

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ZBA 2020-08

Petition of Stephen & Lara Bruno
19 Francis Road

2020 FEB 20
WELLESLEY
ZBA

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 6, 2020 at 7:30 pm in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Stephen & Lara Bruno requesting a Special Permit/Finding pursuant to the provisions of Section 17 and Section 25 of the Zoning Bylaw that construction of a second story addition and attic space over an existing nonconforming structure with less than required right side yard setbacks, at 19 Francis Road, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On January 8, 2020, 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 Laura Bruno, the Petitioner, and Michael Hally, Architect.

Ms. Bruno said that she lives at 19 Francis Road with her husband and daughter. She said that she and her husband moved to the house four years ago from Beacon Hill. She said that they looked for quite some time for a place where she could walk to the train and town center and also have a large back yard. She said that they knew that the house was too small but it was larger than what they had on Beacon Hill. She said that they welcomed a daughter in 2018 and a second one is on the way. She said that Mr. Hally designed something that will allow them to stay in their home and has an old New England charm that fits in with the neighborhood. She said that the neighbors have been very supportive of them since they moved to town and have no objections to the plans. She said that the request is for a special permit to build an addition on a nonconforming structure.

The Chairman confirmed that the only nonconformity is the right side yard setback at 19.5 feet.

Mr. Hally said that there will be no change to the footprint of the house other than a covered porch at the front at the corner of the L. He said that the 6 foot by 8 foot porch will allow for a bigger footprint on the second floor. He said that the plan is to build bedrooms on the second floor and a third floor playroom. He said that they can preserve the back yard space by having the playroom on the third floor. He said that the style will be Dutch colonial with a gable facing the street. He said that the roof line will come down as low as possible. He said that the partial third floor will go left to right, with a dormer at the front to get morning light and a dormer at the back get the stairway to the third floor. He said that TLAG will be under 3,600 square feet.

The Chairman said that the Board received a letter from the DPW stating that the stone patio is in the public right of way. Ms. Bruno said that there was a misunderstanding. She said that there was an existing cobblestone walkway when they purchased the house. She said that they were in the process of removing the cobblestone and had it stacked to be taken away. She said that a DPW worker saw it and thought that it was

being installed. She said that she called the Town Engineer and explained that they were removing the cobblestones and the only remaining stone goes up to the stairs. She said that the plot plan was done before the cobblestones were taken up.

Ms. Bruno said that they reviewed the plans with all of the neighbors. She submitted 12 emails for the record. The Chairman said that only one of the abutter comments identifies where they live.

A Board member asked about the height of the peak in the attic. He said that it is right at the edge of 35 feet. He said that dropping the ridge would affect the whole design of the house style. Mr. Hally said that they were conservative with the second floor height. He said that the third floor may have a cathedral ceiling.

The Chairman said that the proposed structure will have bigger massing and height but a larger project was approved further down the street.

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 19 Francis Road, in a 10,000 square foot Single Residence District, with a minimum right side yard setback of 19.5 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 construction of a second story addition and attic space over an existing nonconforming structure with less than required right side yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 12/19/19, stamped by Elliott J. Paturzo, Professional Land Surveyor, Existing Floor Plans, dated 11/27/19, Existing Elevation Drawings, dated 12/16/19, Proposed Floor Plans and Elevation Drawings, dated 12/16/19, prepared by Michael Hally Design, Inc., and photographs were submitted.

On February 5, 2020, the Planning Board reviewed the petition and submitted comments.

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 and attic space over an existing nonconforming structure with less than required right 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 second story addition and attic space 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.

2020 FEB 20 10:03
WILLISTON PLANING
HALL, HALL & HALL, INC.

ZBA 2020-08
Petition of Stephen & Laura Bruno
19 Francis 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.


Robert W. Levy, Acting Chairman


Walter B. Adams


Derek B. Redgate

ZBA 2020-08
Applicant Stephen & Laura Bruno
Address 19 Francis Road

2020 FEB 20 P 1203
TOWN CLERK'S OFFICE
WELLESLEY MA 02481

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



LEGEND

□	CBDH	CONC. BOUND DRILL HOLE
EOP	EDGE OF PAVEMENT	
CCB	CAPE COD BERM	
▷ GG	GAS GATE	
—G—G—	GAS PAINT	
[G]	GAS METER	
SMH	SEWER MANHOLE	
—S—S—	SEWER PAINT	
♂ UP	UTILITY POLE	
—OHW—	OVERHEAD WIRES	
★	GRANITE LIGHT POST	
[H]	2'X3' HVAC	
OH	1'X12' OVERHANG	
FFE	FIRST FLOOR ELEVATION	
CH	CHIMNEY	
■■■■■	MASONRY RETAINING WALL	
○○○○○	STONE RETAINING WALL	
cloud	MAPLE TREE	
cloud	OAK TREE	
●●●●●	PINE TREE	

FEET & METERS SCALE

$$1'' = 30' (1:360)$$

ZONING DESIGNATION:
TOWN OF WELLESLEY ZONING DISTRICT
SINGLE RESIDENCE 10 (SR10)

ASSESSORS REFERENCE
MAP 122, LOT 14

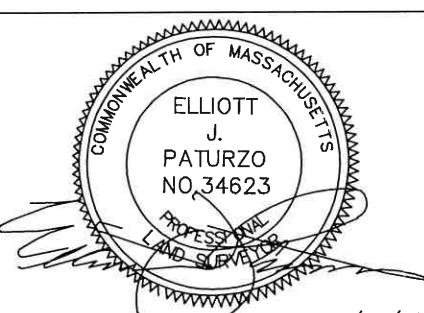
IFY THAT THIS PLAN IS BASED
N ACTUAL FIELD SURVEY
ORMED ON THE GROUND ON MAY
17, AND THE LATEST PLANS AND
S OF RECORD.

REVISIONS

DATE	DESCRIPTION
2/23/19	UPDATE DETAILS

I CERTIFY THAT THE SUBJECT DWELLING SHOWN LIES IN A FLOOD ZONE "X" SHOWN ON PANEL 16 OF 430, MAP NUMBER 25021C0016E, HAVING AN EFFECTIVE DATE OF JULY 17, 2012.

FIELD: RC/BMD
CALCS: EJP/SMI
DRAWN BY: SMI
FIELD EDIT: N/A
CHECKED: EJP
APPROVED:
JOB #: 171536



PROFESSIONAL LAND SURVEYOR DATE

REFERENCES

DEED REF: NORFOLK COUNTY REGISTRY OF DEEDS
BOOK 34656, PAGE 234

PLAN REF: PLAN ENTITLED "PLAN OF LAND LOCATED AT 3
FRANCIS ROAD IN WELLESLEY, MA 02480
COUNTY OF NORFOLK PREPARED FOR MARK L.
& BETHANN R. COPPI", PREPARED BY
PROFESSIONAL LAND SURVEYING SERVICES LLP,
PATRICK G. HIGGINS, MA PLS, DATED NOVEMBER
12, 2007, BOOK 577, PAGE 71

PLAN ENTITLED "PLAN OF LAND IN WELLESLEY,
MASS. OWNED BY ALBION R. CLAPP", PREPARED
BY FARNHAM & GLEASON, INC., CIVIL ENGINEERS,
DATED NOVEMBER, 1924, BOOK 1626, PAGE 240

PLAN ENTITLED "PLAN OF LAND IN WELLESLEY,
MASS. OWNED BY ALBION R. CLAPP", PREPARED
BY R.J. FARNHAM, C.E., DATED APRIL, 1923,
BOOK 1553, PAGE 525

NOTES

1. SUBJECT TO ANY STATEMENT OF FACT AN UP-TO-DATE ABSTRACT OF TITLE WOULD DISCLOSE.
2. SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD.
3. UNDERGROUND UTILITIES, STRUCTURES AND FACILITIES, IF ANY, HAVE BEEN SHOWN FROM SURFACE LOCATIONS AND MEASUREMENTS OBTAINED FROM A FIELD SURVEY AND RECORD LOCATIONS, THEREFORE THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. THERE MAY BE OTHER UTILITIES WHICH THE EXISTENCE OF ARE NOT KNOWN. SIZE, TYPE AND LOCATION OF ALL UTILITIES AND STRUCTURES MUST BE VERIFIED BY PROPER AUTHORITIES PRIOR TO ANY AND ALL CONSTRUCTION. CALL, TOLL FREE, DIG SAFE CALL CENTER AT 1-888-344-7233 SEVENTY-TWO HOURS PRIOR TO ANY EXCAVATION.
4. ELEVATIONS ON THIS PLAN ARE APPROXIMATE AND REFERENCE THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).

*Existing Conditions
Plan of Land Showing
Proposed Improvements*

A.S. Elliott & Associates

Professional Land Surveyors

P.O. BOX 85 ~ HOPEDALE, MASSACHUSETTS

(508) 634-0256

www.aselliott.com

15 FRANCIS ROAD
WELLESLEY, MASSACHUSETTS
PREPARED FOR: STEPHEN BRUNO
SCALE: 1"=30' DATE: DECEMBER 19, 2019