

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

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

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ZBA 2001-80  
Petition of John F. Mar  
19 Willow Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, October 25, 2001 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of JOHN F. MAR requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a one-story 8.5 foot by 21 foot addition to his nonconforming detached garage, with less than the required rear and right side yard setbacks, at 19 WILLOW ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On October 9, 2001, 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 Rhonda Mar, who said they would like to reconstruct their existing nonconforming two-car garage, which is in need of repair. Two walls of the garage act as retaining walls for the adjacent property and for Dorset Lane. These two walls would be reinforced and maintained; the other two walls would be demolished and rebuilt. In addition to rebuilding the garage, they would like to extend it an additional 8.5 feet for storage. The garage and the lot line are not parallel, so the extension will be less nonconforming than the existing structure.

The Board asked if plumbing would be installed in the garage. Mrs. Mar said there would not be any plumbing. The Board decided to include conditions that no plumbing be installed in the garage, and that no habitable space be created in any portion of the garage.

Jo Derma, 17 Lawrence Road, expressed support for the petition.

Statement of Facts

The subject property is located at 19 Willow Road, in a Single Residence District, on a 7,968 square foot lot on which a two-story dwelling and a detached nonconforming garage are located. The one-story detached garage has a minimum rear yard clearance of 5.5 feet and a minimum right side yard clearance of 6 feet.

The petitioner is requesting a Special Permit/Finding that the demolition and reconstruction of a portion of the existing nonconforming detached one-story garage and construction of a 21 foot by 8.5 foot one-story addition, with a minimum right side yard clearance of 7 feet, to said garage, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

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A Plot Plan dated September 26, 2001, stamped by Philip L. Pattison, Registered Land Surveyor; Existing and Proposed Elevations dated 9/12/01, drawn by David J. Cann, Registered Architect; and photographs were submitted.

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On October 16, 2001, the Planning Board reviewed the petition and had no objection to the granting of the petition.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject detached garage does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the finding of this Authority that the demolition and reconstruction of a portion of the garage, and construction of a one-story 8.5 foot by 21 foot addition to said garage shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as neither the reconstruction nor the addition will intensify the existing nonconformance, nor will either create new nonconformity, as the addition is less nonconforming than the existing nonconforming structure.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for demolition and reconstruction of a portion of the garage, and construction of a one-story 8.5 foot by 21 foot addition in accordance with the submitted plot plan and construction drawings, subject to the following conditions:

1. No plumbing shall ever be installed in any portion of the nonconforming garage.
2. No portion of the garage shall ever be used as habitable space.

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.

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.

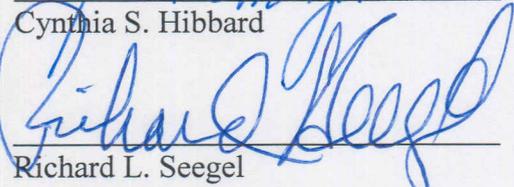
Cc: Planning Board  
Inspector of Buildings  
edg



Kendall P. Bates, Chairman



Cynthia S. Hibbard



Richard L. Seegel



Zoning District SR-10

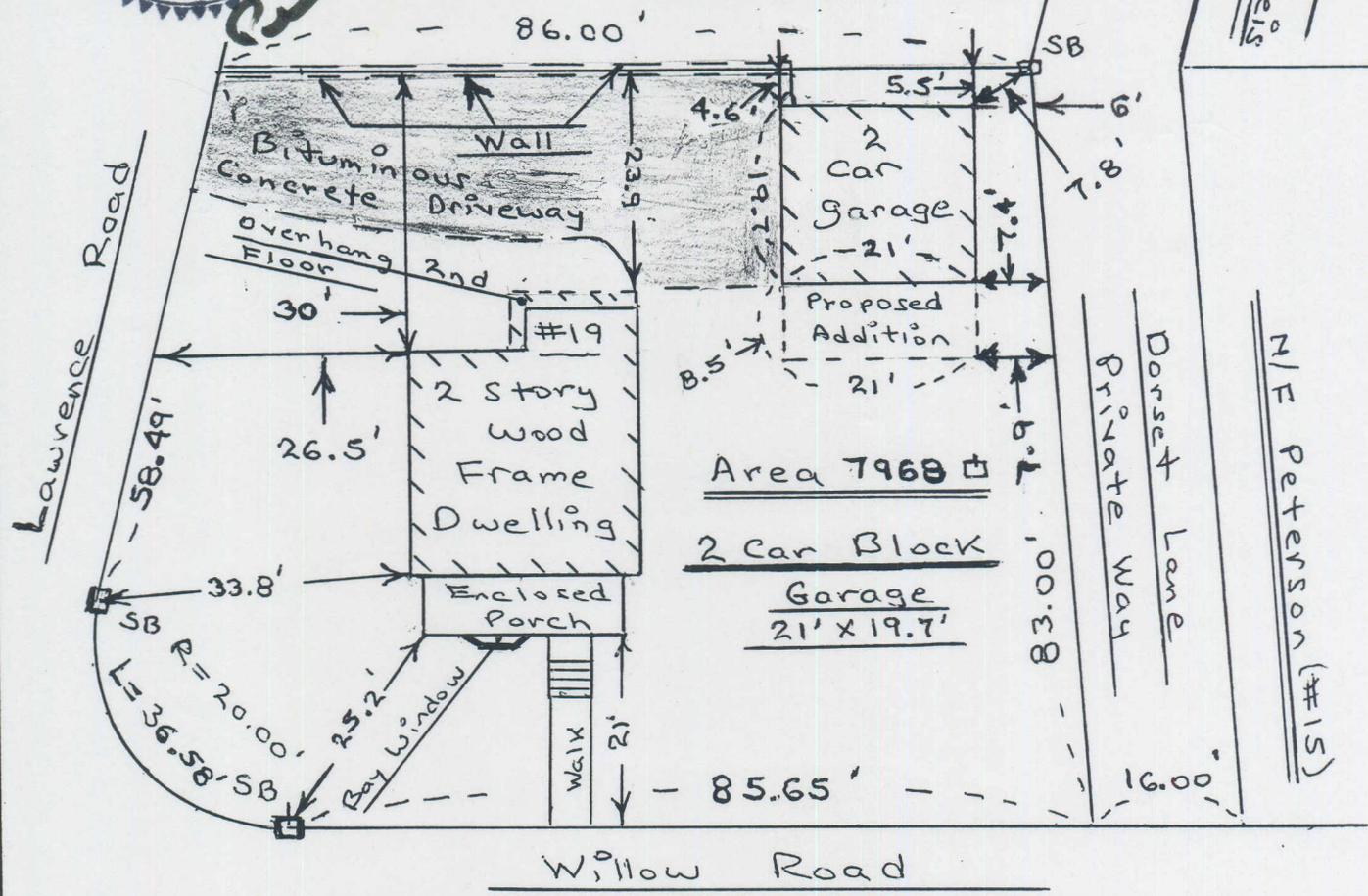
Lot Coverage (Present) 16.1%

Lot Coverage (Proposed) 18.3%

N/F Themelis #4

N/F Maloney (#8)

N/F Peterson (#15)



The dwelling/building setbacks (if any) shown on this plot plan are measured from building siding unless otherwise noted.

This plot plan is to be used only by the owner listed below, and contains only as much accuracy as is required to obtain a permit for the proposed improvements shown hereon (if any). Setbacks (distances shown from proposed or existing improvements to property lines) cannot be used to establish property lines or to locate fences, landscaping, or any other improvements not shown on this plan.

The surveyor is not responsible for takings, easements or conveyances not contained in the deed provided (or referenced) by client or by the local municipal Assessor or Engineer.

Name: John F. Mar  
 Address: 19 Willow Road  
Wellesley, Mass

Deed Book: 10651 Page: 047  
 Also: 7118 - 69  
 Plan: Book 1654 - Page 486  
 March 21, 1925  
 County Registry: Norfolk

Scale: 1" = 20' Date: September 26, 2001

Philip L. Pattison, P.E. & P.L.S.  
 17 Snake Brook Road  
 Wayland, MA 01778

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 TOWN CLERK'S OFFICE  
 WELLESLEY, MASS.