

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

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

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ZBA 2020-76  
Petition of Chris & Jessica Chou  
24 Hillside Road

RECEIVED  
TOWN CLERKS OFFICE  
WELLESLEY, MA 02482  
2020 DEC 29 P 1:15 PM

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Tuesday, December 15, 2020 at 7:30 pm, on the petition of Chris & Jessica Chou requesting a Special Permit/Finding pursuant to the provisions of Section 17 and Section 25 of the Zoning Bylaw that demolition of an existing nonconforming sunroom with less than required left side yard setbacks, and construction of a two-story addition with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard setbacks, on a 12,608 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, at 24 Hillside Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On December 2, 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 December 15, 2020.

Present at the public hearing were Chris and Jessica Chou, the Petitioner, and Ray Wiese, Architect.

Mr. Chou said that the request is to raze and rebuild a single story sunroom on the left side of the house with a second floor addition above. He said that the requested relief is for a side yard setback and lot size. He said that no new nonconformities will be added to the property. He said that proposed TLAG will be 4,549 square feet.

A Board member asked about the chain link fence that is shown on the plot plan. Mr. Chou said that the fence is there and the plan is to leave it there for now. The Chairman said that the abutter to the rear is the Town of Wellesley. He said that it is the Crosstown Trail.

A Board member said that the Petitioner is asking to enlarge the footprint a bit by extending forward toward Hillside Road and back toward the rear property line. Mr. Chou said that the footprint will not go further into the setback. The Board member said that it is well screened on the left side with large evergreens. He discussed concerns about increasing the nonconformity by making the structure taller and enlarging the bulk.

Mr. Wiese said that they worked hard to keep the structure no more nonconforming on the left side. He said that they brought the structure forward and back to keep a more reserved front façade with enough space for a bathroom and expansion of a guest bedroom. He said that they did four different concepts for the owner. He said that because of the existing brow roof and the way that the rake line climbs to the peak, it looked odd when they moved it back. He said that they kept the roofline movement to the left so that it would blend with the existing house while providing less mass on the left.

Mr. Chou said that he spoke with the neighbors on the left and they had no objections.

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

Statement of Facts

The subject property is located at 24 Hillside Road, on a 12,608 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, with a minimum left side yard setback of 15.8 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 demolition of an existing nonconforming sunroom with less than required left side yard setbacks, and construction of a two-story addition with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard setbacks, on a 12,608 square foot 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 10/28/20, stamped by Dennis O'Brien, Professional Land Surveyor, Floor Plans and Elevation Drawings, dated 10/22/20, prepared by The Wiese Co., and photographs were submitted.

On December 14, 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 demolition of an existing nonconforming sunroom with less than required left side yard setbacks, and construction of a two-story addition with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard setbacks, on a 12,608 square foot 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 sunroom with less than required left side yard setbacks, and construction of a two-story addition with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard setbacks, on a 12,608 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, subject to the following condition:

- The portion of the chain link fence currently on town property shall be removed.

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.

ZBA 2020-76  
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24 Hillside 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.

*J. Randolph Becker*  
J. Randolph Becker, Chairman

*Robert W. Levy*  
Robert W. Levy

*Walter B. Adams*  
Walter B. Adams

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02482  
DEC 29 P 1:57

ZBA 2020-76  
Applicant Chris & Jessica Chou  
Address 24 Hillside Road

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

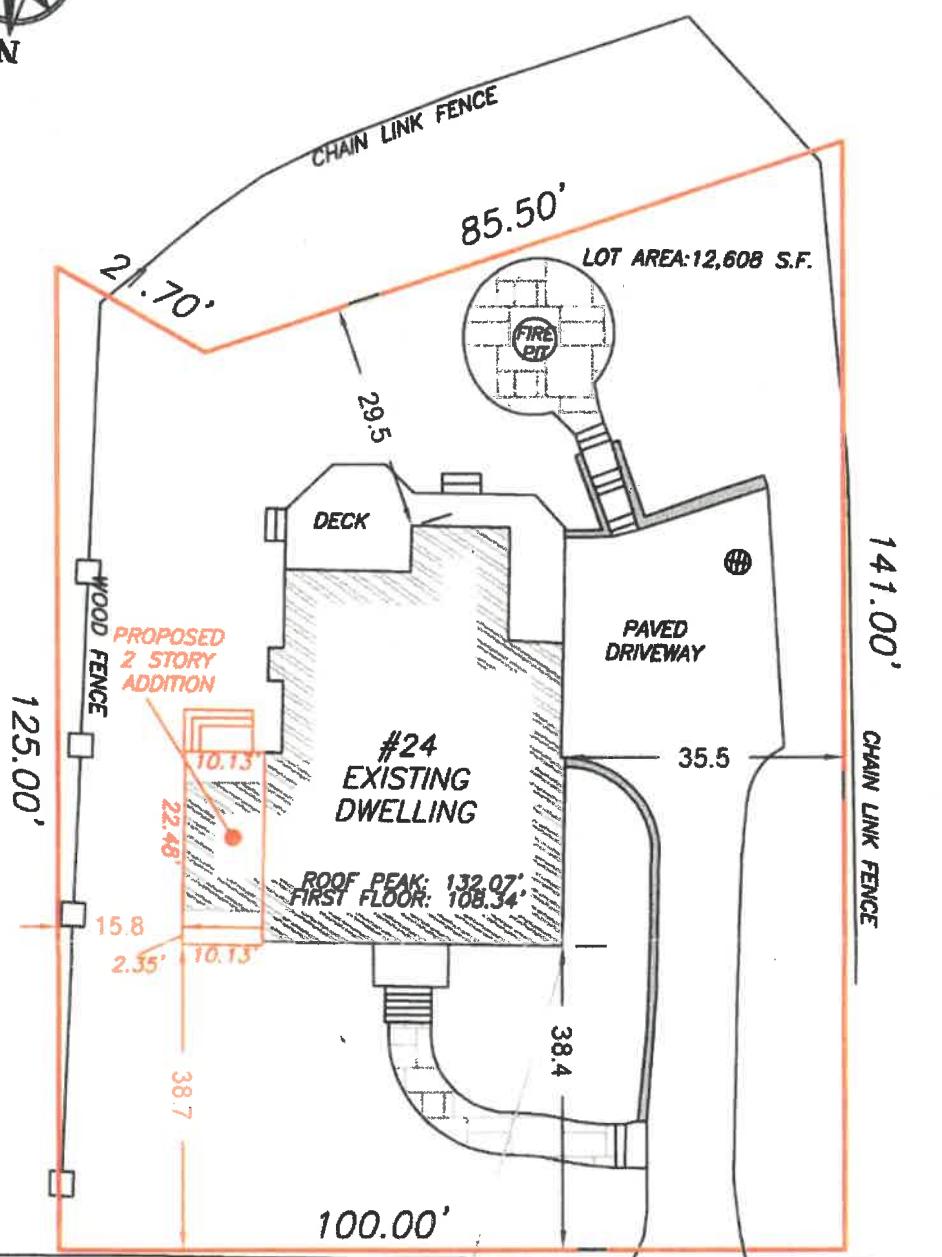
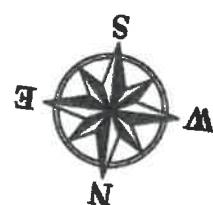
In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Date:

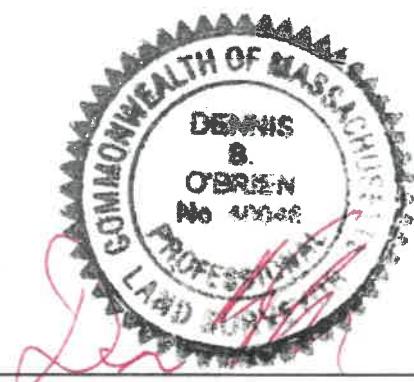
Attest:

Cathryn Jane Kato  
Town Clerk

cc: Planning Board  
Inspector of Buildings  
lrm



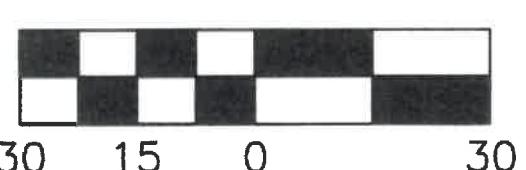
## HILLSIDE ROAD



Dennis O'Brien

P.L.S.

EXISTING LOT COVERAGE: 1,939.1 SQ FT (15.4%)  
PROPOSED LOT COVERAGE: 2,000.2 SQ FT (15.9%)



D. O'BRIEN  
LAND SURVEYING  
EST. 1996  
480 WEST CENTRAL ST.  
FRANKLIN, MA 02038 508-541-0048

## PLAN SHOWING PROPOSED ADDITION 24 HILLSIDE ROAD WELLESLEY, MA NORFOLK COUNTY

SCALE: 1" = 30' DATE: 10/28/2020

REVISED:

DRAWN BY: M.F.W.

CHECKED BY: D.O.