

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ZBA 2021-02

Petition of Jorelina Abbate-Vaughn
60 Cedar Street

2021 FEB 18

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, January 7, 2021 at 7:30 pm, on the petition of Jorelina Abbate-Vaughn requesting a Special Permit/Finding pursuant to the provisions of Section 14E, Section 17 and Section 25 of the Zoning Bylaw that construction of a two-story addition that will meet setback requirements, on an existing nonconforming structure with less than required right side yard setbacks, 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 December 9, 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.

The Board voted unanimously to continue the hearing to February 4, 2021.

February 4, 2021

Present at the public hearing was Scott Vaughn, representing Jorelina Abbate-Vaughn, the Petitioner. Mr. Vaughn said that the petition was continued from a prior hearing so that the calculation of height above average grade, TLAG calculations, and a water mitigation plan could be provided.

Mr. Vaughn said that the request is for a special permit to build an addition at the rear corner of the house for a garage at the basement level with living space above. He said that proposed TLAG is below the threshold for the district. He said that the existing nonconforming house has a right side yard setback of 19.7 feet. He said that proposed construction will be dimensionally compliant.

The Board said that it was satisfied with the information that Mr. Vaughn provided.

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

Statement of Facts

The subject property is located at 60 Cedar Street, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, with a minimum right 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 construction of a two-story addition that will meet setback requirements, on an existing nonconforming structure with less than required right side yard setbacks, 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.

A Plot Plan, dated 10/24/20, revised 11/15/20, 11/23/20 & 1/25/21, stamped by Peter J. Nolan, Professional Land Surveyor, Details Plan, dated 1/25/21, stamped by Edmond Spruhan, Professional Engineer, Floor Plans and Elevation Drawings, dated 7/20/20, and Average Height Above Grade Plan, dated 1/26/21, and TLAG Affidavit, prepared by Scott M. Vaughn, Registered Architect, and photographs were submitted.

On January 6, 2021 and February 3, 2021, 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 Board found that the Design and Operation Standards in Part F are adequately satisfied and not otherwise prohibited in Part D.1, of Section 14E of the Zoning Bylaw for Water Supply Protection Districts.

It is the opinion of this Authority that construction of a two-story addition that will meet setback requirements, on an existing nonconforming structure with less than required right 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 construction of a two-story addition that will meet setback requirements, on an existing nonconforming structure with less than required right 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, this Special Permit shall expire two years after the date time stamped on this decision.

2021 FEB 13 P 100
JORELINA ABBATE-VAUGHN
WATER SUPPLY PROTECTION DISTRICT
PLANNING BOARD

ZBA 2021-02
Petition of Jorelina Abbate-Vaughn
60 Cedar Street

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.

Robert W. Levy (lrm.)
Robert W. Levy, Acting Chairman

David G. Sheffield (lrm.)
David G. Sheffield

Derek B. Redgate (lrm.)
Derek B. Redgate

ZBA 2021-02
Applicant Jorelina Abbate-Vaughn
Address 60 Cedar Street

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

2021 FEB 18 P 12:58
WELLESLEY, MASSACHUSETTS
TOWN CLERK'S OFFICE

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

N/F
Ji, Hao Tian

EXISTING LEGEND

SS	SEWER LINE
S	SEWER MANHOLE
W	WATER LINE
G	GAS LINE
U	UTILITY POLE
GV	GAS VALVE
E	OVERHEAD ELECTRIC SERVICE
WV	WATER VALVE
—205	CONTOUR LINE (MJR)
195	CONTOUR LINE (MNR)
X	SPOT GRADE
—	TREE
—T	TREE/STUMP

PARCEL ID:
21-63
16.00S.F. (REC.)

N/F
Carbone, Christine Beth

EXISTING
BRICK
AREA

EXISTING
RETAINING
WALL

EXISTING
LANDSCAPE
AREA

EXISTING
PATIO
WOOD

EXISTING
SHED

EXISTING
10'x10'
SHED

PROPOSED
CONCRETE
PATIO

PROPOSED
2 STORY
BUILDING
ADDITION
108.5'

EXISTING
RETAINING
WALL

EXISTING
PATIO

#60
EXISTING
WOOD FRAMED
RESIDENTIAL
DWELLING
F.F.=117.32'
(TAKEN AT THRESHOLD)

EXISTING
PAVEMENT
AREA

EXISTING
RETAINING
WALL

EXISTING
LANDSCAPE
AREA

EXISTING
BRICK
AREA

EXISTING
RETAINING
WALL

EXISTING
LANDSCAPE
AREA

N/F
Jaiswal, Gurvinder K

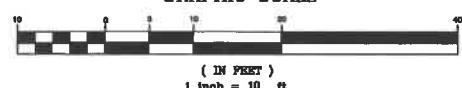
ZONE = SR-10

LOT COVERAGE EXISTING CONDITIONS	
EX. BUILDING	959.5 SF
SHED	100 SF
TOTAL AREA	1059.5 SF
LOT COVERAGE	6.6%

LOT COVERAGE PROPOSED	
EX. BUILDING	922.5 SF
SHED	100 SF
ADDITION	624.5 SF
TOTAL AREA	1647 SF
LOT COVERAGE	10.2%

CEDAR STREET
(PUBLIC WAY - 50' WIDE)

GRAPHIC SCALE



SCALE 1'=10'	B 11/23/20	LOT COVERAGE CALCS	HM
DATE 10/24/2020	A 11/15/20	LOT COVERAGE CALCS	HM
REV	DATE	REVISION	BY
SHEET 1	60 CEDAR STREET WELLESLEY MASSACHUSETTS		
PLAN NO. 1 OF 1	PROPOSED PLOT PLAN		
DRAWN BY HM	PETER NOLAN & ASSOCIATES LLC LAND SURVEYORS/CIVIL ENGINEERING CONSULTANTS		
CHKD BY ETS	80 JEWETT STREET, SUITE 2, NEWTON MA 02458		
APPD BY PJM	PHONE: 857 891 7478/617 782 1533 FAX: 617 202 5691 EMAIL: pnolan@pnasurveyors.com		

SHEET NO. 1