



ZONING BOARD OF APPEALS

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

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 2016 OCT 20 P 1:48

ZBA 2016-81
 Petition of David & Kara Anderson
 23 Glen Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, October 6, 2016 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of David & Kara Anderson requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition and reconstruction of an existing nonconforming garage with less than required right side yard setbacks, on a 9,683.7 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, at 23 Glen Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On September 21, 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 was David Anderson, the Petitioner.

Mr. Anderson said that the request is for approval to replace a deteriorated nonconforming garage on the existing footprint and match the style of the house. He said that the existing garage is steel and is in poor shape. He said that the plan is to replace it with a shingle style garage.

A Board member said that it will be the same footprint. He asked if the height will change. Mr. Anderson said that it will be within inches of the existing height. He said that they will not be changing anything other than hopefully improving the neighborhood.

The Chairman said that there are four nonconformities: lot size, left side yard, front yard and side yard setback for the garage.

The Board asked if the garage is on a foundation. Mr. Anderson said that it is on a slab. He said that they did some testing around the slab and have gone down as far as 40 inches in places around it. He said that he had some concrete work done in his basement and had the concrete man look at the garage slab. He said that the concrete man told him that concrete gets harder over time.

A Board member said that he liked the fact that there will be windows in the garage. He said that the height of the proposed garage appears to be approximately 14 feet.

There was no one present who wished to speak to the petition.

Statement of Facts

The subject property is located at 23 Glen Road, on a 9,683.7 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, with a minimum front yard setback of 15.7 feet and a minimum left side yard setback of 9.8 feet. The subject garage has a minimum right side yard setback of 5.9 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 and reconstruction of an existing nonconforming garage with less than required right side yard setbacks, on a 9,683.7 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 12/2/07, stamped by Curtis M. Johnson, Professional Land Surveyor, Floor Plans & Elevation Drawings, dated 4/20/16, prepared by David Anderson, and a photograph were submitted.

On August 31, 2016, the Wetlands Protection Committee reviewed the petition and voted to issue a Negative Determination of Applicability.

On October 6, 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 and reconstruction of an existing nonconforming garage with less than required right side yard setbacks, on a 9,683.7 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, 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 and reconstruction of an existing nonconforming garage with less than required right side yard setbacks, on a 9,683.7 square foot lot in a Single Residence District in which the minimum lot size is 10,000 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.

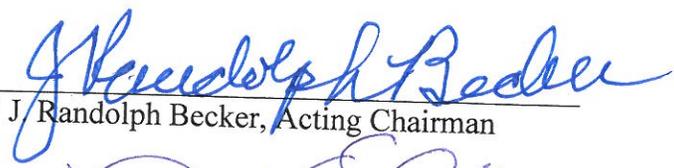
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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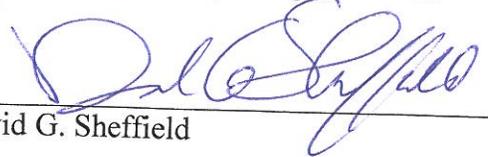
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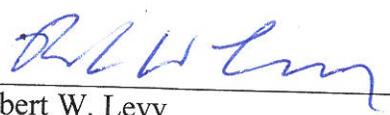
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



J. Randolph Becker, Acting Chairman



David G. Sheffield



Robert W. Levy

cc: Planning Board
Inspector of Buildings
lrm

AP 42 / 64
DAVID C. & THERESA M. HOSKYNs ET AL
BOOK 18049, PAGE 263
LOT 113

CONCRETE
BOUND
FOUND
HELD

REBAR
SET

60.00'

22.63'

REBAR
SET

CONCRETE
BOUND
FOUND

47.8±

AP 42 / 66
n/f
DAVID P. ANDERSON &
KARA W. CICHETTI
BOOK 23948, PAGE 383
9683.7 SQ. FT.
LOT 112

AP 42 / 67
n/f

RAY & JEAN K. FULLER
BOOK 24470, PAGE 53

AP 42 / 65
n/f
PETER & STEPHANIE
JURIANSZ
BOOK 21085, PAGE 299
LOT 111

136.00'

GARAGE

5.9±

127.79'

DECK

#23
EXISTING
2 STORY W/F
DWELLING

23.0±

#21
EXISTING
2 STORY W/F
DWELLING

#25

9.8±

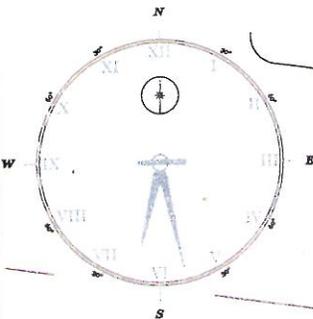
15.7±

68.00'

REBAR
SET

IRON PIPE FOUND to Ledyard Street

GLEN ROAD



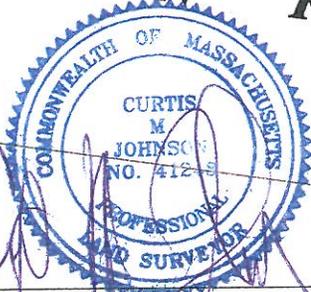
EXPRESS SURVEYING

CURTIS M. JOHNSON, P.L.S.

401-447-3739 / surveyexpress@cox.net

P.O. BOX 41365

PROVIDENCE, RHODE ISLAND 02940



Certified Plot Plan
Anderson/Cicchetti Home
23 Glen Road
Wellesley, Massachusetts
SCALE 1"=20'
DECEMBER 2, 2007