



ZONING BOARD OF APPEALS

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

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ZBA 2016-71
 Petition of Denis MacPhee
 7 Hunnewell Street

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 1 2016 SEP 22 P 2:55

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 8, 2016 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Denis MacPhee 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 structure and construction of a new two-story structure that will meet all setback requirements, on a 13,059 square foot lot in a district in which the minimum lot size is 15,000 square feet, in a Water Supply Protection District, at 7 Hunnewell Street, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On August 22, 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 Paul Beaulieu, Denis MacPhee, the Petitioner, and Jason Coras.

Mr. Beaulieu said that Mr. MacPhee's parents bought the property in 1955 and raised their children there. He said that the homeowner moved back to take care of his elderly mother. He said that now that she has passed on, he is the caretaker of the property. He said that Mr. MacPhee would like to update the site by tearing down the small two story structure and replacing it with a larger two story home.

The Board said that the only nonconformity is the size of the lot.

The Board asked if the attic space will be trussed or potentially built out. Mr. Coras said that it will not be trussed or built out. He said that it will be under the height for finished space. He said that there will be a drop down ladder for access.

Mr. Beaulieu said that they spoke with the closest abutters about the plans.

The Board asked if there is ledge on the site. Mr. Beaulieu that there is some at the back that was never developed. Mr. Coras said that there are no outcroppings.

The Board asked if the infiltration system is meant to take the runoff from the driveway and the rainwater conductors. Mr. Beaulieu said that it is intended to take all of the roof runoff. He said that they were not catching the driveway to go in that direction because its location puts it uphill from where the driveway

would be running. He said that the driveway still runs toward the street. He said that the proposed driveway will be considerably smaller than the existing driveway.

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 Hunnewell Street, on a 13,059 square foot lot in a 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 structure and construction of a new two-story structure that will meet all setback requirements, on a 13,059 square foot lot in a 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 7/15/16 & Letter to Michael T. Grant, dated 7/5/16, re: 500 Foot Rule, stamped by Bradley J. Simonelli, Professional Land Surveyor, and Proposed Floor Plans and Elevation Drawings, dated 7/20/16, prepared by HPA Design were submitted.

On September 7, 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 demolition of an existing structure and construction of a new two-story structure that will meet all setback requirements, on a 13,059 square foot lot in a 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 structure and construction of a new two-story structure that will meet all setback requirements, on a 13,059 square foot lot in a 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 constructions plans.

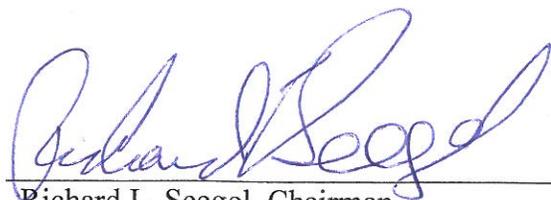
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

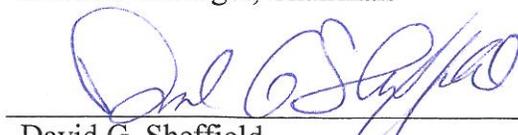
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APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.


Richard L. Seegel, Chairman


David G. Sheffield


Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrm

N/F
QI YU &
JING HUA

N/F
JACQUELINE R DAHLQUIST &
DAVID L LEVINE

N/F
QI YU &
JING HUA

N/F
JACQUELINE R DAHLQUIST &
DAVID L LEVINE

ROBERT F. N/F
MURPHY

ROBERT F. N/F
MURPHY

N/F
JUDITH A. MERREL

N/F
JUDITH A. MERREL

JOAN M. N/F
MURPHY

JOAN M. N/F
MURPHY

ZONING INFORMATION: SINGLE RESIDENCE 15 (SR15)

	REQUIRED	ACTUAL	PROPOSED
MINIMUM LOT AREA	15,000 SF	13,059 SF	13,059 SF
MINIMUM LOT FRONTAGE.....	60 FEET	83.48 FEET	83.48 FEET
MINIMUM FRONT SETBACK.....	30* FEET	38.6 FEET	30.5 FEET
MINIMUM SIDE YARD.....	20 FEET	25.9 FEET	20.3 FEET
MINIMUM REAR YARD	15 FEET	108.5 FEET	107.7 FEET
MAXIMUM BUILDING COVERAGE.....	20%	6.1%	12.7%
MAXIMUM BUILDING HEIGHT.....	36 FEET		31.5 FEET**
MAXIMUM BUILDING HEIGHT.....	2 1/2 STY	2 1/2 STY	2 1/2 STY

*FRONT SETBACK DETERMINED BY 500 FOOT RULE
**PER SECTION XX OF THE WELLESLEY ZONING BYLAW, ALL BUILDING HEIGHTS ARE MEASURED TO AVERAGE FINISHED OR ORIGINAL GRADE WHICHEVER IS LOWER.

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AUG 22 P 3:061



ZONING BOARD OF APPEALS
SITE PLAN OF LAND
7 HUNNEWELL STREET
WELLESLEY, MASS.

Field Resources, Inc.
LAND SURVEYORS

JULY 15, 2016

SCALE 1"=30'

P.O. BOX 324

281 CHESTNUT ST.

AUBURN, MA

NEEDHAM, MA.

508 832 4332

781 444 5936

fieldresources@hotmail.com

13,059 SF

13,059 SF

HUNNEWELL STREET

HUNNEWELL STREET

EXISTING SITE
1"=30'

PROPOSED SITE
1"=30'

GRAPHIC SCALE

