

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ZBA 2020-47

Petition of Peter & Jessica Graham
21 Grantland Road

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, October 29, 2020 at 7:30 pm, on the petition of Peter & Jessica Graham requesting a Special Permit/Finding pursuant to the provisions of Section 17 and Section 25 of the Zoning Bylaw that construction of a deck with less than required left side yard setbacks and two stair landings, on an existing nonconforming structure with less than required left side yard setbacks, on a 9,591 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, at 21 Grantland Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On June 24, 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. In accordance with Chapter 53 of the Acts of 2020, the hearing was scheduled for October 29, 2020.

Present at the public hearing was Laurence Shind, Esq., and Peter Graham, the Petitioner.

Mr. Shind said that the request is to add a deck off the rear of the house. He said that the side where the deck will be added is currently nonconforming for the side yard setback. He said that the lot is nonconforming as well. He said that this will be adjunct to a current project that is under construction by right for a three season room off of the back middle of the house and the deck will be adjacent to it. He said that the deck will be square to the back of the house but becomes slightly more nonconforming than the house, given the angle of the lot. He said that they forwarded a letter of support from the direct abutter at 25 Grantland Road, John Livingston and Eugenia Carris. He said that TLAG calculations that included the three season room were submitted. The Chairman said that the TLAG is only for the addition, not for the deck.

There was no member of the public who wished to speak to the petition.

Statement of Facts

The subject property is located at 21 Grantland Road, on a 9,591 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, with a minimum left 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 construction of a deck with less than required left side yard setbacks and two stair landings, on an existing nonconforming structure with less than required left side yard setbacks, on a

9,591 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 6/25/20, stamped by Bradley J. Simonelli, Professional Land Surveyor, Floor Plans and Elevation Drawings, dated 6/16/20, prepared by CM Kirby Engineering, PLLC, and photographs were submitted.

On October 28, 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.

It is the opinion of this Authority that construction of a deck with less than required left side yard setbacks and two stair landings, on an existing nonconforming structure with less than required left side yard setbacks, on a 9,591 square foot lot in a Single Residence District in which the minimum lot size is 10,000 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 construction of a deck with less than required left side yard setbacks and two stair landings, 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, this 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.

J. Randolph Becker lrm
J. Randolph Becker, Chairman

Walter B. Adams lrm
Walter B. Adams

Richard L. Seegel lrm
Richard L. Seegel

ZBA 2020-47
Applicant Peter & Jessica Graham
Address 21 Grantland Road

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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

