

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5918

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ZBA 2020-24

Petition of Paul & Dian Quinn  
210 Walnut Street

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, April 2, 2020 at 7:30 pm, on the petition of Paul & Dian Quinn requesting a Special Permit/Finding pursuant to the provisions of Section 14E, Section 17 and Section 25 of the Zoning Bylaw that demolition of an existing nonconforming garage with less than required side yard setbacks, and construction of a new garage with less than required side yard setbacks, on a 14,073 square foot corner lot in a Single Residence District in which the minimum lot size is 15,000 square feet, in a Water Supply Protection District, at 210 Walnut Street, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On March 11, 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 was Paul Quinn, the Petitioner. He said that the request is to build a new detached garage. He said that he came before the Board last year with grander plans that included an attached garage and the plans were approved. He said that they decided to go with a simpler design that is less expensive. He said that the existing garage is not in good condition. He said that the current plan is to build a larger one that will maintain the setbacks. He said that the lot is slightly undersized. He said that the proposed garage will help them to maximize storage and use of the backyard.

A Board member asked if the garage is a packaged product from the Barn Yard Company. Mr. Quinn said that was an exemplar that they gave to their architects. He said that they are still undergoing the bidding process but what is built will look similar to those plans. The Board member said that the drawings from the Barn Yard Company show a window and a door on the east elevation. He said that the plans that were submitted only show a door. Mr. Quinn said that the intent is to use the plan by the architect. The Board member said that having the door in the middle might not be the most convenient location for a car inside the garage. He said that they may not be able to swing the door in. He said that there should be flexibility to have a door or a door and a window on the east elevation, once the exact location of the door is determined.

No member of the public wished to speak to the petition.

### Statement of Facts

The subject property is located at 210 Walnut Street, on a 14,073 square foot corner lot in a Single Residence District in which the minimum lot size is 15,000 square feet, in a Water Supply Protection District, with a minimum side yard setback of 17.1 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 of an existing nonconforming garage with less than required side yard setbacks, and construction of a new garage with less than required side yard setbacks, on a 14,073 square foot corner lot in a Single Residence District in which the minimum lot size is 15,000 square feet, in a Water Supply Protection District, at 210 Walnut Street, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

An Existing Condition Plan, dated 1/16/19, prepared by Everett M. Brooks Company, a Plan of Land, dated 2/24/20, stamped by Bruce Bradford, Professional Land Surveyor, Proposed Floor Plans and Elevation Drawings, dated 2/24/20, prepared by Mayer & Associates Architects, The Barn Yard Great Country Garages 23 x 29 Special Package Roosevelt Single Story 2-Car Garage, and photographs were submitted.

On April 2, 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 of an existing nonconforming garage with less than required side yard setbacks, and construction of a new garage with less than required side yard setbacks, on a 14,073 square foot corner lot in a Single Residence District in which the minimum lot size is 15,000 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 with less than required side yard setbacks, and construction of a new garage with less than required side yard setbacks, on a 14,073 square foot corner lot in a Single Residence District in which the minimum lot size is 15,000 square feet, in a Water Supply Protection District, in accordance with the submitted plot plan and construction drawings. The Board authorizes the East Elevation to contain either a door or a door and a window, once the exact location of the door is determined.

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.

*Richard L. Seegel*  
Richard L. Seegel, Acting Chairman

*David G. Sheffield*  
David G. Sheffield

*Derek B. Redgate*  
Derek B. Redgate

ZBA 2020-24  
Applicant Paul & Dian Quinn  
Address 210 Walnut Street

**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*  
Cathryn Jane Kato  
Town Clerk

cc: Planning Board  
Inspector of Buildings  
lrm