

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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ZONING BOARD OF APPEALS

ZBA 2020-16
Petition of Benjamin & Shea Asfaw
57 Mayo Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, March 5, 2020 at 7:30 pm in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Benjamin & Shea Asfaw requesting a Special Permit/Finding pursuant to the provisions of Section 14E, Section 17 and Section 25 of the Zoning Bylaw that demolition and reconstruction of an existing one-story addition that will meet setback requirements, on an existing nonconforming structure with less than required left side yard setbacks, at 57 Mayo Road, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On February 6, 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 Mike Lynch, Contractor, Richard Curl, Architect, and Shea Asfaw, the Petitioner.

Mr. Lynch said that the request is for a special permit/finding to construct a single story addition on a pre-existing nonconforming structure. He said that the house is conforming in all aspects except where the left side encroaches 3.5 inches into the setback. He said that the proposed addition will conform to all setback requirements.

The Board commended the Petitioner for including the proposed air conditioning units on the plot plan and including the drywell on the plot plan, as it helps the Board to see how runoff will be handled in the Water Supply Protection District.

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 57 Mayo Road, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, with a minimum left side yard setback of 19.7 feet where 20 feet is required.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section 14E, Section 17 and Section 25 of the Zoning Bylaw that demolition and reconstruction of an existing one-story addition that will meet setback requirements, on an existing nonconforming structure with less than

required left side yard setbacks, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 1/21/20, stamped by John R. Hamel, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 1/23/20, prepared by Curl Simitis Architecture + Design, Inc., and photographs were submitted.

On March 5, 2020 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.

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 XIV of the Zoning Bylaw for Water Supply Protection Districts.

It is the opinion of this Authority that demolition and reconstruction of an existing one-story 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 demolition and reconstruction of an existing one-story 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, the Special Permit shall expire two years after the date time stamped on this decision.

2020 MAR 19 AM 11:30
ZONING PERMIT
02465

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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

Walter B. Adams
Walter B. Adams

ZBA 2020-16
Applicant Benjamin & Shea Asfaw
Address 57 Mayo 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

2020 MAY 19 AM 11:33
WELLESLEY TOWN CLERK