

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482

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2021
JES
112

ZBA 2021-97
Petition of Lisa Giaquinta & Shawn Humphrey
112 Mayo Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, December 2, 2021 at 7:30 pm, in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Lisa Giaquinta & Shawn Humphrey 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 with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard setbacks, at 112 Mayo Road, 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 November 1, 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 Lisa Giaquinta and Shawn Humphrey, the Petitioner.

Mr. Humphrey said that the request is for a special permit for an addition at the back of the house. He said that the project was reviewed by the Wetlands Protection Committee (WPC) and approval was granted. He said that the existing house is approximately 1,770 square feet and the proposed two story addition at the back will be 600 square feet. He said that there will be no change in the side yard setbacks.

A Board member confirmed that an Order of Conditions was issued. Mr. Humphrey said that they will have an infiltration system at the back to offset stormwater.

The Chairman said that it is a good solution.

No member of the public wished to speak to the petition.

Statement of Facts

The subject property is located at 112 Mayo Road, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, with a minimum left side yard setback of 19.1 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 with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard setbacks, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plan of Land, dated 10/25/21 and Wetland Committee Plan of Land, dated 5/20/21, stamped by Bradley J. Simonelli, Professional Land Surveyor, Floor Plans and Elevation Drawings, dated 5/6/21, and TLAG Affidavit, prepared by McGavern Design, and photographs were submitted.

On October 27, 2021, the Wetlands Protection Committee issued an Order of Conditions, MassDEP File #:324-0980.

On November 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.

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 with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard setbacks will result in the intensification of 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 two story addition with less than required left side yard setbacks, in accordance with the submitted plot plan, construction drawings, and Order of Conditions, MassDEP File #:324-0980.

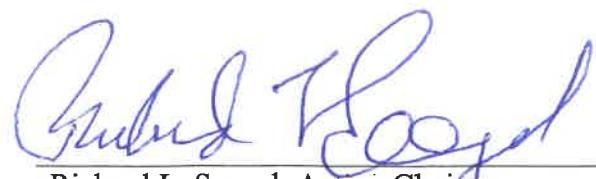
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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 2021-97

Petition of Lisa Giaquinta & Shawn Humphrey
112 Mayo 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.



Richard L. Seegel, Acting Chairman



David G. Sheffield



Derek B. Redgate

2021 DEC 16 PM 12:12
Wellesley, MA

ZBA 2021-97
Applicant Lisa Giaquinta & Shawn Humphrey
Address 112 Mayo Road

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

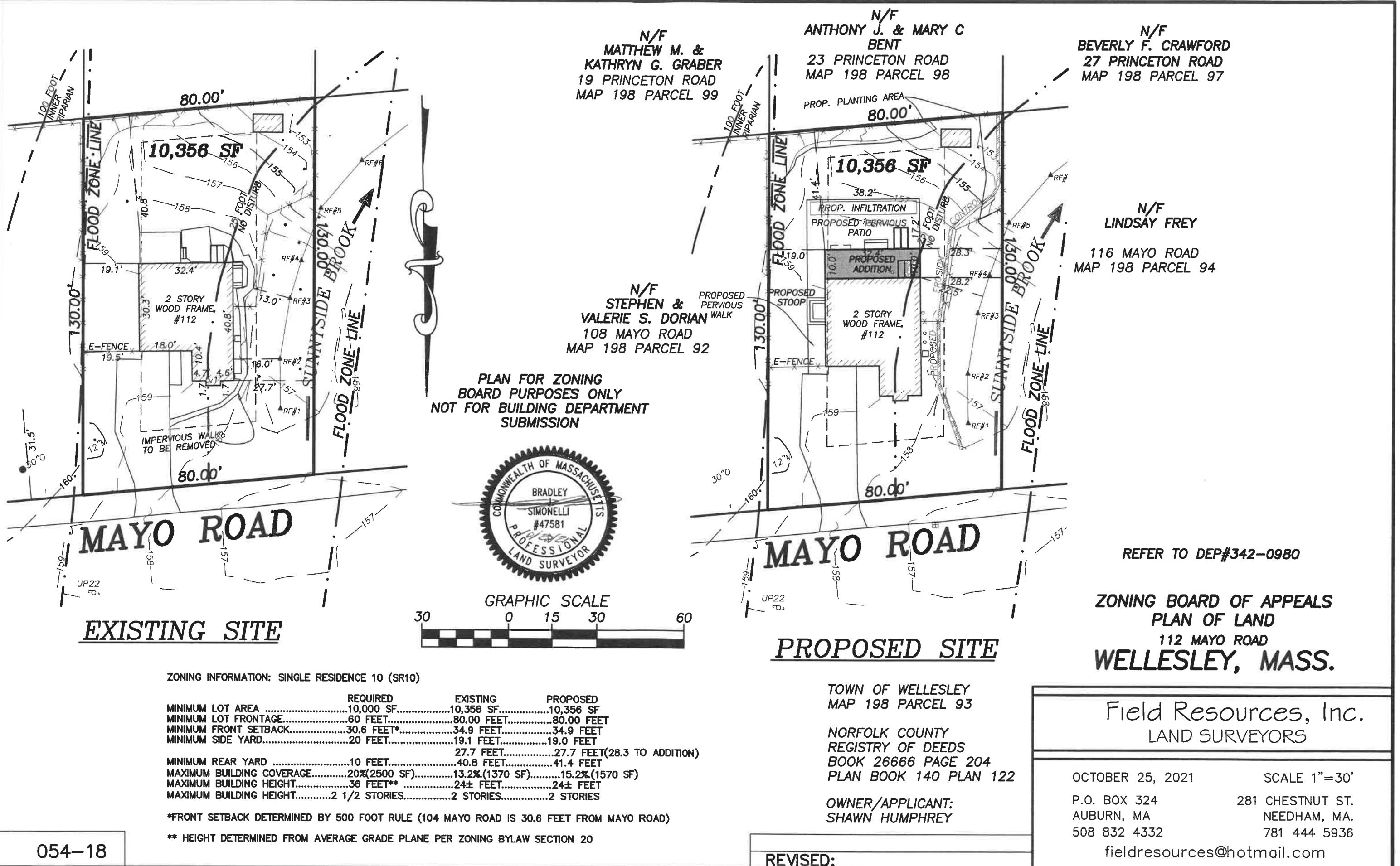
In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed,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

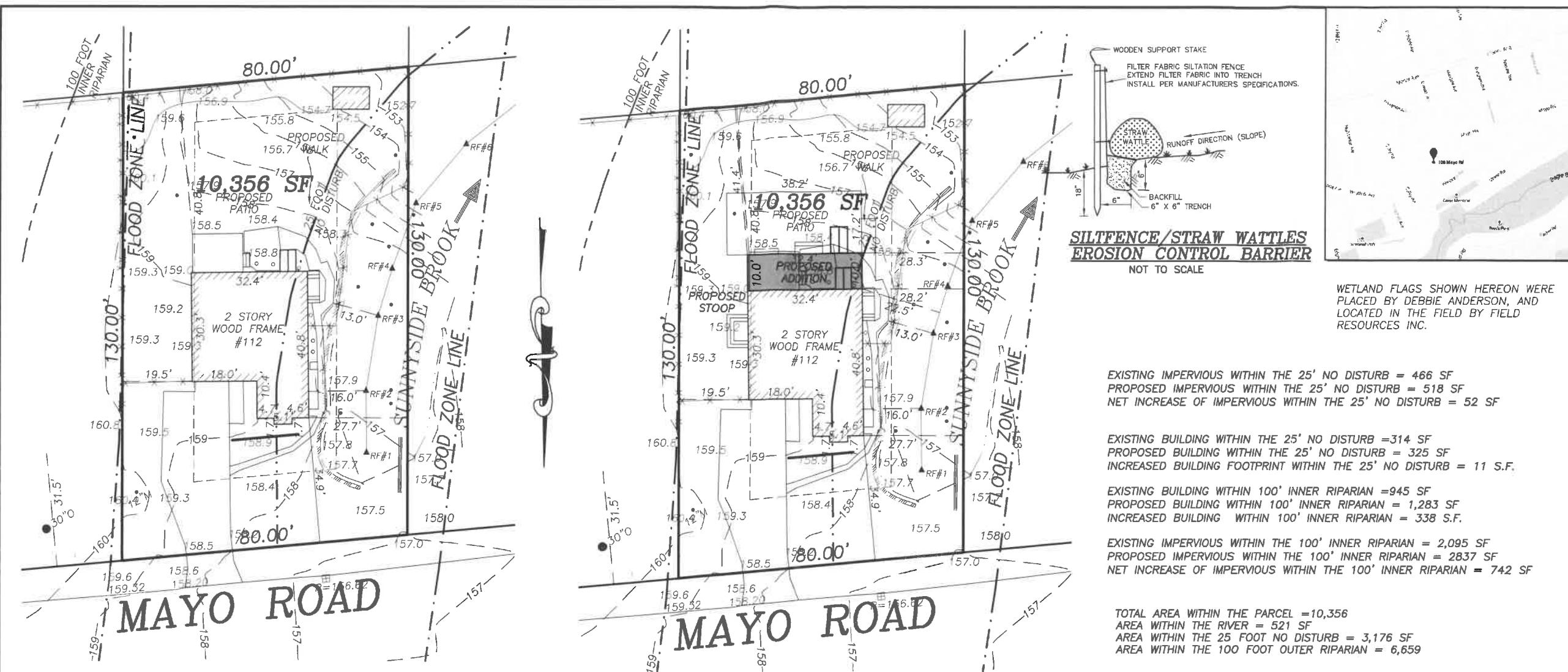
Date:

Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm





I CERTIFY THAT THE PARCEL SHOWN HEREON LIES WITHIN A ZONE "X", AREAS OF 0.2% ANNUAL CHANCE OF FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD, AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR THE TOWN OF WELLESLEY, MASSACHUSETTS, COMMUNITY PANEL NO. 250255 0012 E, MAP NUMBER 25021C 0012 E EFFECTIVE DATE: JULY 17, 2012.

054-18

ZONING INFORMATION: SINGLE RESIDENCE 10 (SR10)



TOWN OF WELLESLEY
MAP 198 PARCEL 93
NORFOLK COUNTY
REGISTRY OF DEEDS
BOOK 26666 PAGE 204
PLAN BOOK 140 PLAN 122
OWNER/APPLICANT:
SHAWN HUMPHREY

20	GRAPHIC SCALE	0	10	20	40
JOB NO. 054-18					
MAY 20, 2021					
SCALE 1"=20'					
P.O. BOX 324					
AUBURN, MA					
508 832 4332					
fieldresources@hotmail.com					
REVISED:					

WETLAND COMMITTEE
PLAN OF LAND
112 MAYO ROAD
WELLESLEY, MASS.

Field Resources, Inc.
LAND SURVEYORS

MAY 20, 2021
SCALE 1"=20'
P.O. BOX 324
AUBURN, MA
508 832 4332
fieldresources@hotmail.com