

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ZBA 2017-93
Petition of Siobhan & Paul Derrickson
30 Riverdale Road

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WELLESLEY, MA 02482

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, December 7, 2017, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Siobhan & Paul Derrickson requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a deck with less than required left side yard setbacks, on an existing nonconforming structure with less than required front yard and left side yard setbacks, at 30 Riverdale Road, on a 9,375 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On November 16, 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 that the hearing were Siobhan and Paul Derrickson, the Petitioner, and Charles Malafaia, International Builders, Inc.

Mr. Derrickson said that it is a nonconforming lot with nonconforming front and left side yard setbacks. He said that the deck will have an 8 foot left side yard setback. He said that they have spoken with their neighbors and they are fine with the proposal.

The Board said that the lot size is nonconforming as well.

Mr. Malafaia said that the deck will be located 8.6 feet from the side property line.

The Board confirmed that there will be no structure built above the hot tub.

Ms. Derrickson said that there will be a living ivy wall for screening. She said that the only lighting will be inside the tub.

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 30 Riverdale Road, on a 9,375 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 26.3 feet and a minimum left side yard setback of 8 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a deck with less than required left side yard setbacks, on an existing nonconforming structure with less than required front yard and left side yard setbacks, on a 9,375 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 10/30/17, stamped by Bradley J. Simonelli, Professional Land Surveyor, Existing Elevation Drawings, dated 10/9/17, and Proposed Floor Plans and Elevation Drawings, dated 10/30/17, prepared by International Builders, Inc. were submitted.

On December 5, 2017, the Planning Board reviewed the petition and recommended that a 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 construction of a deck with less than required left side yard setbacks, on an existing nonconforming structure with less than required front yard and left side yard setbacks, on a 9,375 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet 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 construction of a deck with less than required left side yard setbacks, on an existing nonconforming structure with less than required front yard and left side yard setbacks, on a 9,375 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.

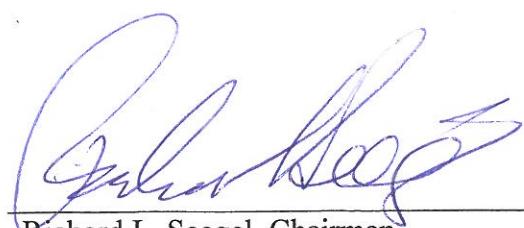
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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12/11/2017 DEC 21 P 3:12

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

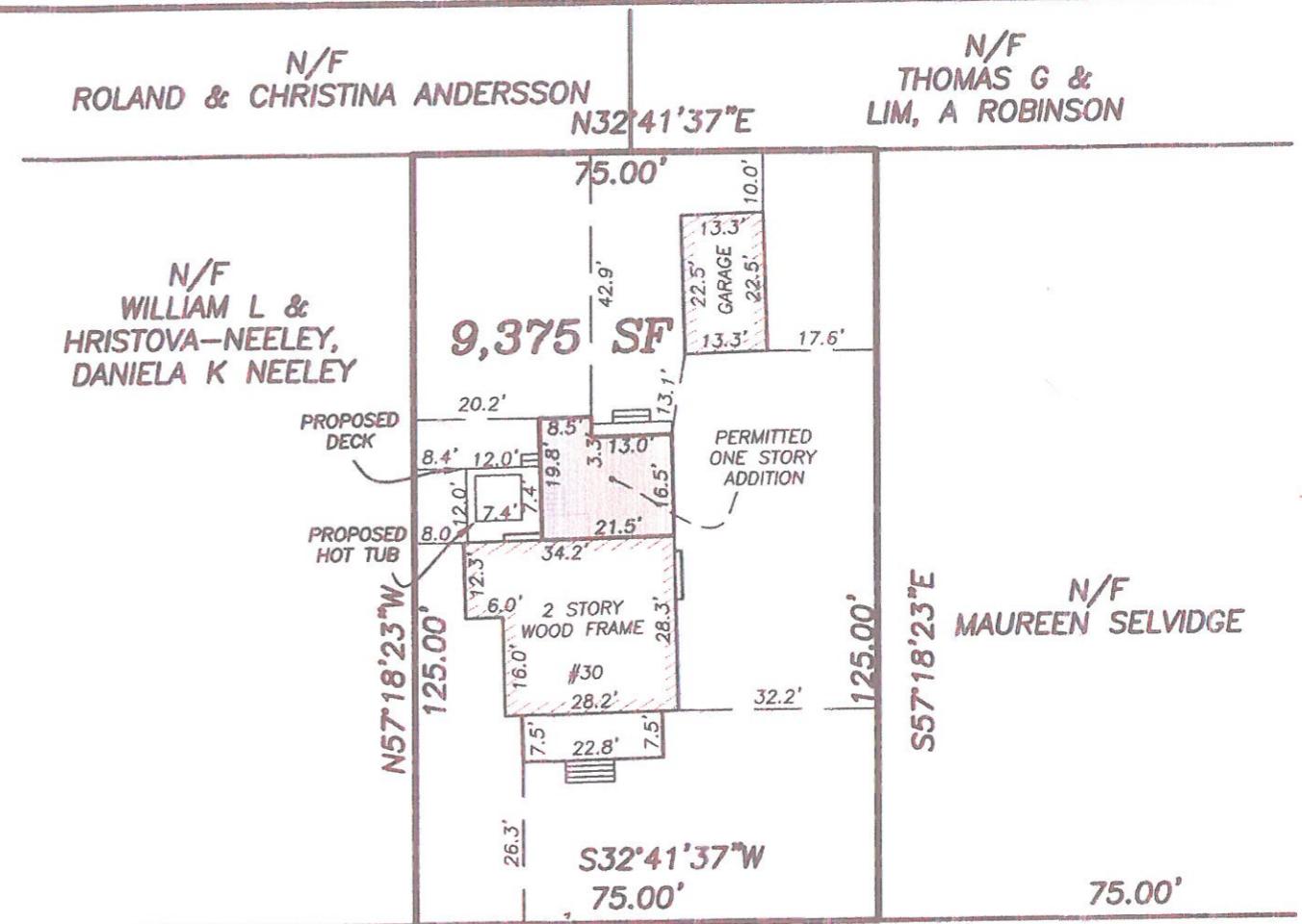
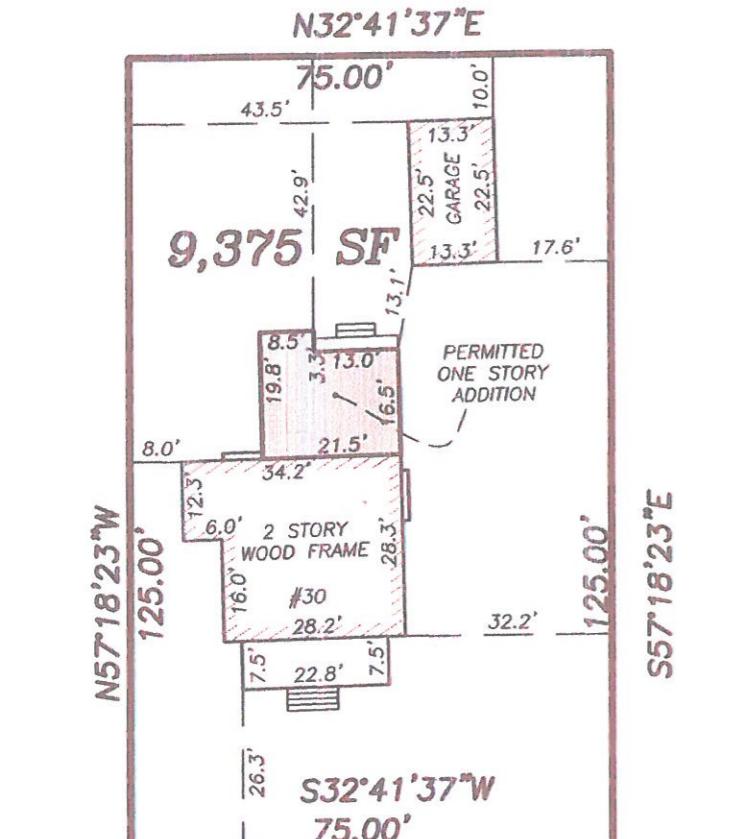


J. Randolph Becker



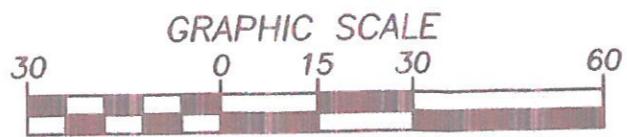
David G. Sheffield

cc: Planning Board
Inspector of Buildings
lrm



ZONING INFORMATION: SINGLE RESIDENCE 10 (SR10)

	REQUIRED	ACTUAL	PROPOSED
MINIMUM LOT AREA	10,000 SF	9,375 SF	9,375 SF
MINIMUM LOT FRONTAGE	60 FEET	75.0 FEET	75.0 FEET
MINIMUM FRONT SETBACK	30.0 FEET*	26.3 FEET	26.3 FEET
MINIMUM SIDE YARD	20 FEET	8.0 FEET	8.0 FEET
	2.2(26.7) FEET	8.4(TO PROPOSED DECK)	
MINIMUM REAR YARD	10 FEET	42.9 FEET	42.9 FEET
MAXIMUM BUILDING COVERAGE	20%/2500 SF	18.6%/1,752 SF	20.3%/1,905 SF
MAXIMUM BUILDING HEIGHT	36 FEET		
MAXIMUM BUILDING HEIGHT	2 1/2 STY	2 STY	2STY



TOWN OF WELLESLEY
MAP 51 PARCEL 12

NORFOLK COUNTY
REGISTRY OF DEEDS
BOOK 13520 PAGE 322

ZONING BOARD OF APPEALS
PLAN OF LAND
30 RIVERDALE ROAD
WELLESLEY, MASS.

Field Resources, Inc.
LAND SURVEYORS

OCTOBER 30, 2017

SCALE 1"=30'

P.O. BOX 324
AUBURN, MA
508 832 4332

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NEEDHAM, MA.
781 444 5936

fieldresources@hotmail.com