

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

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

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2021 FEB 18 P100  
WELLESLEY ZBA

ZBA 2021-09

Petition of Pamela & James Boyer  
11 Ox Bow Road

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, February 4, 2021 at 7:30 pm, on the petition of Pamela & James Boyer requesting a Special Permit/Finding pursuant to the provisions of Section 17 and Section 25 of the Zoning Bylaw that construction of a one story addition that will meet setback requirements on an existing nonconforming structure with less than required left side yard setbacks, on a 16,250 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, at 11 Ox Bow Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On December 29, 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 were Robert Williamson, Architect, Pamela & James Boyer, the Petitioner.

Mr. Williamson said that the proposal is for a one story bedroom suite addition off the rear corner of the house. He said that they are seeking relief for an undersized lot in a 20,000 square foot Single Residence District and a pre-existing nonconforming side yard setback of 10.9 feet on the north side of the house. He said that all of the proposed work will be on the southeast corner of the house. He said that the proposed addition will have a side yard setback of 21.3 feet and TLAG will be under the threshold for the district. He said that drawing A5.1 shows a ridge height of 25.5 for the existing house and 18.11 feet to the proposed ridge from average grade.

Mr. Williamson said that the addition will consist of a bedroom, closet, and bath area. He said that the design is intended to blend in with the existing cladding materials, windows, color and overall rooflines of the house. He said that the design is centered around the brick chimney and den off the side of the house. He said that the proposed addition will enhance the property and will not be more detrimental to the neighborhood.

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

### Statement of Facts

The subject property is located at 11 Ox Bow Road, on a 16,250 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, with a minimum left side yard setback of 10.9 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 one story addition that will meet setback requirements on an existing nonconforming structure with less than required left side yard setbacks, on a 16,250 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Site Plan of Land, dated 12/8/20, stamped by Bradley J. Simonelli, Professional Land Surveyor, Floor Plans and Elevation Drawings, dated 12/21/20, prepared by Robert H. Williamson Architect, and photographs were submitted.

On February 3, 2021, the Planning Board reviewed the petition and recommended that a special permit be approved.

On January 13, 2021, Jason Tobin, Civil Engineer, Town of Wellesley, submitted comments and had no comments.

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 one story addition that will meet setback requirements on an existing nonconforming structure with less than required left side yard setbacks, on a 16,250 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet will not intensify an existing nonconformity, 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 one story addition that will meet setback requirements on an existing nonconforming structure with less than required left side yard setbacks, on a 16,250 square foot lot in a Single Residence District in which the minimum lot size is 20,000 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, this Special Permit shall expire two years after the date time stamped on this decision.

2021 FEB 18 P 1:00  
WELLESLEY MAZARINE

ZBA 2021-09  
Petition of Pamela & James Boyer  
11 Ox Bow 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.

*Robert W. Levy (a.m.)*  
Robert W. Levy, Acting Chairman

*David G. Sheffield (a.m.)*  
David G. Sheffield

*Derek B. Redgate (a.m.)*  
Derek B. Redgate

ZBA 2021-09  
Applicant Pamela & James Boyer  
Address 11 Ox Bow 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.

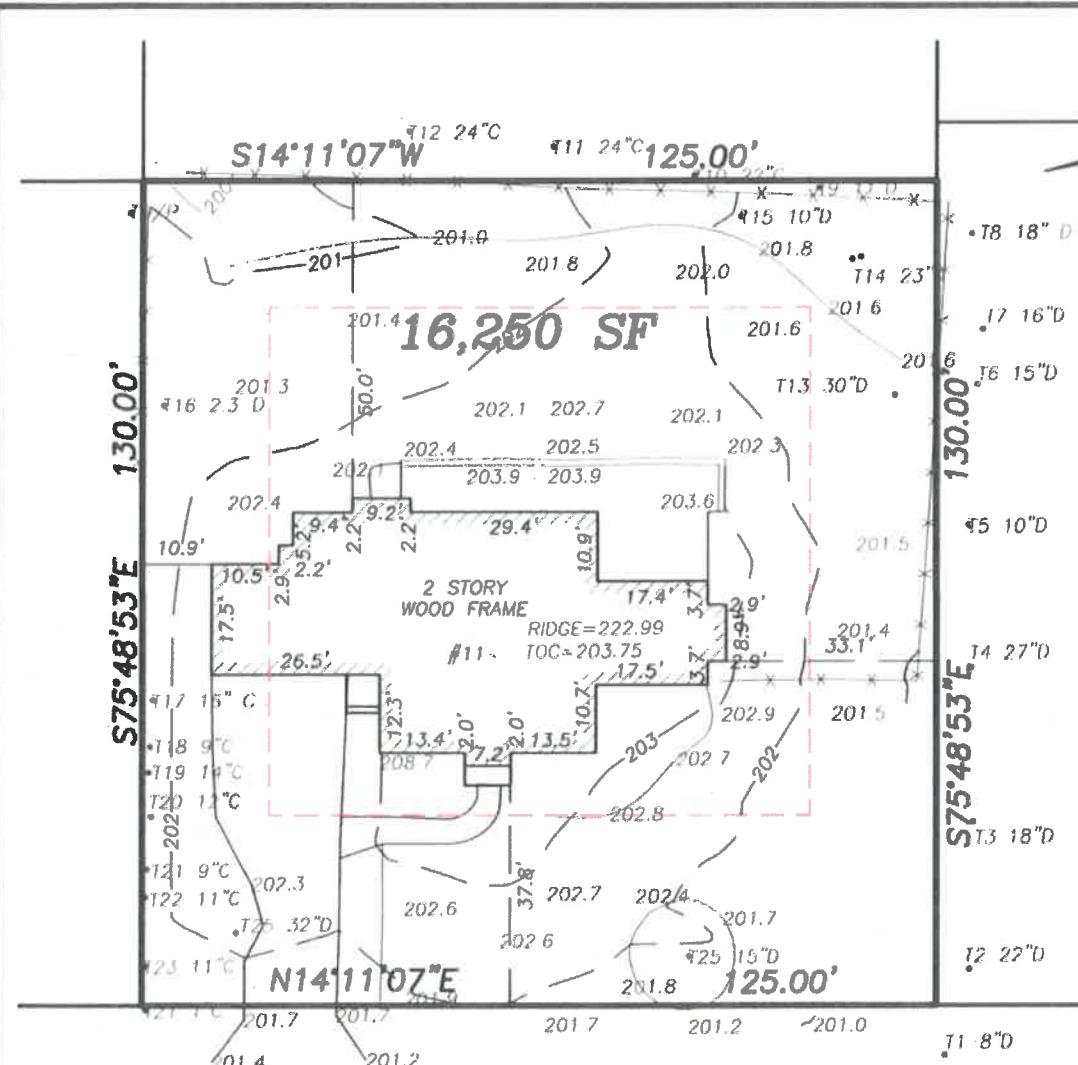
Date:

Attest:

Cathryn Jane Kato  
Town Clerk

WELLESLEY TOWN CLERK  
WELLESLEY, MASSACHUSETTS  
02481  
2021 FEB 18 P 1:00

cc: Planning Board  
Inspector of Buildings  
lrm



## OX BOW ROAD

### **EXISTING SITE**

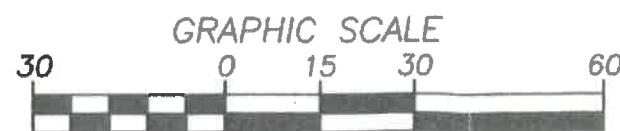
$$1'' = 30'$$

ZONING INFORMATION: SINGLE RESIDENCE 20 (SR20)

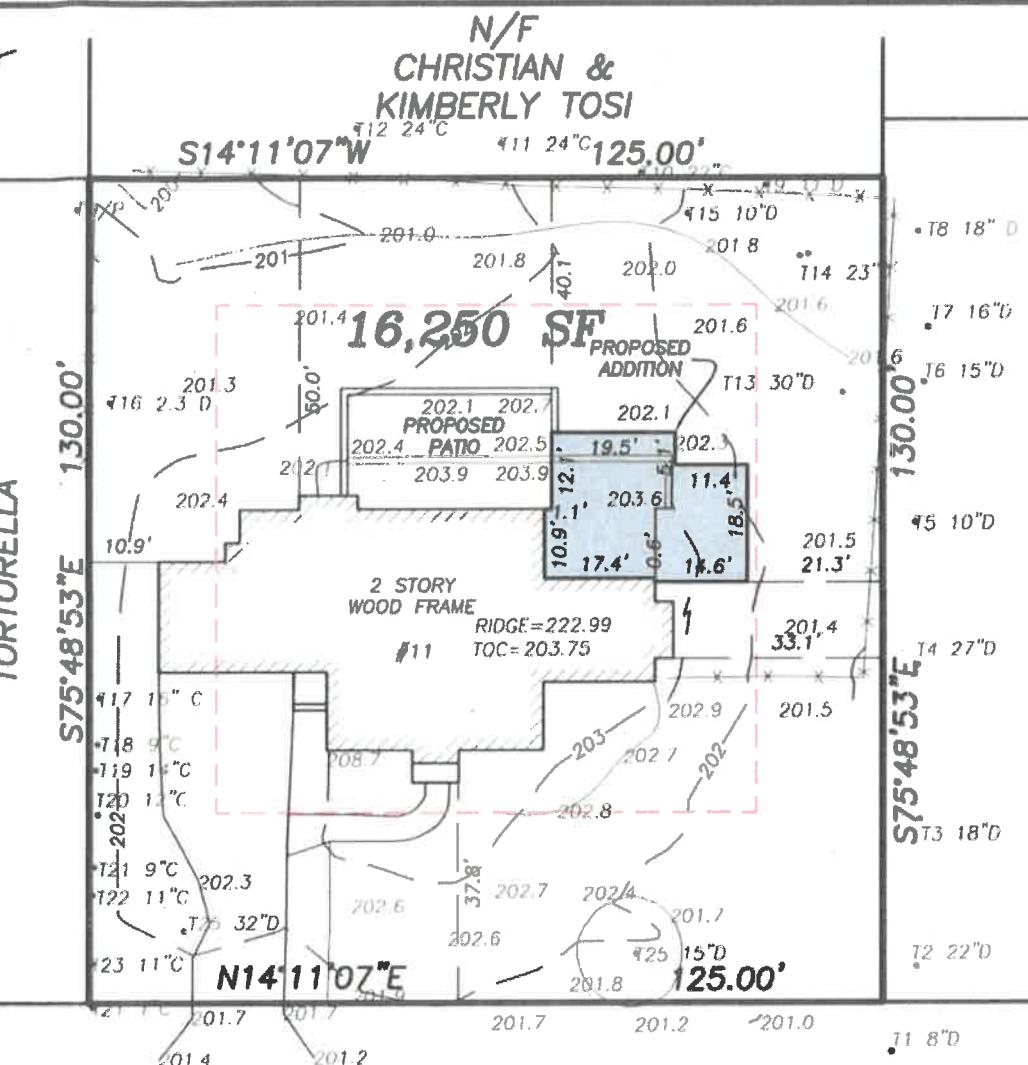
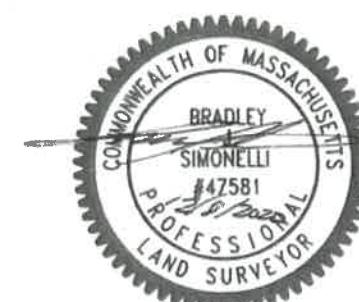
|                                | REQUIRED         | ACTUAL                           | PROPOSED               |
|--------------------------------|------------------|----------------------------------|------------------------|
| MINIMUM LOT AREA .....         | 20,000 SF.....   | 16,250 SF.....                   | 16,250 SF              |
| MINIMUM LOT FRONTAGE.....      | 60 FEET.....     | 125.00 FEET.....                 | 125.00 FEET            |
| MINIMUM FRONT SETBACK.....     | 30* FEET.....    | 37.8 FEET.....                   | 37.8 FEET (TO HOUSE)   |
| MINIMUM SIDE YARD.....         | 20 FEET.....     | 10.9 FEET.....<br>33.1 FEET..... | 10.9 FEET<br>21.3 FEET |
| MINIMUM REAR YARD .....        | 20 FEET.....     | 50.0 FEET.....                   | 40.1 FEET              |
| MAXIMUM BUILDING COVERAGE..... | 20%(3250 SF).... | 14.0%(2270 SF).....              | 18.1%(2943 SF)         |
| MAXIMUM BUILDING HEIGHT.....   | 36 FEET.....     | <36 FEET.....                    | <36 FEET**             |
| MAXIMUM BUILDING HEIGHT.....   | 2 1/2 STY.....   | 2 1/2 STY.....                   | 2 1/2 STY              |

\*FRONT SETBACK DETERMINED BY 500 FOOT RULE

\*\*PER SECTION XX OF THE WELLESLEY ZONING BYLAW, ALL BUILDING HEIGHTS ARE MEASURED TO AVERAGE FINISHED OR ORIGINAL GRADE WHICHEVER IS LOWER.



REVISED



## OX BOW ROAD

**PROPOSED SITE**

ZONING BOARD OF APPEALS  
SITE PLAN OF LAND  
11 OX BOW ROAD  
WELLESLEY, MASS.

# Field Resources, Inc.

DECEMBER 8 2020

SCALE 1" = 30'

P.O. BOX 324  
AUBURN, MA  
508 832 4332

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NEEDHAM, MA.  
781 444 5936

fieldresources@hotmail.com