



## ZONING BOARD OF APPEALS

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

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ZBA 2016-92  
 Petition of Anthony Munchak  
 16 Wildon Road

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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 Anthony Munchak requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a two-story addition with garage and covered patio that will meet all setback and height requirements, on an existing nonconforming structure with less than required right side yard setbacks, on an 11,914 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, at 16 Wildon 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 were Brad Stafford, and Anthony and Amy Munchak, the Petitioner.

Mr. Stafford said that the request is for a special permit for construction on a nonconforming lot. He said that the proposed addition will be on the left side of the house and will wrap around to the rear. He said that they will demolish the existing one-car garage and build a new one-car garage.

The Board said that the right side yard setback is nonconforming and the lot is undersized.

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

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 16 Wildon Road, on an 11,914 square foot lot in a Single Residence District in which the minimum lot size is 20,000 square feet, with a minimum right side yard setback of 19.8 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a two-story addition with garage and covered

patio that will meet all setback and height requirements, on an existing nonconforming structure with less than required right side yard setbacks, on an 11,914 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 9/15/16, revised 10/4/16 and 500 Foot Rule Letter, dated 10/3/16, stamped by Joseph R. Porter, Professional Land Surveyor, Project Description from Stafford Construction, Existing Floor Plans and Elevation Drawings, dated 6/13/16 and Proposed Floor Plans and Elevation Drawings, dated 9/14/16, prepared by Scott Lewis Home Design, and photographs were submitted.

On November 1, 2016, the Planning Department Staff 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 construction of a two-story addition with garage and covered patio that will meet all setback and height requirements, on an existing nonconforming structure with less than required right side yard setbacks, on an 11,914 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, 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 construction of a two-story addition with garage and covered patio that will meet all setback and height requirements, on an existing nonconforming structure with less than required right side yard setbacks, on an 11,914 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, 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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16 Wildon Road

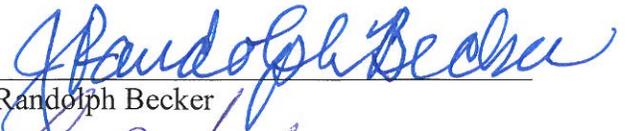
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APPEALS FROM THIS DECISION,  
IF ANY, SHALL BE MADE PURSUANT  
TO GENERAL LAWS, CHAPTER 40A,  
SECTION 17, AND SHALL BE FILED  
WITHIN 20 DAYS AFTER THE DATE  
OF FILING OF THIS DECISION IN THE  
OFFICE OF THE TOWN CLERK.



Richard L. Seegel, Chairman



J. Randolph Becker



Walter B. Adams

cc: Planning Board  
Inspector of Buildings  
lrm

