appeals
October 8, 2019

ISSUE DATES
 BIDDING:
 PERMIT:
 CONSTRUCTION:

REVISIONS:
 Date:
 Date:
 Date:
 Date:
 Date:



ISP

