

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

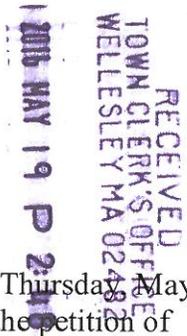
TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

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ZBA 2016-36
Petition of Thomas Wall
112 Forest Street



Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 5, 2016, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Thomas Wall requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing porch and a landing and stairs, and construction of a new porch and stairs, a two-story, two-car garage, and a new landing and stairs, that will meet all setback requirements, and construction of a pergola over an existing nonconforming garage with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard and right side yard setbacks, on a 15,906 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, at 112 Forest Street, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On April 19, 2016, 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 Robert Williamson, Designer, and Thomas Wall, the Petitioner. Mr. Williamson said that the request is for a special permit to build an addition on a nonconforming lot and a nonconforming structure. He said that the existing 2.5 story building does not meet the required 20 foot side yard setbacks.

Mr. Williamson said that the proposal is to build a two-story addition at the rear that contains a garage at the lower level. He said that the rear of the lot slopes down to a walk out basement, so the second story addition is on the first floor and that will consist of a family room and expanded kitchen space. He said that the new ridge will be lower than the existing ridge line of 33.9 feet. He said that proposed Total Living Area plus Garage (TLAG) will be 4,873.5 square feet, which is below the threshold of 5,900 square feet. He said that existing lot coverage is 13 percent and proposed lot coverage will be 17.5 percent. He said that the addition will comply with all setback requirements.

Mr. Williamson said that on the northwest side of the house a proposed pergola is within the setback. He said that it will be a shading device only and not habitable space. He said that it will be located on the roof of a one-story garage that is now a concrete patio.

Mr. Wall said that he has four adjacent neighbors. He said that the only one that he was unable to speak to was the neighbor at the rear on Arlington Road. He said that the other neighbors signed a letter of support.

The Board said that, in addition to the nonconforming setbacks, it is an undersized lot.

The Board said that George Saraceno, Senior Civil Engineer for the town, sent a letter about a drain line with no easement. Mr. Williamson said that he spoke with Mr. Saraceno, who sent him a map that he has overlaid onto the current site plan. He said that they are approximately 30 feet away from the center of the line. He said that Mr. Saraceno requested that the contractor be made aware of the drain and not place heavy equipment on it. He said that they cannot add any new load to that drain line because it is already over capacity.

Mr. Williamson said that the plan is to drain to daylight in the rear yard. He said that it is nice and flat and gets a lot of sunlight. He said that Mr. Saraceno seemed to agree that was a viable solution. Mr. Wall said that there have been no prior issues with water.

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 112 Forest Street, on a 15,906 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, with a minimum left side yard setback of 14.6 feet and a minimum right side yard setback of 17.8 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing porch and a landing and stairs, and construction of a new porch and stairs, a two-story, two-car garage, and a new landing and stairs, that will meet all setback requirements, and construction of a pergola over an existing nonconforming garage with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard and right side yard setbacks, on a 15,906 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 3/31/16, stamped by Patrick Roseingrave, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 3/12/16, prepared by Williamson Building Works, LLC, and photographs were submitted.

On April 25, 2016, George Saraceno, Senior Civil Engineer, Town of Wellesley, reviewed the plans and submitted comments.

On May 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.

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It is the opinion of this Authority that although demolition of an existing porch and a landing and stairs, and construction of a new porch and stairs, a two-story, two-car garage, and a new landing and stairs, that will meet all setback requirements, and construction of a pergola over an existing nonconforming garage with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard and right side yard setbacks, on a 15,906 square foot lot in a Single Residence District in which the minimum lot size is 20,000 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 demolition of an existing porch and a landing and stairs, and construction of a new porch and stairs, a two-story, two-car garage, and a new landing and stairs, that will meet all setback requirements, and construction of a pergola over an existing nonconforming garage with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard and right side yard setbacks, on a 15,906 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 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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ZBA 2016-36
Petition of Thomas Wall
112 Forest Street

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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.

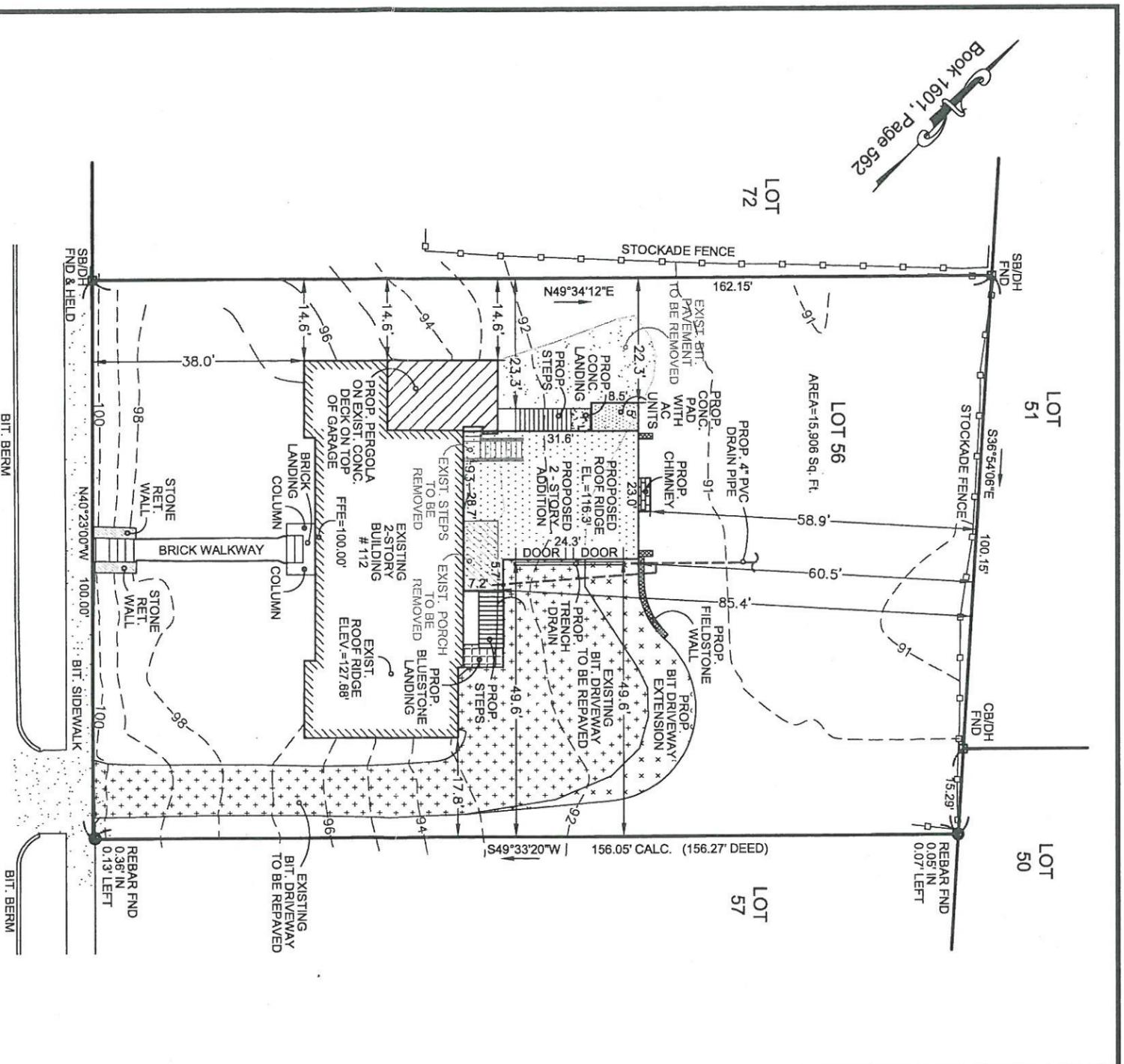

Richard L. Seegel, Chairman


Robert W. Levy


Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrm

APR 19 AM 11:30



NOTES:

- * Scale 1/4 inch = 20 ft.
- * Assessors Ref.: Map 66, Lot 56
- * Deed Ref.: Book 26841, Page 83
- * Plan Ref.: Book 1601, Page 562
- Book 1533, Page 488
- Plan No. 119 of 1922
- * Zone: SR-20
- * Existing lot coverage= 13.0% (2,065 S.F.)
- * Proposed lot coverage= 17.5% (2,782 S.F.)
- * Distances shown were measured from building brick facade.

FOREST STREET

Patrick J. Roseingrave
Patrick J. Roseingrave
Professional Land Surveyor



Plot Plan
112 Forest Street
Wellesley, MA 02481



10 Andrew Square, Suite 2018
South Boston, MA 02127
Tel. 857-544-3061
www.land-mapping.com

Date: March 31, 2016