

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482

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2021 JUN 14 P 1:21

ZBA 2021-48
Petition of 22 Wilson Street LLC
22 Wilson Street

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, June 3, 2021 at 7:30 pm, on the petition of 22 Wilson Street LLC 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 side yard setbacks, construction of second story additions and bays with less than required front and side yard setbacks, and conversion of the garage to living space, on a 4,833.5 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, on a corner lot, at 22 Wilson Street, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On April 8, 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 were Stanley Brooks, Esq. Paul Worthington, Architect, and Marc Charney, representing 22 Wilson Street LLC, the Petitioner.

Mr. Brooks said that the Board previously reviewed the project in April and the Petitioner has come back with plans that address the Board's concerns.

Mr. Brooks said that it is a nonconforming lot and structure. He said that the proposal is for a second floor addition on the north and south sides of the house, for a total of 331 additional square feet, where the previously requested amount was 420 square feet. He said that with the proposed changes, the property will be more consistent with the neighborhood. He said that the closest house to this is 120 feet away.

Christie Kovacs, 20 Clifford Street, said that the proposed structure will be an improvement to the neighborhood.

Archana O'Neill, 12 Wilson Street, said that she supports the project. She said that the plan will substantially improve the neighborhood and will not be detrimental in any way.

Kathleen Koval, 20 Wilson Street, said that this will be a significant improvement and update and is something that she is looking forward to.

Board members said that this is a significant improvement over the previous proposal. A Board member commented that the proposed south elevation is awkward and appears to be top heavy.

Statement of Facts

The subject property is located at 22 Wilson Street, on a 4,833.5 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 20 feet where 30 feet is required, a minimum left side yard setback of 9.8 feet where 20 feet is required, and a minimum rear yard setback of 0.0 where 10 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 side yard setbacks, construction of second story additions and bays with less than required front and side yard setbacks, and conversion of the garage to living space, on a 4,833.5 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, on a corner lot, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Letter to Zoning Board of Appeals, dated 5/27/21, from Stanley A. Brooks, Attorney At Law, A Plot Plan, dated 1/28/21, and a plot plan dated 1/22/21, revised 5/26/21, stamped by Bradley J. Simonelli, Professional Land Surveyor, Floor Plans and Elevation Drawings, dated 11/3/22, revised 5/15/21, Envelope/Demo Calculations, dated 1/5/21, prepared by Paul Worthington Design & Restoration, TLAG Affidavit, dated 2/22/21, revised 5/20/21, Town Map 99, Plan of Land, dated 6/29/1906, Plan of Land, dated 4/30/1901, Street Acceptance, dated 2/1/66, and a photograph were submitted.

On May 17, 2021, Jason Tobin, Civil Engineer, Town of Wellesley, reviewed the petition and submitted comments.

On June 2, 2021, the Planning Board reviewed the petition and recommended that a special permit be approved, subject to a condition.

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 side yard setbacks, construction of second story additions and bays with less than required front and side yard setbacks 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 side yard setbacks, construction of second story additions and bays with less than required front and side yard setbacks, and conversion of the garage to living space, on a 4,833.5 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 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 (Ch.m.)
J. Randolph Becker, Chairman

David G. Sheffield (Ch.m.)
David G. Sheffield

Walter B. Adams (Ch.m.)
Walter B. Adams

2021 JUN 17 P 11:21
WELLESLEY TOWN CLERK
MASSACHUSETTS

ZBA 2021-48
Applicant 22 Wilson Street LLC
Address 22 Wilson Street

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

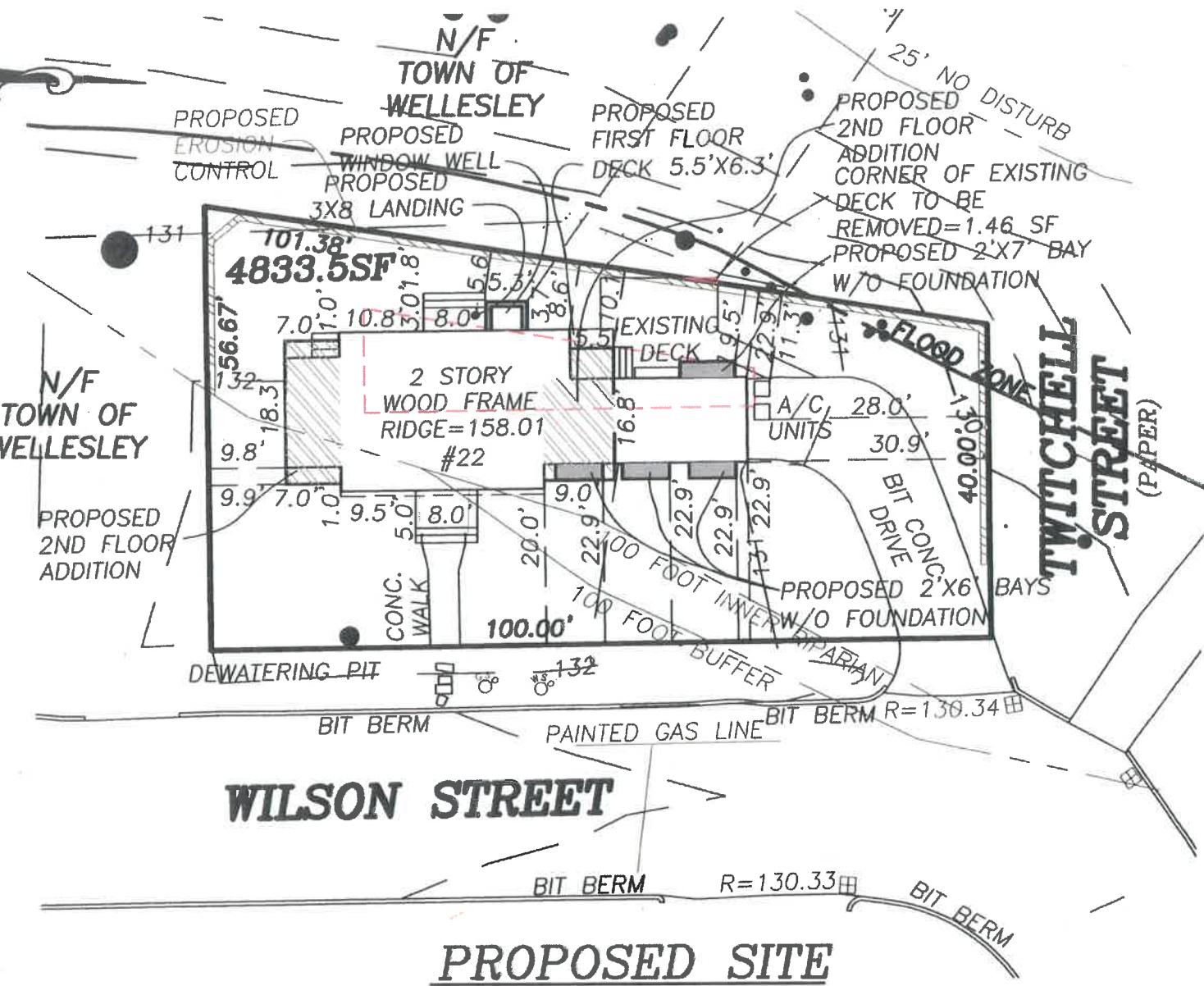
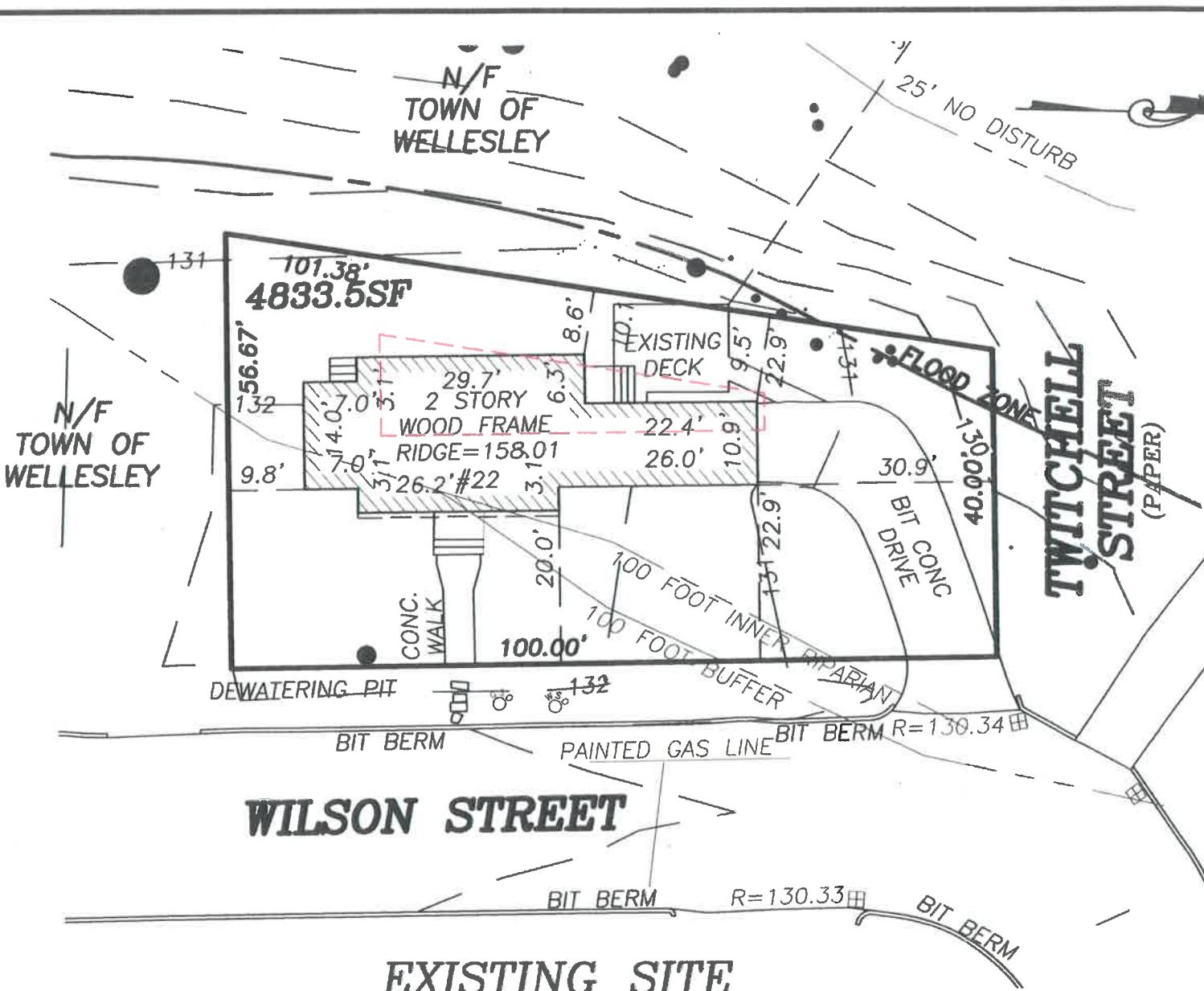
In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed,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

Date:

Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm

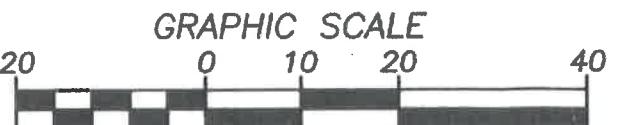


ZONING INFORMATION: SINGLE RESIDENCE 10 (SR10)

REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA	10,000 SF	4833.5 SF
MINIMUM LOT FRONTAGE	60 FEET	100.00 FEET
MINIMUM FRONT SETBACK	30 FEET*	20 FEET
MINIMUM SIDE YARD	20 FEET(L)	9.8 FEET(L)
MINIMUM SIDE YARD	20 FEET(R)	30.9 FEET(R)
MINIMUM REAR YARD	10 FEET	8.6 FEET
MINIMUM PARKLAND SETBACK	10 FEET	8.6 FEET
MAXIMUM BUILDING COVERAGE	25% OR 1208.4 SF	24.6% OR 1194.1 SF
MAXIMUM BUILDING HEIGHT	36 FEET	26.83 FEET
MAXIMUM BUILDING HEIGHT	2 1/2 STORIES	2 STORY

*FRONT SETBACK DETERMINED BY 500 FOOT RULE. #8 WILSON IS SET BACK 27.5 FEET

**SEE CHART BASED UPON AREA.



REVISED: MAY 26, 2021
CHANGES TO PROPOSED ADDITION

ZONING BOARD OF APPEALS
PLAN OF LAND
22 WILSON STREET
WELLESLEY, MA

Field Resources, Inc.
LAND SURVEYORS

JANUARY 22, 2021

SCALE 1"=20'

P.O. BOX 324
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508 832 4332

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NEEDHAM, MA.
781 444 5936

fieldresources@hotmail.com