

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ZBA 2019-86
Petition of Janet Howe
5 Brookfield Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 7, 2019 at 7:30 pm in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Janet Howe requesting a Special Permit/Finding pursuant to the provisions of Section 14, Section 17 and Section 25 of the Zoning Bylaw that demolition of an existing landing and construction of a two-story addition with less than required right side yard setbacks, on an existing nonconforming structure with less than required left and right side yard setbacks, at 5 Brookfield Road, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On October 11, 2019, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Present at the public hearing were Janet Howe, the Petitioner, and Kara Kressy, Architect.

Ms. Howe said that the proposal is to expand her laundry room into the setback by two feet. She said that currently there are stairs and a deck area. She said that there is a door going into the laundry room that she does not use. She said that a year and a half ago a massive house was built next door. She said that the door used to look out at trees but now looks at the house. She said that the neighbors are thrilled that she wants to close up that door. She said that she is hoping to put a closet in the laundry room. She said that she is hoping to expand out onto a pre-existing nonconforming roof on the second floor by three feet for a master bathroom. She said that she is looking to add 64 square feet to an old house. She said that there is new construction on both sides of her.

A Board member said that the Board received letters of support from three of the neighbors.

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 5 Brookfield Road, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, with a minimum right side yard setback of 11.3 feet and a minimum left side yard setback of 13.9 feet where 20 feet is required.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section 14, Section 17 and Section 25 of the Zoning Bylaw that demolition of an existing landing and construction of a two-story addition with less than required right side yard setbacks, on an existing nonconforming structure with less

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than required left and right side yard setbacks, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 9/16/19, stamped by Wesley T. Guillaume, Professional Land Surveyor, Floor Plans and Elevation Drawings, dated 9/18/19, prepared by DesignTurn, and photographs were submitted.

On November 5, 2019, the Planning Board reviewed the petition and recommended that the special permit be approved.

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.

The Board found that the Design and Operation Standards in Part F are adequately satisfied and not otherwise prohibited in Part D.1, of Section 14 E of the Zoning Bylaw for Water Supply Protection Districts.

It is the opinion of this Authority that demolition of an existing landing and construction of a two-story addition with less than required right side yard setbacks, on an existing nonconforming structure with less than required left and right side yard setbacks will not result in the intensification of existing nonconformities, will not result in additional nonconformities, and will 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 landing and construction of a two-story addition with less than required right side yard setbacks, on an existing nonconforming structure with less than required left and right side yard setbacks, 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.

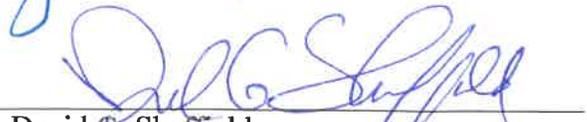
If construction has not commenced, except for good cause, the Special Permit shall expire two years after the date time stamped on this decision.

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5 Brookfield Road

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, Chairman


David G. Sheffield


Robert W. Levy

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ZBA 2019-86
Applicant Janet Howe
Address 5 Brookfield Road

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Date:

Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm

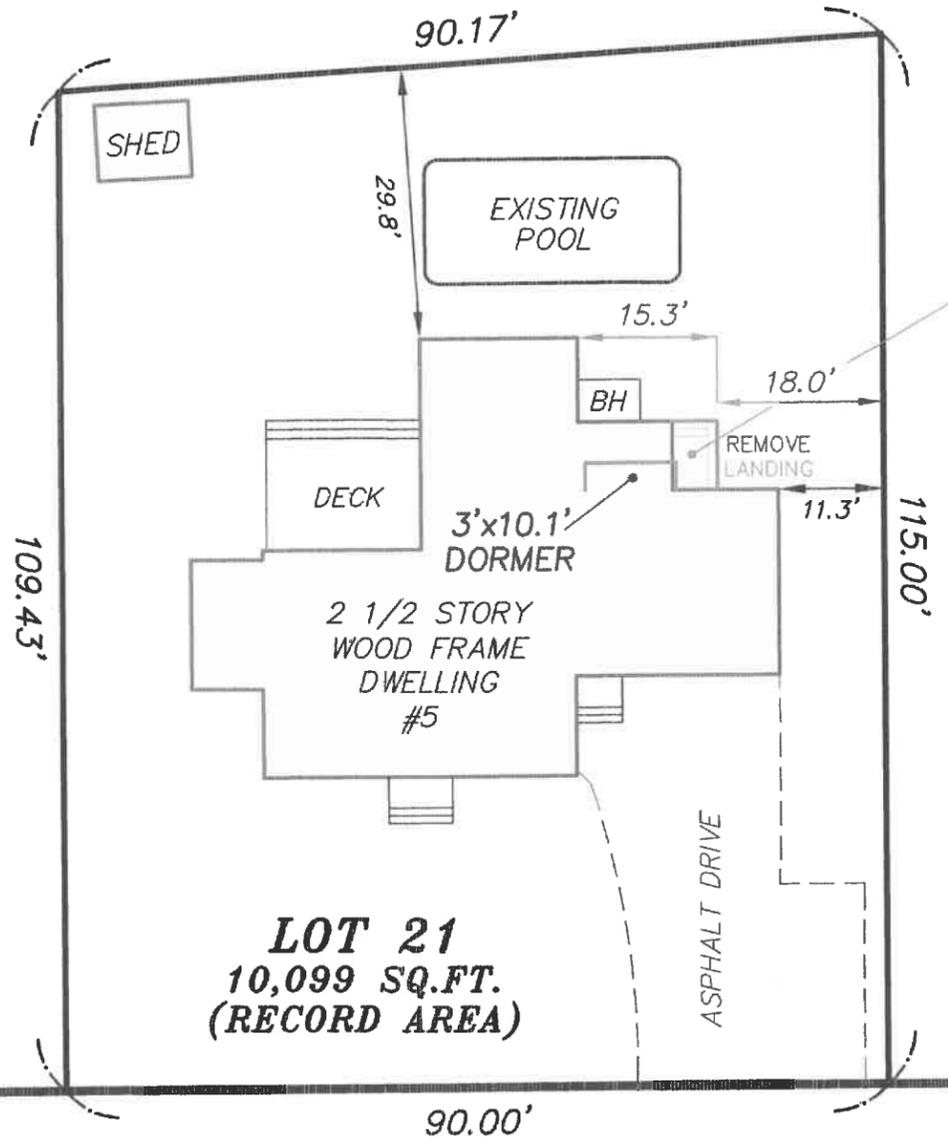
EXISTING LOT COVERAGE: 2,201 SQ. FT.
 PROPOSED LOT COVERAGE: 2,238 SQ. FT.
 EXISTING LOT COVERAGE: 22%
 PROPOSED LOT COVERAGE: 22%



ZONING DISTRICT: SR 10

NOTES:

1. THIS IS AN ELECTRONIC COPY OF A PLAN BY GRE SURVEYING LLC. THE SOLE INTENT OF THIS PLAN IS TO SHOW THE LOCATION OF THE PROPOSED ADDITION & DORMER. ANY OTHER USE OF THIS PLAN OR A MODIFICATION THEREOF MAY CONSTITUTE FRAUD AND WILL RENDER THIS PLAN NULL AND VOID.
2. THIS PLAN IS NOT TO BE USED FOR THE RECONSTRUCTION OF BOUNDARY LINES NOR FOR TITLE INSURANCE PURPOSES.
3. THIS PLAN DOES NOT REPRESENT A CONFIRMATION OF BOUNDARY LINES NOR A DETERMINATION OF TITLE BUT IS SOLELY INTENDED TO DEPICT THE OFFSET DIMENSIONS OF THE PROPOSED STRUCTURE TO THE LOT LINES AS DEPICTED ON A PLAN RECORDED IN DEED BOOK 2148 AT PAGE 423
4. THE SUBJECT PROPERTY IS DEPICTED AS BLOCK 96 ON WELLESLEY ASSESSOR'S MAP 181.
5. ACCORDING TO THE FEMA FLOOD MAPS, THE SUBJECT PROPERTY IS IN ZONE X (AREA OF MINIMAL FLOOD HAZARD).
6. ACCORDING TO THE TOWN OF WELLESLEY MAP PREPARED FOR THE NATURAL RESOURCES COMMISSION DATED 2003, THE SUBJECT PROPERTY IS NOT LOCATED WITHIN VEGETATED WETLANDS OR THE 200' RIVER FRONT AREA.



PROPOSED
4.7'x7.4'
ADDITON

REFERENCES:

1. DEED IN BOOK 9412 AT PAGE 678
2. PLAN IN BOOK 2148 AT PAGE 423

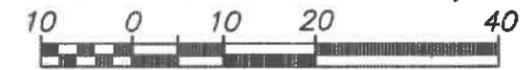
LOT 21
10,099 SQ.FT.
(RECORD AREA)

BROOKFIELD RD.

PLOT PLAN of LAND
 LOCATED IN
WELLESLEY, MASSACHUSETTS
 (NORFOLK COUNTY)

PREPARED FOR
JANET HOWE

SCALE: 1"= 20' DATE: SEPT. 16, 2019



GRE
 SURVEYING LLC

P.O. Box 684 Winchester, MA 01890
 Telephone 781-721-1944

