



ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

RICHARD L. SEEGER, CHAIRMAN
J. RANDOLPH BECKER, VICE CHAIRMAN
DAVID G. SHEFFIELD

LENORE R. MAHONEY
EXECUTIVE SECRETARY
TELEPHONE
(781) 431-1019 EXT. 2208
web: www.wellesleyma.gov

ROBERT W. LEVY
WALTER B. ADAMS
DEREK B. REDGATE

ZBA 2017-62

Petition of Gregory & Catherine Hunter
52 Martin Road

2017 JUL 25 P 3
RECEIVED
TOWN OF WELLESLEY
ZONING BOARD OF APPEALS

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 13, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Gregory and Catherine Hunter requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing nonconforming one-car garage with less than required right side yard setbacks and construction of a new one-car garage with a second story addition with less than required right side yard setbacks, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, at 52 Martin Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On June 7, 2017, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Greg Hunter, the Petitioner. He said that they completed the process with the Conservation Committee and received a large document from them. He said that the request before the Board is to tear down the existing garage on the north side of the house and replace it with a garage with a bedroom above it.

The Board asked if Mr. Hunter had spoken to his neighbors about the project, especially the neighbor to the right. Mr. Hunter said that he had. He said that the neighbors to the right have a fairly large garage that is next to this garage and it is unburdened by any windows on that side. He said that there will be minimal impact to them. He said that they were supportive of the plans.

A Board member said that the proposed garage will have a large two window unit on the second floor. He said that the existing garage has two windows on that side. He said that they will not be increasing the number of windows facing the neighbor's property but they will be closer. Mr. Hunter said that there is a shared, full hedge that runs along the property line from the front of the house to the back property line. He said that they had direct conversations with the neighbor about what the project involved and the neighbors were supportive of the plans.

The Chairman said that the property is located in a Water Supply Protection District (WSPD), for which there are requirements for runoff and storm drainage. He asked what will happen to runoff from the addition, recognizing that it is only 40 square feet or so. Mr. Hunter said that it will go to downspouts and pour onto the grass in the backyard. The Board confirmed that there will be no drywells.

The Board said that the layout of the house is not conducive to putting the second floor addition on the other side of the house. The Board said that there are two other homes on Martin Road that have done the same thing that is proposed here.

The Board said that the abutter's garage is closest to the Petitioner's garage, which helps to mitigate any impact. The Board said that a five foot side yard setback is not very generous.

There was no one present at the public hearing who wished to speak to the petition.

Statement of Facts

The subject property is located at 52 Martin Road, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, with a minimum right side yard setback of 5.16 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing nonconforming one-car garage with less than required right side yard setbacks and construction of a new one-car garage with a second story addition 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 2/21/17, stamped by Dennis B. O'Brien, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 7/19/17, and Proposed Rendering, prepared by D. Michael Collins Architects, and photographs were submitted.

On July 5, 2017, the Planning Board reviewed the petition and recommended that Special Permit be granted.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that although demolition of an existing nonconforming one-car garage with less than required right side yard setbacks and construction of a new one-car garage with a second story addition with less than required right side yard setbacks is increasing a nonconformity, such increase shall 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 demolition of an existing nonconforming one-car garage with less than required right side yard setbacks and construction of a new one-car garage with a second story addition with less than required right side yard setbacks, in accordance with the submitted plot plan and construction drawings.

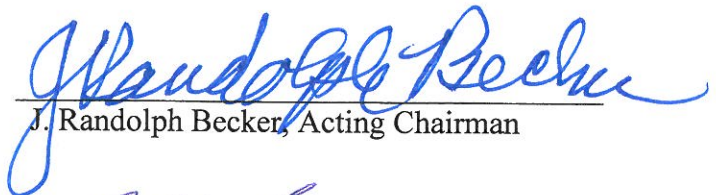
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed constructions plans.

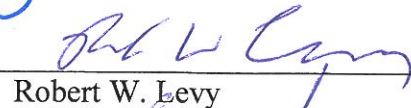
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

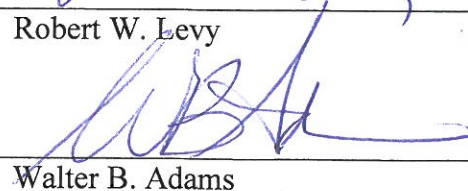
ZBA 2017-62
Petition of Gregory & Catherine Hunter
52 Martin Road

RECEIVED
TOWN CLERK
WILLIAM H. 02402
2017 JUL 25 P 3 42

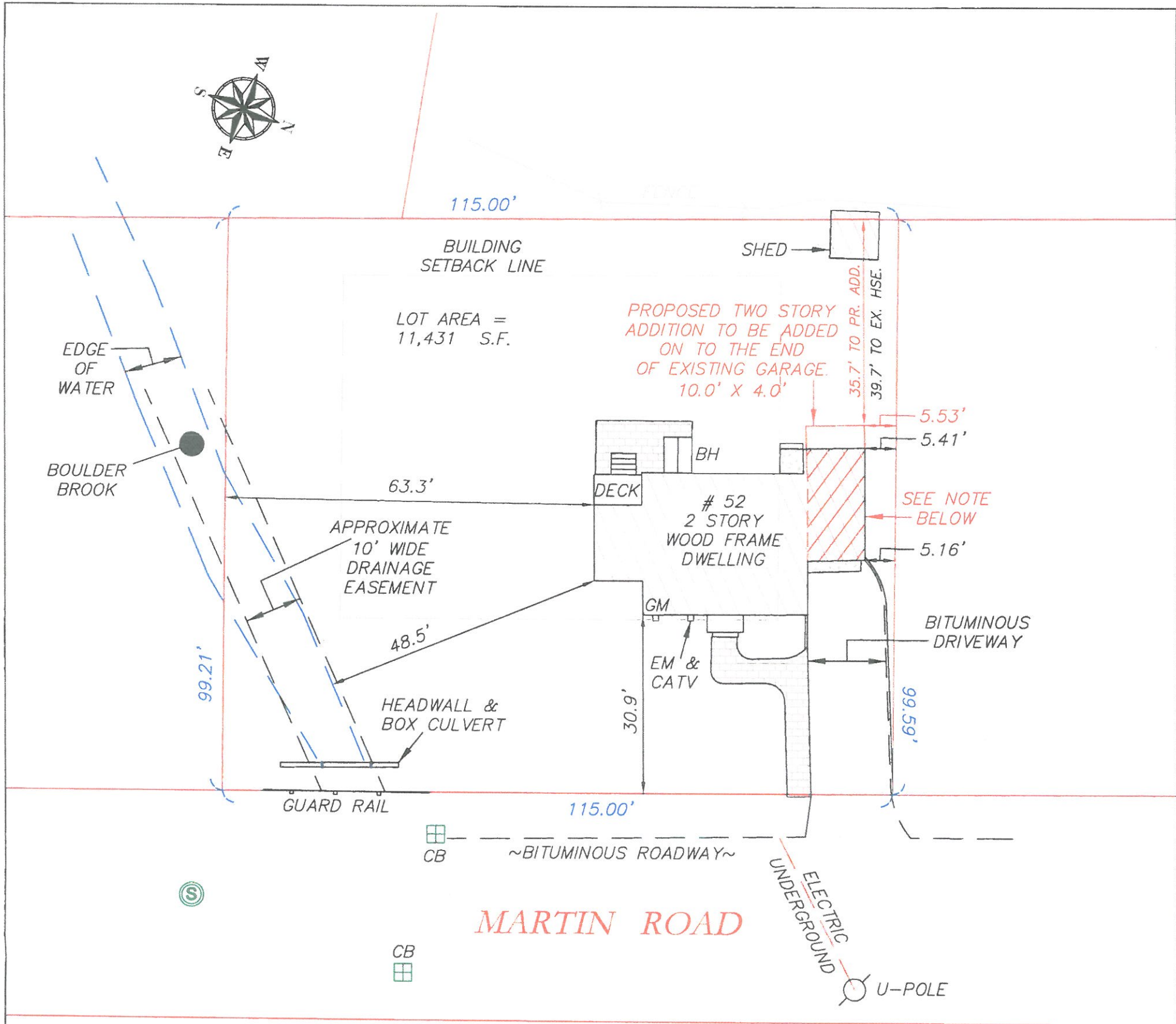
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.


J. Randolph Becker, Acting Chairman


Robert W. Levy


Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrm



THE EXISTING 1 STORY GARAGE IS TO BE REMOVED AND REPLACED WITH A PROPOSED TWO STORY ADDITION WHICH WILL BE NO CLOSER TO THE PROPERTY LINE THEN THE EXISTING GARAGE.

TOWN OF WELLESLEY ZONING
DIMENSIONAL REGULATIONS
ZONE: SR10-SINGLE RESIDENCE

LOT AREA: 10,000 S.F.
LOT FRONTAGE: 60'
LOT WIDTH: 60'
FRONT YARD SETBACK: 30'
SIDE YARD SETBACK: 20'
REAR YARD SETBACK: 10'
MAXIMUM COVERAGE: 2,500 S.F.

SEE PLAN NO. 587 OF 1937 FOR
10' WIDE DRAINAGE EASEMENT.
NORFOLK DISTRICT REGISTRY OF DEEDS.

EXISTING LOT COVERAGE = (9.2%) 1,051.5 S.F.
EXISTING OPEN SPACE = (82.9%) 9,481.1 S.F.

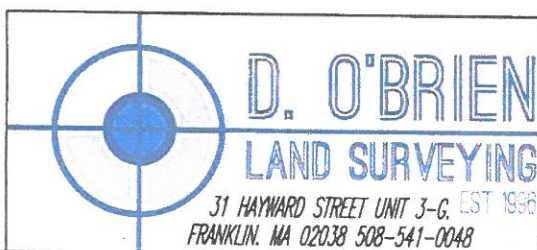
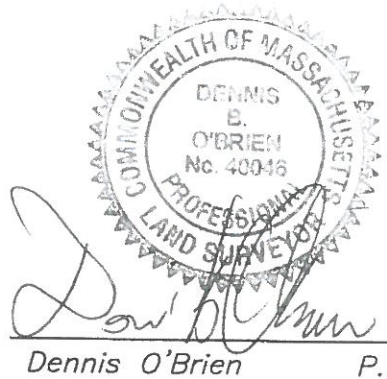
PROPOSED LOT COVERAGE = (9.5%) 1,091.5 S.F.
PROPOSED OPEN SPACE = (82.6%) 9,441.1 S.F.

NOTES:

ALL OFFSETS & DIMENSIONS TO THE EXISTING STRUCTURE ARE TO THE SIDING.

ALL OFFSETS & DIMENSIONS TO THE PROPOSED STRUCTURE ARE TO THE FOUNDATION.

BH=BULKHEAD
GM=GAS METER
CB=CATCH BASIN
EM=ELECTRIC METER
CATV=CABLE TELEVISION



PLAN SHOWING PROPOSED ADDITION
52 MARTIN ROAD
WELLESLEY, MA NORFOLK COUNTY

SCALE:
1:20

DATE:
2/21/2017

REVISED:

DRAWN BY:
W.M.N.

CHECKED BY:
D.O.