

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ZBA 2020-30
Petition of Kathleen Kelley
8 Brookfield Road

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, August 13, 2020 at 7:30 pm, on the petition of Kathleen Kelley requesting a Special Permit/Finding pursuant to the provisions of Section 14E, Section 17 and Section 25 of the Zoning Bylaw that construction of a two-story addition that will meet setback requirements, on an existing nonconforming structure with less than required right side yard setbacks, on a 9,000 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, in a Water Supply Protection District, at 8 Brookfield Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On February 24, 2020, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication. In accordance with Chapter 53 of the Acts of 2020, the hearing was scheduled for August 13, 2020.

Present at the public hearing was Laurence Shind, Esq., representing Kathleen Kelley, the Petitioner, and Steven Meyers, Architect

Mr. Shind said that the request is for approval to build a two story addition to the left side of the home. He said that the addition will contain a master suite on the second floor, and a sun room and an office on the first floor. He said that the existing three season room will be removed and the space will be incorporated into the addition.

Mr. Shind said that the lot is undersized at 9,000 square feet in a 10,000 square foot district. He said that there is an existing nonconforming garage on the right side of the house. He said that the proposed addition will comply with all dimensional setback rules. He said that TLAG of the existing house is approximately 2,800 square feet and proposed finished TLAG will be 3,500 square feet, which is under the 3,600 square foot threshold for the district. He said that existing lot coverage is 16.5 percent and proposed lot coverage is just under 22 percent, which is below the 25 percent maximum. He said that the intent was to fit the design in with the existing house and the neighborhood, which is a mix of colonials and capes. He said that they shared the plans with the immediate neighbors and are not aware of any objections. He said that the neighbor on the left side who will be closest to the proposed addition has expressed approval of the plans. The Board said that it received a number of emails from neighbors expressing unanimous support of the project.

A Board member asked if the shed in the back corner will remain. Ms. Kelley said that the shed was just replaced and the plan is to keep it. She said that it is under 100 square feet.

A Board member discussed inserting a condition that the plot plan be updated to include the zoning district and a dimensional table for the SR10 District, so that the Board can clearly see that the left side will comply.

The Chairman said that the addition does not overwhelm the house and the TLAG is below the trigger for Large House Review. He said that the house is a little bigger than average but not the usual three times as large that the Board typically sees.

There was no member of the public who wished to speak to the petition.

Statement of Facts

The subject property is located at 8 Brookfield Road, on a 9,000 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, in a Water Supply Protection District, with a minimum right side yard setback of 9.2 feet where 20 feet is required.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section 14E, Section 17 and Section 25 of the Zoning Bylaw that construction of a two-story addition that will meet setback requirements, on an existing nonconforming structure with less than required right side yard setbacks, on a 9,000 square foot lot in a Single Residence District in which the minimum lot size is 10,000 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 2/25/20, stamped by Peter Hoyt, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 2/24/20, prepared by Steven J. Meyers AIA, and photographs were submitted.

On August 12, 2020, the Planning Board reviewed the petition and recommended that a 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 XIVE of the Zoning Bylaw for Water Supply Protection Districts.

It is the opinion of this Authority that construction of a two-story addition that will meet setback requirements, on an existing nonconforming structure with less than required right side yard setbacks, on a 9,000 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, 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 construction of a two-story addition that will meet setback requirements, on an existing nonconforming structure with less than required right side yard setbacks, on a 9,000 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, subject to the following condition:

- A revised plot plan shall be submitted that shows the zoning district and a dimensional table for the district in which the property is located.

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.

2020 MAR 27 PM 1:43

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

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.

2020 AUG 27 11:31
J. Randolph Becker (L.M.)
J. Randolph Becker, Chairman

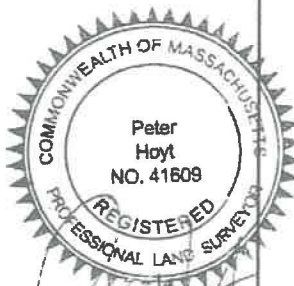
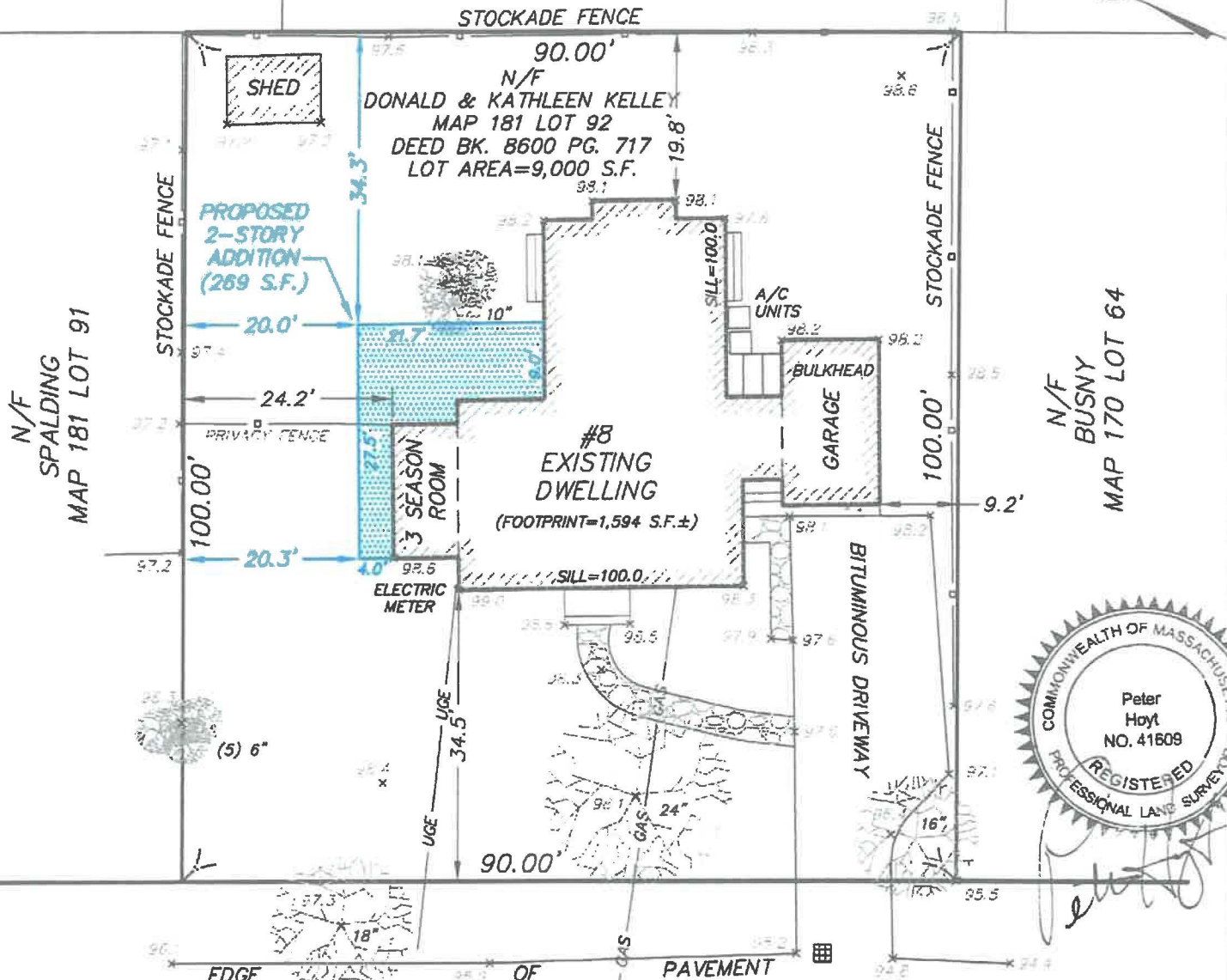
Robert W. Levy (L.M.)
Robert W. Levy

Derek B. Redgate (L.M.)
Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm

N/F
KRECHEVCKY
MAP 170 LOT 70

N/F
JORDAN
MAP 170 LOT 69

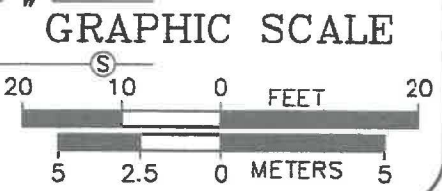


LOT COVERAGES:

EXISTING LOT COVERAGE =
(1,682 S.F.) 16.5% (BLDGS)

PROPOSED LOT COVERAGE =
(1,971 S.F.) 21.2% (BLDGS)

BROOKFIELD ROAD



PLOT PLAN OF LAND

Project Name	8 BROOKFIELD ROAD WELLESLEY, MASSACHUSETTS NORFOLK COUNTY	Prepared for	DONALD & KATHLEEN KELLEY	Fig. No.	1
HOYT LAND SURVEYING 1287 WASHINGTON STREET WEYMOUTH, MASSACHUSETTS 02189 TEL: 781-682-9192		Scale	1"=20'	Date	FEBRUARY 25, 2020
		Project No.		File No.	