

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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TOWN CLERK'S OFFICE
WELLESLEY, MA 02482
10 MAR 15 P 12:34

ZBA 2018-12
Petition of Andrew & Virginia Snow
40 Emerson Road

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 Andrew & Virginia Snow 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 porch and construction of a two-story addition that will meet setback requirements, on a 14,250 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, in a Water Supply Protection District, at 40 Emerson 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 were Virginia and Andrew Snow, the Petitioner. Ms. Snow said that the request is for a special permit to build a 500 square foot two story addition at the back of their house. She said that the lot is nonconforming at 14,250 square feet in a 15,000 square foot Single Residence District. She said that the house is conforming to setbacks, lot coverage and height. She said that the proposed addition will conform in all of those respects.

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 40 Emerson Road, on a 14,250 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, in a Water Supply Protection District.

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 porch and construction of a two-story addition that will meet setback requirements, on a 14,250 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 12/14/17, stamped by Bradley J. Simonelli, Professional Land Surveyor, Existing & Proposed Floor Plans and Elevation Drawings, dated 12/5/17, prepared by McGavern Design, Large House Review TLAG Affidavit, dated 12/17/17, 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 porch and construction of a two-story addition that will meet setback requirements, on a 14,250 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, in a Water Supply Protection District 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 porch and construction of a two-story addition that will meet setback requirements, on a 14,250 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, in a Water Supply Protection District, 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.

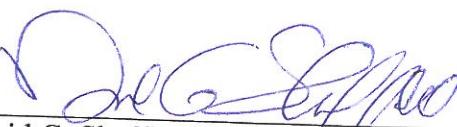
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WELLESLEY MA 02482
1 2018 MAR 15 P 12:36

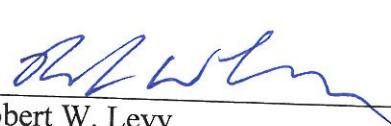
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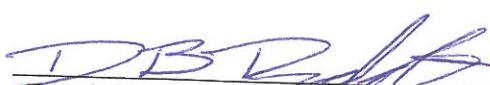
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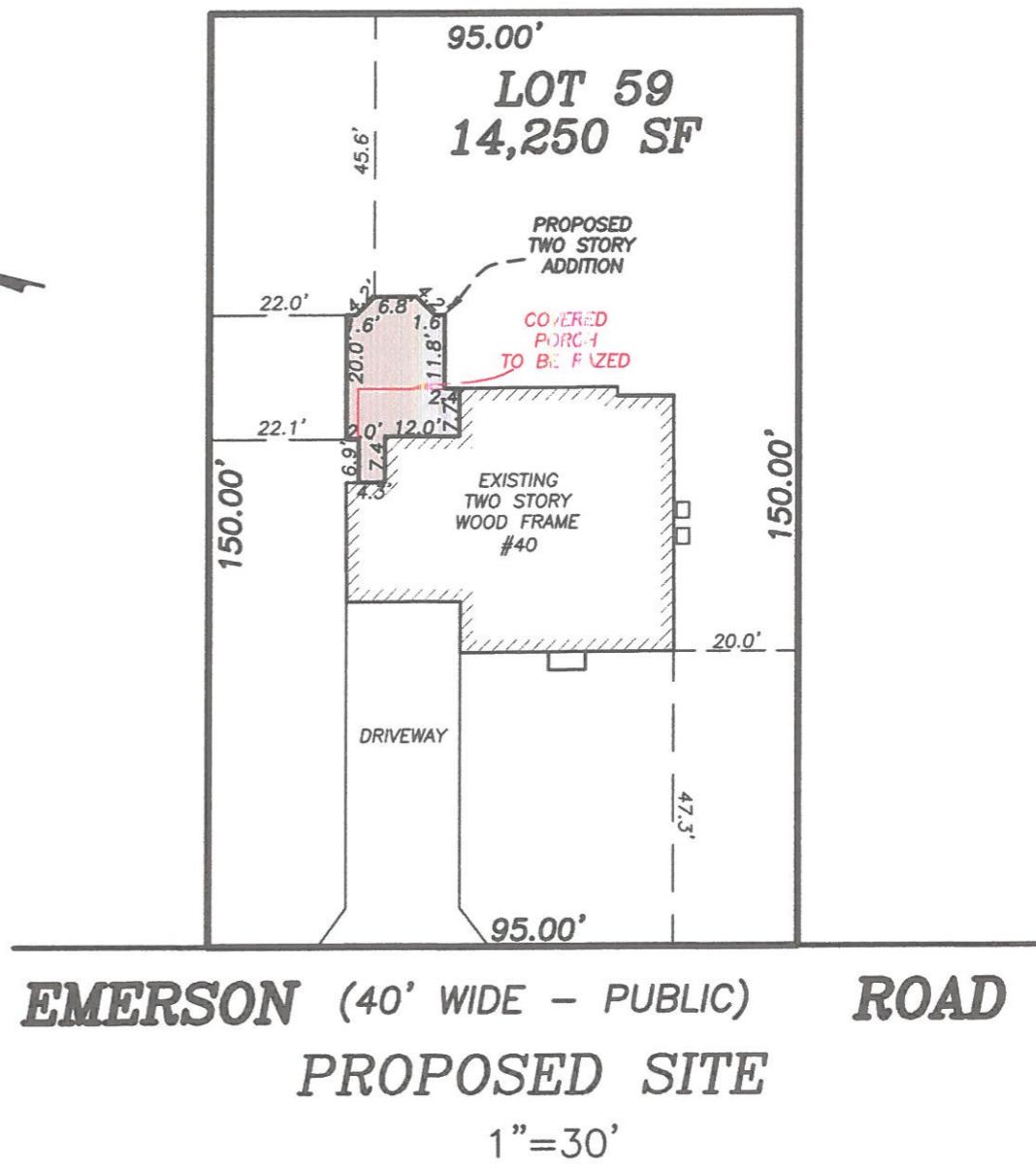
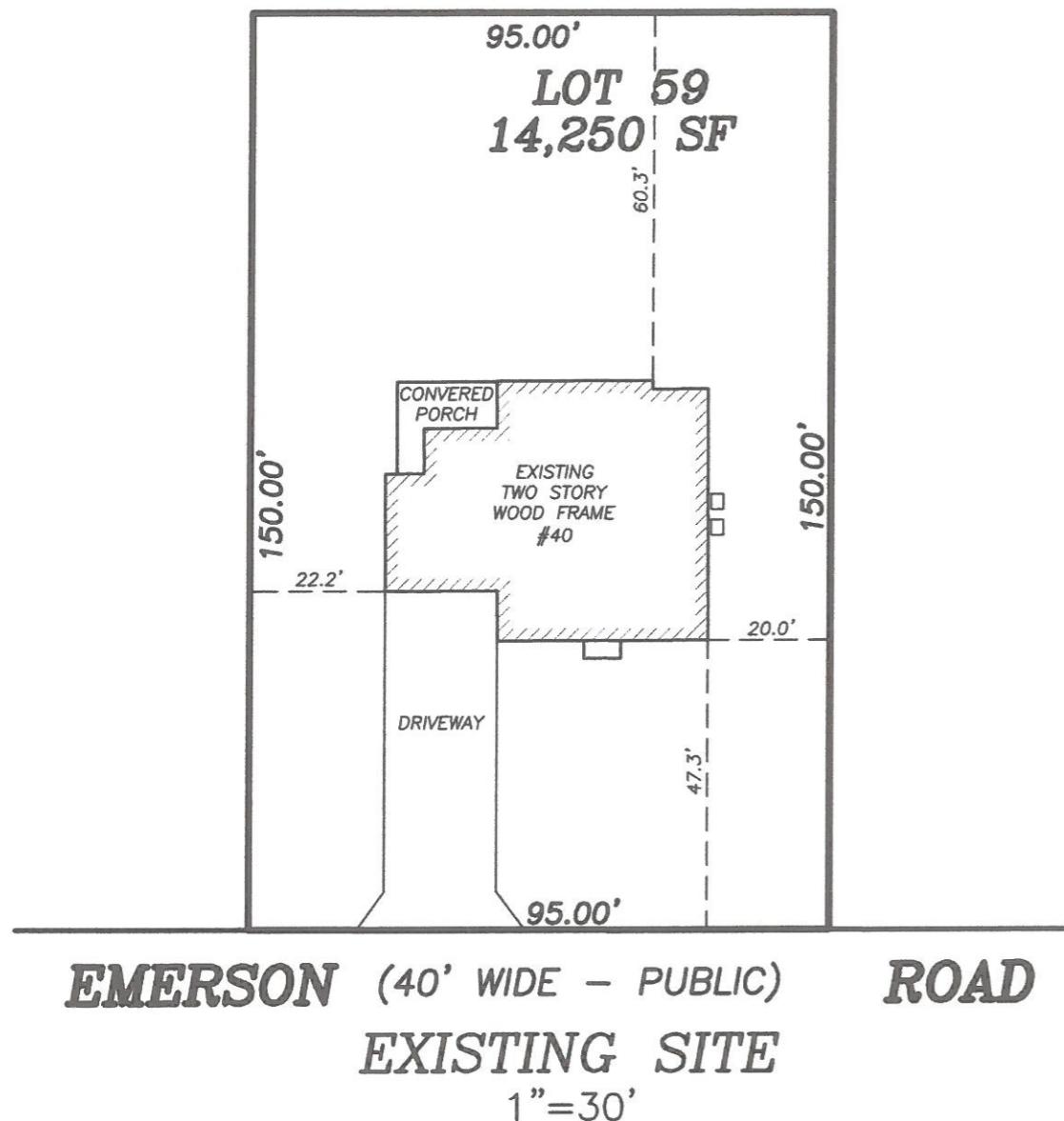
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.


David G. Sheffield, Acting Chairman


Robert W. Levy


Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm



ZONING INFORMATION: SINGLE RESIDENCE 15 (SR15)

	REQUIRED	ACTUAL	PROPOSED
MINIMUM LOT AREA	15,000 SF.....	14,250 SF.....	14,250 SF
MINIMUM LOT FRONTAGE.....	60 FEET.....	95.0 FEET.....	95.0 FEET
MINIMUM FRONT SETBACK.....	30.0 FEET*.....	47.3 FEET.....	47.3 FEET
MINIMUM SIDE YARD.....	20 FEET.....	20.0 FEET.....	20.0 FEET
		22.2 FEET.....	22.0(TO PROPOSED ADDITION)
MINIMUM REAR YARD	15 FEET.....	60.3 FEET.....	45.6 FEET
MAXIMUM BUILDING COVERAGE.....	20%/2500 SF	13.2%/1,892 SF.....	16.0%/2,283 SF
MAXIMUM BUILDING HEIGHT.....	36 FEET.....		
MAXIMUM BUILDING HEIGHT.....	2 1/2 STY.....	2 STY.....	2STY



TOWN OF WELLESLEY
MAP 28 PARCEL 12

NORFOLK COUNTY
REGISTRY OF DEEDS
CERT# 178317

ZONING BOARD OF APPEALS
PLAN OF LAND
40 EMERSON ROAD
WELLESLEY, MASS

Field Resources, Inc.

LAND SURVEYORS

A graphic scale with markings at 0, 15, and 30. The scale is marked with a series of black and white squares, with the first square at 0 and the last square at 30. The markings are evenly spaced, representing increments of 5 units.