



## ZONING BOARD OF APPEALS

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

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ZBA 2017-81

Petition of Jonathan Mantak  
37 Longmeadow Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, October 5, 2017, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Jonathan Mantak requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing nonconforming one and a half story two-car garage with less than required left side yard setbacks, and construction of a new two story two-car garage with less than required left side yard setbacks, on a 15,904 square foot lot in a Single Residence District in which the minimum lot size is 40,000 square feet, at 37 Longmeadow Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On August 30, 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 Michael Collins, Architect, representing Jon Mantak, the Petitioner. He said that Mr. Mantak submitted a letter to the Board. He said that the request is to demolish and replace a pre-existing nonconforming garage. He said that the new garage will be moved closer to the rear of the property and further away from the eastern property line where it is nonconforming by six inches. He displayed a rendering of the proposed garage. He said that although the proposed garage will be larger, it will not be more detrimental to the neighborhood. He said that it will be pushed back 110 feet from the street for a significant setback. He said that the new garage will be taller. He said that they designed the front end gable to mimic the existing house. The Board said that the gable on the existing garage faces the other direction.

A Board member asked why the garage was not moved further away for a more substantial reduction in the nonconformity. Mr. Collins said that he did try for a foot. He said that the client felt strongly about maximizing the yard as much as possible. The Board member said that there is a tree that would keep them from moving the garage five feet over. Mr. Collins said that moving the garage would make the turn into the garage more difficult and would add more pavement.

The Board asked about the use of the second floor of the existing garage and the proposed garage. Mr. Collins said that the second floor of the existing garage is approximately 200 square feet and has ladder access for storage. He said that the new second floor space will not be finished except for a floor and stair with fire enclosure on the floor below and above. He said that the existing basement is old and wet. He said that this will be used as additional storage and play space for the kids and a potential studio for artwork. He said that there is a slop sink proposed at the back of the garage on the first floor. The Board said that it would insert a condition that there be no plumbing on the second floor of the garage.

The Chairman asked if the stair will be open or enclosed. Mr. Collins said that it will be enclosed on the second floor for fire rating. He said that the stair will go up to a landing that will be posted and from that landing the stringers will go up to the second floor. He said that there will be drywall under the stair to separate the garage.

The Board said that the two immediate neighbors provided statements that they are aware of the proposed design and have no objection.

The Chairman asked if the lighting will be in soffits over the garage doors. Mr. Collins said that there will be two downlights in the overhang. He said that there is no room for carriage lights. He said that the soffit lights are more dark sky compliant.

A Board member said that although the garage will be pulled five inches further away from the side property line, the new garage will be eight feet higher. He said that the effect of it will probably be more dramatic. Mr. Collins said that it will be a sloped roof on the east side but it will not be as close and imposing as it currently is. He said that the existing garage has no architectural relation to the house. He said that they will match the roof pitch of the house.

The Board identified the nonconformities and made findings in accordance with Section XVII of the Zoning Bylaw

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 37 Longmeadow Road, on a 15,904 square foot lot in a Single Residence District in which the minimum lot size is 40,000 square feet, with a minimum left side yard setback of 9.8 feet for the garage.

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 an existing nonconforming one and a half story two-car garage with less than required left side yard setbacks, and construction of a new two story two-car garage with less than required left side yard setbacks, on a 15,904 square foot lot in a Single Residence District in which the minimum lot size is 40,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 8/22/17, stamped by Bruce Bradford, Professional Land Surveyor, Existing & Proposed Floor Plans and Elevation Drawings, dated 8/15/17, prepared by D. Michael Collins Architects, and photographs were submitted.

On September 12, 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 an existing nonconforming one and a half story two-car garage with less than required left side yard setbacks, and construction of a new two story two-car garage with less than required left side yard setbacks, on a 15,904 square foot lot in a Single Residence District in which the minimum lot size is 40,000 square feet, 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 an existing nonconforming one and a half story two-car garage with less than required left side yard setbacks, and construction of a new two story two-car garage with less than required left side yard setbacks, on a 15,904 square foot lot in a Single Residence District in which the minimum lot size is 40,000 square feet, subject to the following condition:

- There shall be no plumbing on the second floor of the garage.

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 2017-81  
Petition of Jonathan Mantak  
37 Longmeadow 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.



David G. Sheffield

David G. Sheffield, Acting Chairman

Robert W. Levy

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Robert W. Levy

Walter R. Adcock

Walter B. Adams

cc: Planning Board  
Inspector of Buildings  
lrm

## *LONGMEADOW ROAD*

100.00' N89°20'49" W

ESTABLISHED 1916  
**EMB**

EVERETT M. BROOKS CO.

## SURVEYORS & ENGINEERS

49 LEXINGTON STREET

16 BRIDGE STREET  
WEST NEWTON, MA 02465

(617) 527-8750

info@everettbrooks.com



161.10' S00°35'48" W 157.02' N00°35'34" E

LOT 8  
15,904 S.F.±

26.3' 51.7' 51.7' 23.4'

8.7' 35.2' 6.4' 16.4'

16.0' 8.8' 1.5' 6.4'

12.9' 13.3' 9.0' DRIVE

1.5' 1.5' 1.5' 1.5'

20.0' EXISTING GARAGE TBR 10.3'

24.0' 20.0' 9.8' EXIST

26.0' 26.0' 9.8' EXIST

22.0' 24.0' 10.4'

67.6' 21.0'

65.6' 100.09' 18' 55" E 100.09' 18' 55" N

#37

PROP GARAGE

ZONING DISTRICT: SR-40

DEED REFERENCE:  
BOOK 32589 PAGE 105

EXISTING  
STRUCTURES: 1948 S.F.  
LOT COVERAGE: 12.2%

PROPOSED  
STRUCTURES: 2425 S.F.  
LOT COVERAGE: 15.2%



PLAN OF LAND IN  
WELLESLEY, MA  
37 LONGMEADOW ROAD  
PROPOSED GARAGE

PREPARED FOR:  
JONATHAN MANTAK

SCALE: 1 IN = 20 FT

DATE: AUGUST 22, 2017

PROJECT NO. 25356