

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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WELLESLEY, MA 02482
11 SEP 19 P 302

ZBA 2017-75

Petition of Jacob Lilley & Rebecca Paglia
44 Hundreds Circle

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 7, 2017, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Jacob Lilley & Rebecca Paglia requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of a portion of a nonconforming dwelling and decks, and construction of a one-story addition that will meet all setback requirements, on an existing nonconforming structure with a ridge height that exceeds 36 feet from average grade, at 44 Hundreds Circle, in a 20,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On August 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 Jacob Lilley, the Petitioner. He said that he has lived in the 100 year old house at 44 Hundreds Circle for a couple of years. He said that the rooms are compartmentalized. He said that they would like to add a family room for a more open concept type of living. He said that the addition will be a single story, cathedral space that takes its cues from the existing house and will be conforming to Zoning requirements. He said that the pre-existing ridge height is nonconforming.

Mr. Lilley said that an Order of Conditions was filed at the Registry of Deeds. The Chairman asked that a copy of the Order of Conditions be submitted for the file.

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 44 Hundreds Circle, in a 20,000 square foot Single Residence District, with an existing nonconforming height from average grade in excess of 36 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of a portion of a nonconforming dwelling and decks, and construction of a one-story addition that will meet all setback requirements, on an existing nonconforming structure with a ridge height that exceeds 36 feet from average grade, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

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A Plot Plan, dated 7/28/17, stamped by John R. Hamel, Professional Land Surveyor, Existing & Proposed Floor Plans and Elevation Drawings, dated 7/26/17, prepared by JacobLilley Architects, and photographs were submitted.

On July 6, 2017, the Wetlands Protection Committee issued an Order of Conditions, MassDEP File #: 324-0849.

On September 6, 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 demolition of a portion of a nonconforming dwelling and decks, and construction of a one-story addition that will meet all setback requirements, on an existing nonconforming structure with a ridge height that exceeds 36 feet from average grade shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as it shall neither increase an existing nonconformity nor create a new nonconformity.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for demolition of a portion of a nonconforming dwelling and decks, and construction of a one-story addition that will meet all setback requirements, on an existing nonconforming structure with a ridge height that exceeds the 36 feet from average grade, 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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WELLINGTON MA 02482
2017 SEP 19 P 3:02

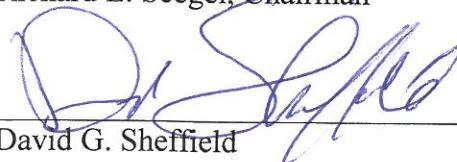
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APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.


Richard L. Seegel, Chairman


David G. Sheffield


Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm

SITE PLAN
44 HUNDREDS CIRCLE
WELLESLEY, MASSACHUSETTS
1 INCH = 30 FEET JULY 27, 2017

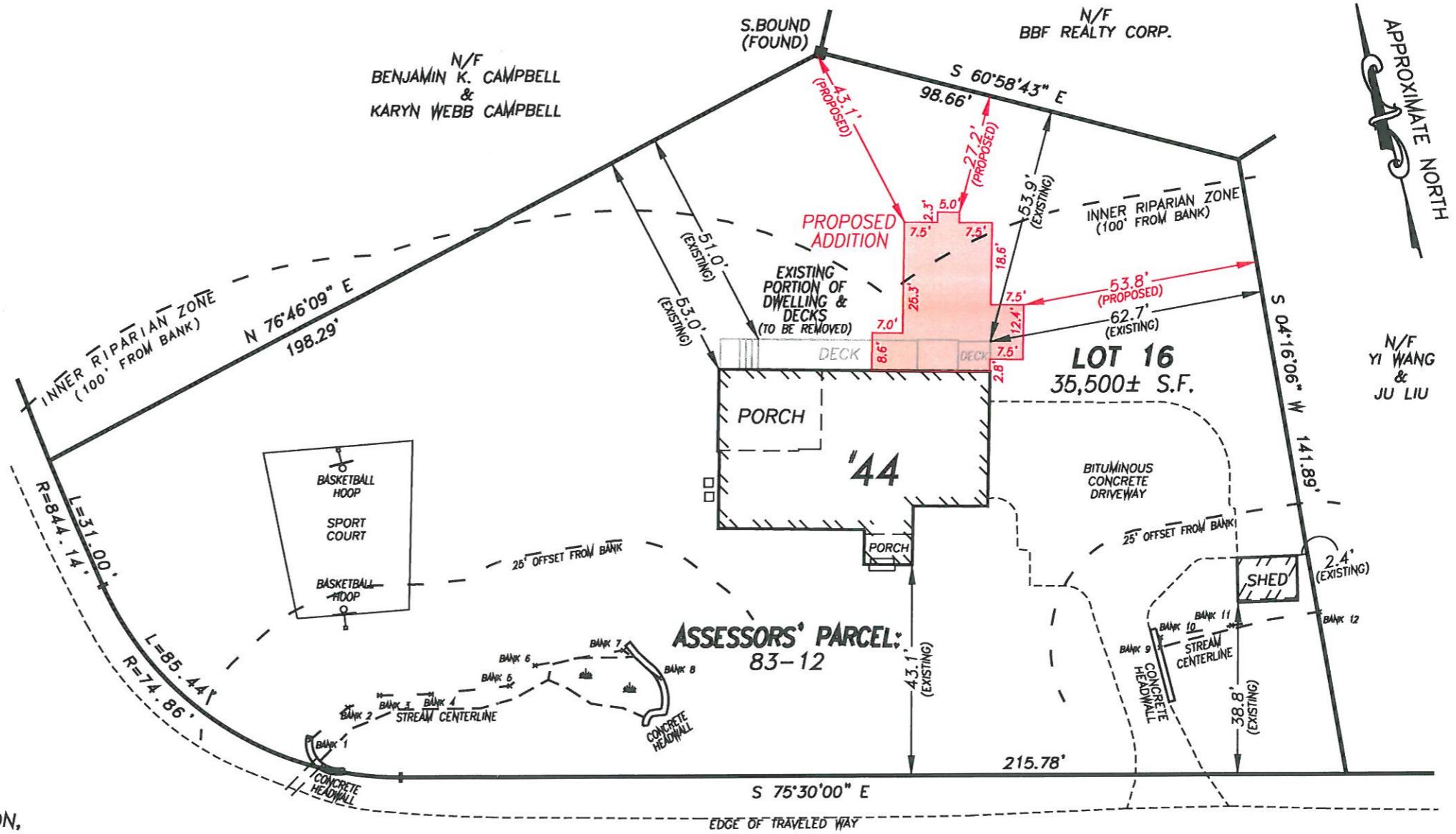
SNELLING & HAMEL ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS & ENGINEERS
10 LEWIS STREET P.O. BOX 102
LINCOLN, MASSACHUSETTS 01773
(781) 259-0071

OWNERS OF RECORD:

JACOB LILLEY
&
REBECCA PAGLIA
BK.33707 PG.586

SCALE 1" = 30'

0 30 60 90



NOTE:

- THE BANK FLAGS WERE SET BY RUSS WALDRON, WETLANDS SCIENTIST, APRIL 2017.

I HEREBY STATE THAT THE LOCATION OF THE FEATURES SHOWN HEREON
IS THE RESULT OF A FIELD SURVEY PERFORMED AS OF APRIL 12, 2017,
WITH THE USE OF A TOPCON TOTAL STATION.



JOHN R. HAMEL
PROFESSIONAL
LAND SURVEYOR



JULY 28, 2017

DATE:

NOTES:

- ZONING DISTRICT: "SR-20"
- EXISTING LOT COVERAGE
= 2,786 SQ. FT. OR 7.8%
- PROPOSED LOT COVERAGE
= 3,202 SQ. FT. OR 9.0%

PLAN REFERENCE:

- PLAN BOOK 1688 PAGE 85