



ZONING BOARD OF APPEALS

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

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ZBA 2016-85
 Petition of Sabrina Holdings LLC
 52 Sabrina Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 3, 2016 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Sabrina Holdings LLC requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing nonconforming structure and garage and construction of a new two-story structure with optional finished basement and attic space, that will meet all setback and height requirements, on a 20,707 square foot lot in a Single Residence District in which the minimum lot size is 40,000 square feet, at 52 Sabrina Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On October 17, 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 Victor Corda, who said that he is representing the buyer of the property. He said that the request is to tear down an existing structure and build a new conforming structure on a 20,707 square foot lot in a 40,000 square foot zone. He said that they designed the home to coincide with regulations for 20,000 square foot zones with respect to Total Living Area plus Garage (TLAG) and setbacks. He said that the existing nonconforming lot coverage will be decreased to meet the requirements. The Board said that, of seven lots on Sabrina Road, only one conforms to lot size. The Board said that this will be a smaller rebuild and will comply with Zoning requirements.

The Board said that the proposed construction will not result in additional nonconformities, intensify existing nonconformities, or be substantially more detrimental to the neighborhood than the existing nonconforming structure.

The Chairman read comments from Joshua Van Houten, DPW Engineering Division. He said that the Board would insert a condition to request that the owner grant a 10-foot wide drain easement to the Department of Public Works and that the location of the drain line be staked prior to construction. Mr. Corda said that he would prefer to work out a deal with DPW but if that would delay the project, he would accept the Board's condition.

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 52 Sabrina Road, on a 20,707 square foot lot in a Single Residence District in which the minimum lot size is 40,000 square feet. The existing house structure has less than required left side yard setbacks and the existing garage has less than required front yard setbacks.

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 nonconforming structure and garage and construction of a new two-story structure with optional finished basement and attic space, that will meet all setback and height requirements, on a 20,707 square foot lot in a Single Residence District in which the minimum lot size is 40,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Existing Conditions Site Plan, dated 3/23/16 & Proposed Conditions Site Plan, dated 9/14/16, stamped by Verne T. Porter, Jr., Professional Land Surveyor, Project Summary, Proposed Floor Plans & Elevation Drawings, dated 6/15/16, prepared by Paul Apkarian Architects, Inc., and photographs were submitted.

On November 1, 2016, the Planning Department Staff reviewed the petition and recommended that the Special Permit be granted.

On November 2, 2016, Joshua Van Houten, Wellesley DPW Engineering Division, reviewed the petition and submitted comments.

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 nonconforming structure and garage and construction of a new two-story structure with optional finished basement and attic space, that will meet all setback and height requirements, on a 20,707 square foot lot in a Single Residence District in which the minimum lot size is 40,000 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 of an existing nonconforming structure and garage and construction of a new two-story structure with optional finished basement and attic space, that will meet all setback and height requirements, on a 20,707 square foot lot in a Single Residence District in which the minimum lot size is 40,000 square feet, subject to the following conditions:

1. The drain pipe shall be marked prior to construction
2. The owner is requested to grant a 10-foot wide drain easement to the DPW.

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PLANNING DEPARTMENT
WELLESLEY, MA 02482

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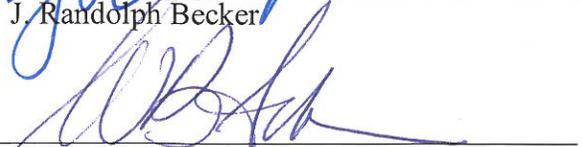
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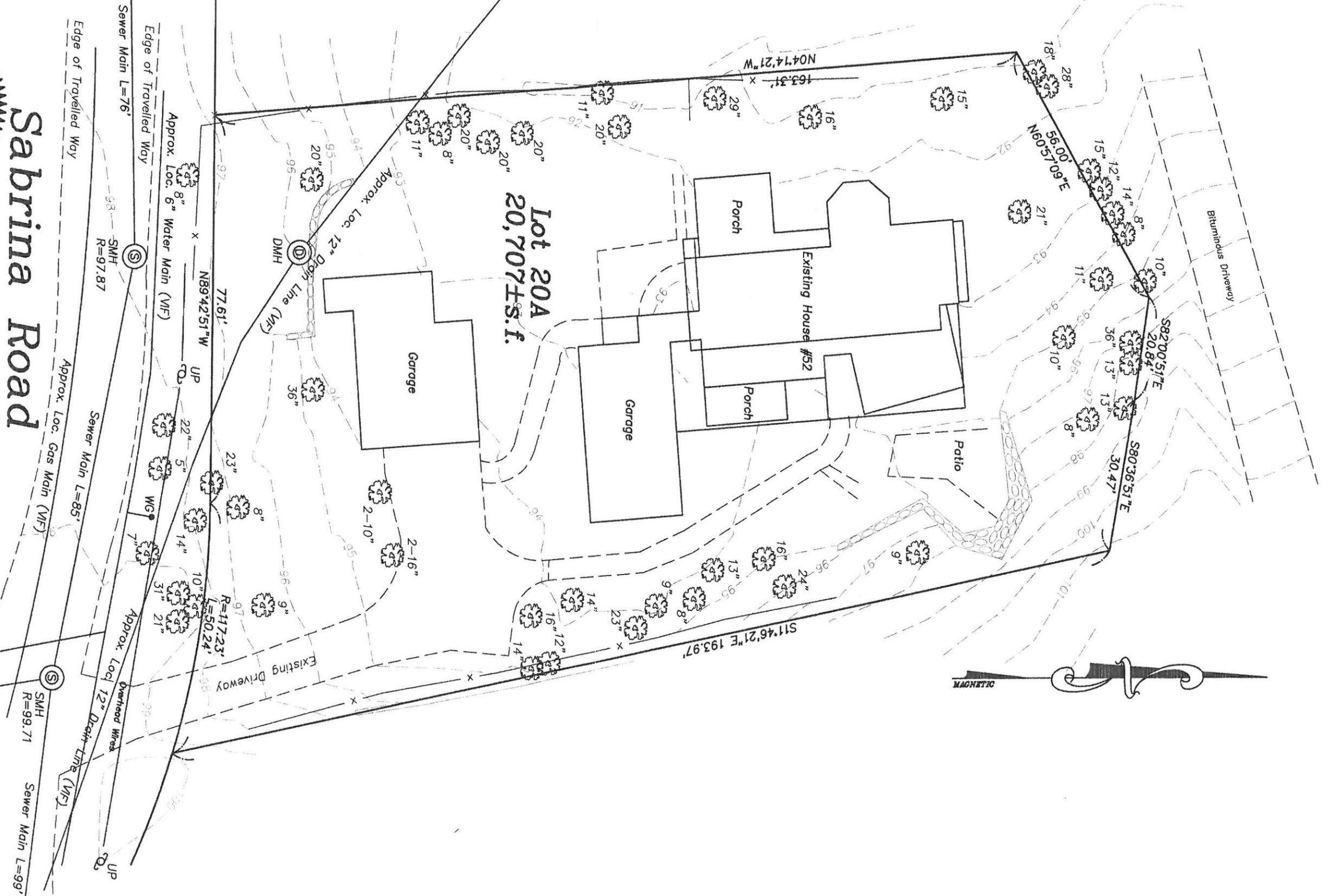
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.


Richard L. Seegel, Chairman


J. Randolph Becker


Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrm



Sabrina Road



EXISTING CONDITIONS SITE PLAN
52 SABRINA ROAD
WELLESLEY, MASSACHUSETTS
SCALE: 1"=20'
MARCH 23, 2016
VERNE T. PORTER JR, PLS
354 ELLIOT STREET, NEWTON, MA. 02464

