



ZONING BOARD OF APPEALS

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

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ZBA 2016-01
 Petition of Jeetesh Jagger
 6 Pine Ridge Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, January 7, 2016, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Jeetesh Jagger requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that reconstruction and expansion of an existing nonconforming garage with less than required left side yard setbacks, in a 10,000 square foot Single Residence District, at 6 Pine Ridge Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On December 21, 2015, 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 Jeetesh Jagger, the Petitioner. Also present was Alick DiPaula, Contractor.

Mr. Jagger said that the request is to rebuild the garage that currently exists on the property. He said that they recently moved in. He said that when they initially bought the house they did notice that the garage had issues. He said that when they applied for insurance, it was rejected because of the roof of the garage. He said that his wife is an ER Physician and has to work random hours. He said that it is important for them as a family for her to be able to park her car somewhere so that, even if it snows, she would be able to leave. He said that the existing garage is small. He said that with two babies, they need to have a larger car. He said that the garage does not fit their purposes.

The Chairman said that the application has the request checked off as an appeal. He confirmed that the request is for a special permit/finding.

The Board said that the nonconformity is the left setback for the garage. The Board said that the existing setback is 13 feet and the new construction will be 13.1 feet.

The Board asked about the height of the existing and proposed garage. Mr. DiPaula said that the existing height is 9 feet and the proposed height will be 12.5 feet. The Board said that the garage is built into a hill at the back side and the property to the left is higher. A Board member said that he did not believe that the height would necessarily be a detriment to the neighbor. He asked if the Petitioner had spoken to neighbor about the plans. Mr. Jagger said that he had. The Board confirmed that there will be nothing in the attic of the garage.

The Board asked about the distance between the garage and the back side of the house. Mr. DiPaula said that it is approximately 5 feet between the proposed structure and the existing house.

The Board confirmed that the height of the new structure will be 12.5 feet and that the current height is 9 feet to the ridge.

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 6 Pine Ridge Road, in a 10,000 square foot Single Residence District, with a minimum left side yard setback of 13 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that reconstruction and expansion of an existing nonconforming garage with less than required left side yard setbacks shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 11/5/15, stamped by Joseph R. Sullivan, Professional Land Surveyor, Proposed Floor Plans and Elevation Drawings, dated 10/20/15, prepared by DiPaula's Contracting, and photographs were submitted.

On January 5, 2016, the Planning Board reviewed the petition and recommended that the 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 reconstruction and expansion of an existing nonconforming garage with less than required left side yard setbacks 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 reconstruction and expansion of an existing nonconforming garage with less than required left side yard setbacks, 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 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.

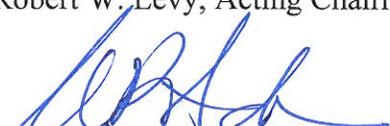
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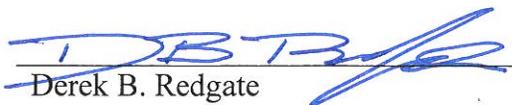
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



Robert W. Levy, Acting Chairman

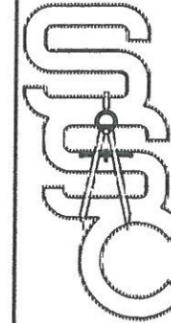
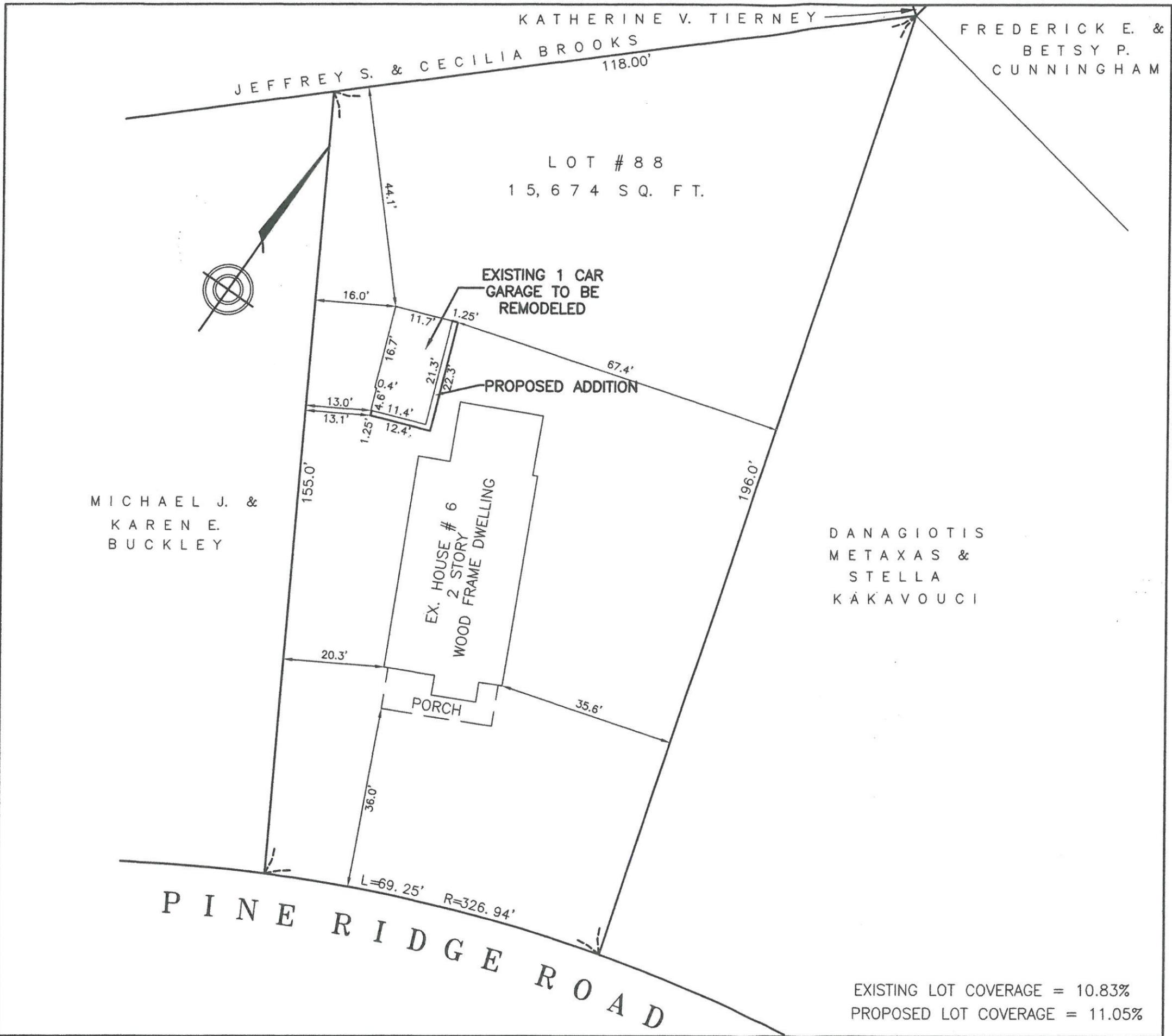


Walter B. Adams



Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm



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COMPANY, LLC
209 WEST CENTRAL ST.
NATICK, MA. 01760
PHONE : 508-655-0082
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**BOARD OF APPEALS PLAN
OF LAND IN
WELLESLEY, MASS.**

OWNED BY :
JEETESH JAGGER & NADINE YOUSSE

DEED REFERENCE :
BOOK 33325, PAGE 62
NORFOLK COUNTY REGISTRY OF DEEDS

ASSESSORS PARCEL ID:
51-85
ZONING CLASSIFICATION : SR - 10



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2015 DEC 21 A 10:00

JOSEPH R. SULLIVAN
REG. PROFESSIONAL LAND SURVEYOR

SCALE : 1" = 20' || DATE : NOV. 5, 2015

DRAWING NO. 15,995