

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482

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APR 15 P 11:00 AM

ZBA 2021-26

Petition of Katherine Barrack
33 Ingraham Road

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, April 1, 2021 at 7:30 pm, on the petition of Katherine Barrack requesting a Special Permit/Finding and/or Amendment of a Variance pursuant to the provisions of Section 17, Section 19, Section 24 and Section 25 of the Zoning Bylaw that construction of a one-story mudroom and entry addition with less than required front yard setbacks, construction of a second story addition over an existing garage with less than required front and side yard setbacks, and construction of a one-story addition with less than required side yard setbacks, on an existing nonconforming structure with less than required front and side yard setbacks, on a corner lot on a 9,416 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, at 33 Ingraham Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On February 19, 2021, 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 Christopher Russ, Architect, representing Katherine Barrack, the Petitioner. He said that it is a pre-existing nonconforming property and the requested relief is for a special permit/finding and amendment to an existing variance that was granted in 1955.

Mr. Russ said that the Petitioner would like to add a modest one-story mudroom, closet and covered porch in the area of the existing door where you enter into the kitchen, adding 24 square feet to the overall footprint. He said that they will not build the finished space past the existing garage. He said that the face of it will be 25.5 feet and the stoop will be 20.5 feet from the property line. A Board member said that the proposed mudroom with stoop and canopy seems to develop a new main entrance as opposed to the half circle entry. Mr. Russ said that visually it will add more of an entry to the home but the intent is not to make it the main entry.

The Board discussed compliance with the 500 Foot Rule. Paul Beaulieu, Field Resources, said that the Building Inspector can confirm that where this involves secondary frontage, not the primary frontage, the 500 Foot Rule does not apply and the setback is held at 30 feet.

The Board confirmed that the proposed air conditioning units facing Ingraham Road are outside of the setback area.

A Board member said that the existing house looks like a piece is missing over the garage. Mr. Russ said that the roof was tilted to match the existing house and the back slope is at a different pitch so that when you turn toward Ingraham Road, it looks out of balance. He said that a traditional gable is proposed for

the garage piece that will line up with the existing shed dormer to blend it all together. He said that the new ridge will be 5.1 feet taller than the existing garage ridge.

A Board member read a letter of objection from an abutter.

A Board member said that a variance was granted for the property under a prior statute and no findings were made that are required today under a variance. He said that the shape of the lot is unique. Mr. Russ said that the 1955 variance involved topography, an underneath garage and a grading issue. He said that the area was leveled to build a new garage. He said that a retaining wall was built at that time. The Chairman said that the Board will review this as a special permit/finding, not a variance.

Statement of Facts

The subject property is located at 33 Ingraham Road, on a corner lot on a 9,416 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, with a minimum front yard setback of 25.5 feet from Winthrop Road where 30 feet is required, and a minimum side yard setback of 9.8 feet where 20 feet is required.

The Petitioner is requesting a Special Permit/Finding and/or Amendment of a Variance pursuant to the provisions of Section 17, Section 19, Section 24 and Section 25 of the Zoning Bylaw that construction of a one-story mudroom and entry addition with less than required front yard setbacks, construction of a second story addition over an existing garage with less than required front and side yard setbacks, and construction of a one-story addition with less than required side yard setbacks, on an existing nonconforming structure with less than required front and side yard setbacks, on a corner lot on a 9,416 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.

Explanation of Request, dated 2/18/21, from Christopher Russ, Registered Architect, a Plot Plan dated 2/9/21, stamped by Stanley R. Dillis, Professional Land Surveyor, Floor Plans and Elevation Drawings, dated 12/18/20, prepared by Christopher Russ Architects, and photographs were submitted.

On March 30, 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.

It is the opinion of this Authority that construction of a one-story mudroom and entry addition with less than required front yard setbacks, construction of a second story addition over an existing garage with less than required front and side yard setbacks, and construction of a one-story addition with less than required side yard setbacks, on a corner lot on a 9,416 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.

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Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of a one-story mudroom and entry addition with less than required front yard setbacks, construction of a second story addition over an existing garage with less than required front and side yard setbacks, and construction of a one-story addition with less than required side yard setbacks, on a corner lot on a 9,416 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, in accordance with the submitted plot plan and construction drawings.

The Board made no finding with respect to compliance with the 500 Foot Rule.

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 APR 15 PM 1:42

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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

Robert W. Levy (lrm.)
Robert W. Levy

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

2021 APR 15 P 1:42
WELLESLEY TOWN CLERK

ZBA 2021-26
Applicant Katherine Barrack
Address 33 Ingraham 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

<u>ZONING INFORMATION:</u>		<u>SR-10</u>
MIN LOT AREA	<u>REQ.D</u>	<u>EXIST.*</u>
MIN LOT FRONTRAGE	10,000 SF	9,416 SF
MIN FRONT SETBACK	60 FT	218.57 FT (TOTAL)
MIN SIDE YARD	30 FT	25.3 FT
MIN REAR YARD	20 FT	20.6 FT
MAX REAR YARD	10 FT	9.8 FT
MAX BUILDING TO LOT		NA - REAR ABUTS SIDE YARD
AREA RATIO	25%	17.5% (1,648 SF)
MAX BLDG HEIGHT	36 FT	34.1 FT

* DIMENSIONS ARE TO FACE OF BUILDING

THE SITE IS LOCATED IN FLOOD ZONE X PER FEMA FIRM PANEL 25021C0016E EFFECTIVE 7/17/12

THERE ARE NO MAPPED WETLAND RESOURCE AREAS ON LOCUS

FRONT SETBACK OF ABUTTING LOTS:

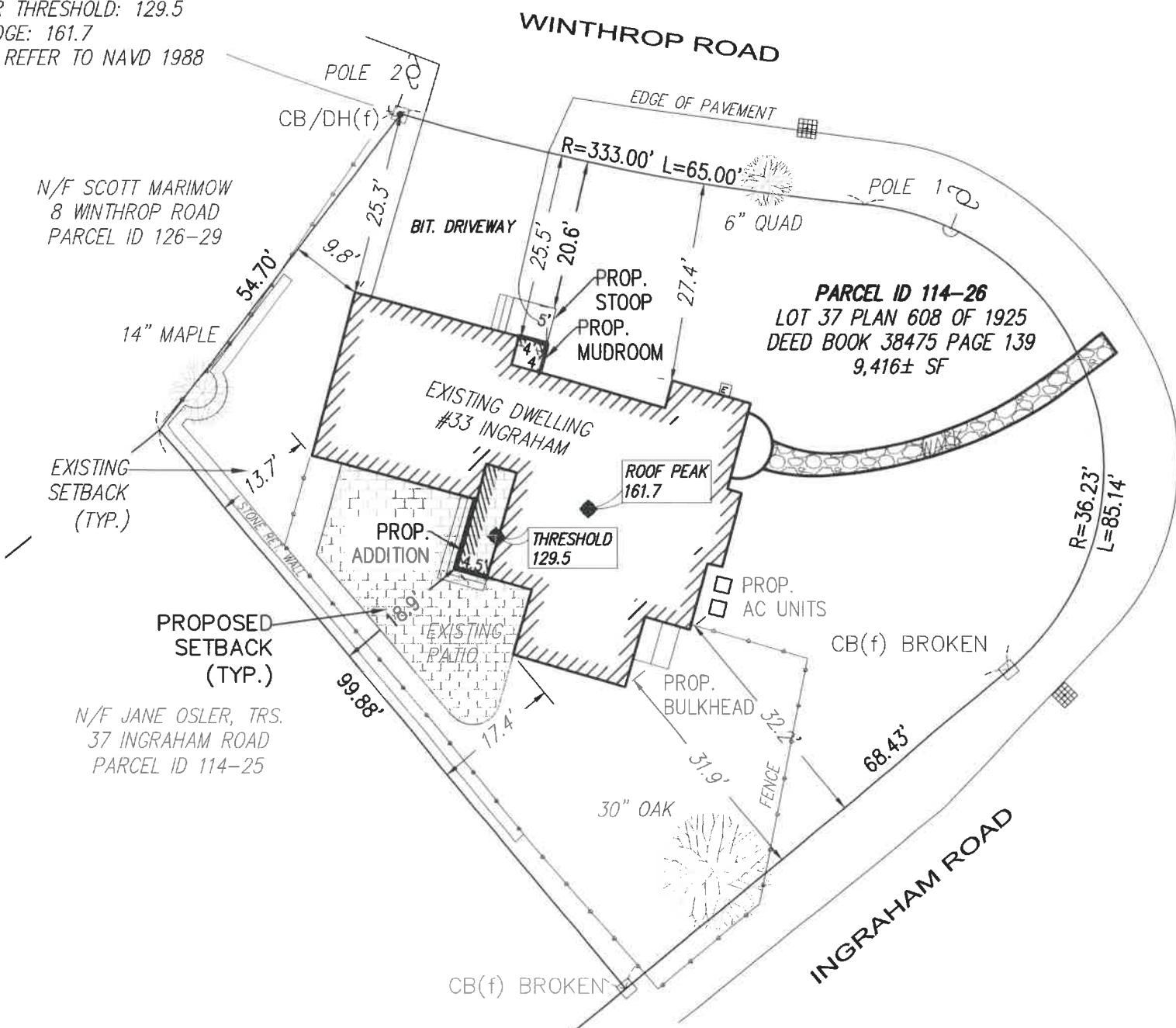
ADDRESS	PARCEL ID	FRONT SETBACK
10 WINTHROP ROAD	126-30	34.3'
8 WINTHROP ROAD	126-29	31.3'
37 INGRAHAM ROAD	114-25	28.1'
39 INGRAHAM ROAD	126-28	26.1' (INGRAHAM RD.) 23.6 (VANE ST.)

AVG. GRADE AT DWELLING: 127.6

FIRST FLOOR THRESHOLD: 129.5

EXISTING RIDGE: 161.7

ELEVATIONS REFER TO NAVD 1988



PLOT PLAN
33 INGRAHAM ROAD
WELLESLEY, MASSACHUSETTS
PREPARED FOR: KATHERINE BARRACK