

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

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

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ZBA 2018-09  
Petition of DNH Homes, LLC  
7 Wildon Road

2018 MAR 15 P 12:13  
RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02482

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, March 1, 2018, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of DNH Homes, LLC requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing structure and construction of a new two-story structure that will meet all setback requirements, on an 11,288 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, at 7 Wildon Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On February 9, 2018, 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 Stan Hargas, who said that he is the owner of 7 Wildon Road and is a builder. He said that also present at the hearing was Mike Hunter, who is part of the design team.

Mr. Hargas said that they were one of the first projects to go through the Historic Commission process to get approval for demolition of a historically, originally significant house. He said that they went through four hearings and designed the house together with the Historic Commission and the design team. He said that in the past he has tried to keep an original house and add an addition. He said that this property is a cape and there was nothing that he could do in terms of adding on and making it marketable. He said that he requested permission to demolish the property.

Mr. Hargas said that the petition is before the Board because the lot is 11,222 square feet in a 20,000 square foot Single Residence District. He said that the proposal is to build a house that is appropriately sized for a 10,000 square foot lot. He said that the total TLAG is about 3,600 square feet plus an attic space. He said that because of the new bylaw, which took effect July 1, 2017, they had to include the attic and the garage. He said that brings the TLAG to 4,400 square feet. He said that the request is for a special permit because of the nonconforming lot.

Mr. Hargas said that as part of the Historic Commission hearings there was a neighbor to the right of the property who was quite involved in the final design. He said that they have had significant neighborhood input. He said that they believe that what they have designed is consistent with the neighborhood. He said that it will not be a mcmansion.

A Board member asked if most of the lots in the neighborhood are undersized. Mr. Hargas said that they are. He said that they submitted photographs of the houses in the neighborhood and they are pretty

consistent. A Board member said that the house next door appears to be even smaller. A Board member said that # 6 across the street appears to be a similar size on a much smaller lot. Mr. Hargas said that there was a house built about five or six years ago that did not have to conform to the new requirements. He said that it is a fairly large colonial. He said that they tried to stay away from that.

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 7 Wildon Road, on an 11,288 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square 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 an existing structure and construction of a new two-story structure that will meet all setback requirements, on an 11,288 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 12/20/17, stamped by Stephen P. DesRoche, Professional Land Surveyor, Proposed Floor Plans and Elevation Drawings, dated 12/17/17 & 12/20/17, prepared by Testa Engineering Associates, and photographs were submitted.

On January 25, 2018, 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 structure and construction of a new two-story structure that will meet all setback requirements, on an 11,288 square foot lot in a Single Residence District in which the minimum lot size is 20,000 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 structure and construction of a new two-story structure that will meet all setback requirements, on an 11,288 square foot lot in a Single Residence District in which the minimum lot size is 20,000 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.

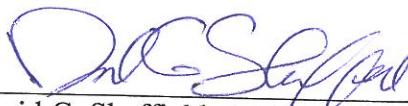
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

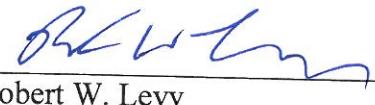
ZBA 2018-09  
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7 Wildon Road

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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.

  
David G. Sheffield, Acting Chairman

  
Robert W. Levy

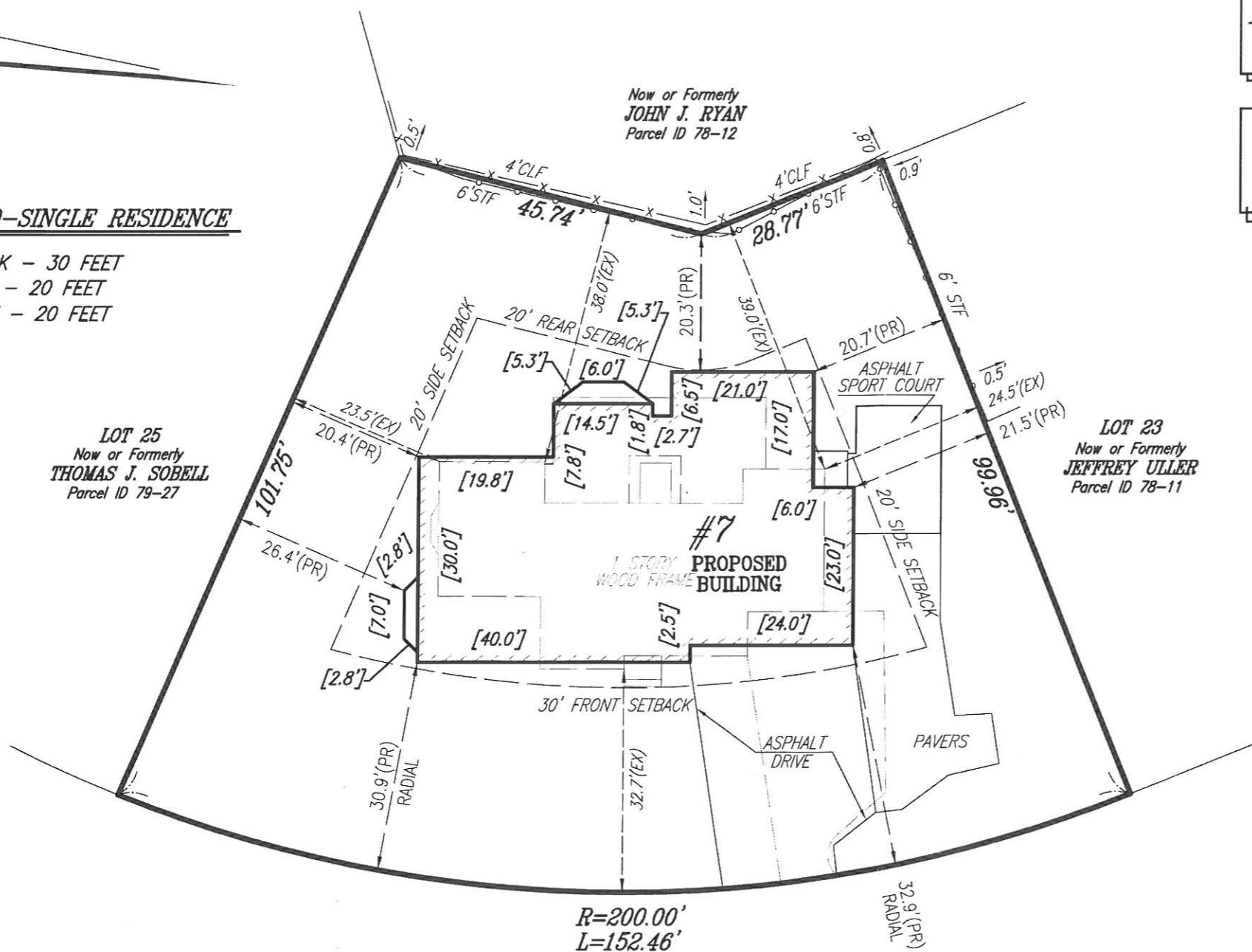
  
Derek B. Redgate

cc: Planning Board  
Inspector of Buildings  
lrm



**ZONE: SR20-SINGLE RESIDENCE**

FRONT SETBACK - 30 FEET  
SIDE SETBACK - 20 FEET  
REAR SETBACK - 20 FEET



REFERENCES:

- NORFOLK COUNTY REGISTRY OF DEEDS  
DEED BOOK 2244 - PAGE 496  
DEED BOOK 2386 - PAGE 305
- WELLESLEY ENGINEERING  
WILDON STREET LAYOUT

# **WILDON (PUBLIC - 40' WIDE) STREET**

LEGEND

*PR* - *PROPOSED*  
*EX* - *EXISTING*

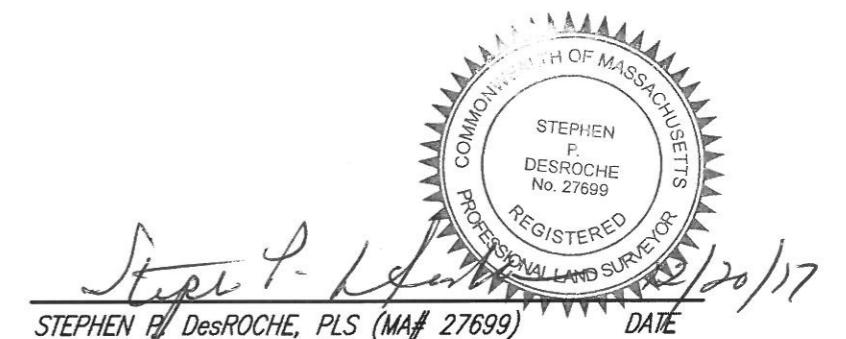
LOT 24  
AREA=11,288 S.F.

Now or Formerly  
**DNH HOMES LLC**  
Parcel ID 78-10  
Book 35373 - Page 345

<u>EXISTING LOT COVERAGE</u>	<u>PROPOSED LOT COVERAGE</u>
1263± SQ. FT. (11.2%)	2225± SQ. FT. (19.7%)

<u>EXISTING BUILDING SETBACKS ON WILDON STREET</u>	
3 WILDON RD - 30.2'	17 WILDON RD - 34.8'
11 WILDON RD - 30.5'	19 WILDON RD - 34.6'

I CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL FIELD SURVEY PLANS AND DEEDS OF RECORD.



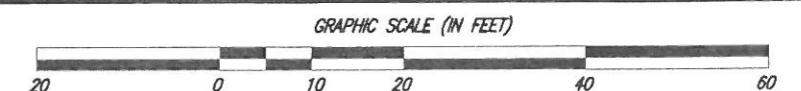
**PLOT PLAN FOR NEW CONSTRUCTION  
7 WILDON ROAD  
WELLESLEY, MASSACHUSETTS**

FRAMINGHAM SURVEY CONSULTANTS, INC.

FRAMINGHAM SURVEY CONSULTANTS  
P.O. BOX 1190, FRAMINGHAM, MA 01701

228-1444 FAX: 508-879-92

SCALE: 1"=20' DRAWN BY: RON DWG: 851\_17  
DATE: SEPTEMBER 2, 2017 CHECKED BY: SPD JOB NO: 851\_17



IN ASSOCIATION WITH NEPONSET VALLEY SURVEY ASSOCIATES, INC.