

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

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

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ZBA 2020-27  
Petition of Martin Teicher  
85 Washington 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 Martin Teicher requesting a Special Permit/Finding pursuant to the provisions of Section 17 and Section 25 of the Zoning Bylaw that construction of a third story addition that will meet setback requirements, on an existing nonconforming structure with less than required side yard setbacks, on a 14,150 square foot corner lot in a Single Residence District in which the minimum lot size is 15,000 square feet, at 85 Washington 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 Hajian, Architect, representing Martin Teicher, the Petitioner. He said that the project is located at the corner of Washington Street and Hillside Road. He said that it is an existing three-story home. He said that when considering the interior renovation of the third floor, he thought that the use of the space would benefit from a small addition at the rear that would also enhance the visual quality of the building. He said that the home has a nicely detailed circa 1900 style to it with a circular window on the front of the building. He said that an addition was done a number of years ago with a hip roof at the back. He said that he thought that the benefit of the space to the program, which is to renovate a master bedroom with a 4 foot by 13 foot addition, would be a small footprint on the roofline. He said that there will be no additional footprint or change to lot coverage. He said that after consultation with the Building Department, he was told that the change to the roofline would need to come before the Zoning Board for approval. He said that the plans show three elevations in the rear that are impacted by the change, as well as installation of new, energy efficient windows to bring light into the rear part of the project. He said that the property is located in a 15,000 square foot Single Residence District.

A Board member said that the small addition at the third floor will make a very large improvement to that level of the house. He said that he really liked the windows and the treatment that Mr. Hajian devised at the back.

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

### Statement of Facts

The subject property is located at 85 Washington Street, on a 14,150 square foot corner lot in a Single Residence District in which the minimum lot size is 15,000 square feet, with a minimum side yard setback of 6.9 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 third story addition that will meet setback requirements, on an existing nonconforming structure with less than required side yard setbacks, on a 14,150 square foot corner lot in a Single Residence District in which the minimum lot size is 15,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 2/24/20, stamped by Dennis O'Brien, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 2/7/20, prepared by Hajian Architects, 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.

It is the opinion of this Authority that construction of a third story addition that will meet setback requirements, on an existing nonconforming structure with less than required side yard setbacks, on a 14,150 square foot corner lot in a Single Residence District in which the minimum lot size is 15,000 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 construction of a third story addition that will meet setback requirements, on an existing nonconforming structure with less than required side yard setbacks, on a 14,150 square foot corner lot in a Single Residence District in which the minimum lot size is 15,000 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.

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

*David G. Sheffield*  
David G. Sheffield

*Derek B. Redgate*  
Derek B. Redgate

ZBA 2020-27  
Applicant Martin Teicher  
Address 85 Washington 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