



ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5918

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2020 DEC 29 P 1:07
TOWN CLERK'S OFFICE
WELLESLEY MA 02458

ZBA 2020-70
Petition of Brad & Amy Guidi
6 Benvenue Street

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Tuesday, December 15, 2020 at 7:30 pm, on the petition of Brad & Amy Guidi requesting a Special Permit/Finding pursuant to the provisions of Section 17 and Section 25 of the Zoning Bylaw that demolition of an existing nonconforming garage with less than required right side yard setbacks, and construction of a new garage with a second story addition that will meet setback requirements, on an existing nonconforming structure with less than required side yard setbacks, on a 9,964 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, at 6 Benvenue Street, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On December 2, 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 December 15, 2020.

Present at the public hearing were Brad Guidi, the Petitioner, John Brennan Architect, and Jason Indelicato, Beech Tree Development.

Mr. Guidi said that the proposal is to demolish a one story garage that is approximately five inches into the setback and build a new two story garage with a bedroom above that will be conforming on the right side of the house.

Mr. Brennan said that there will be an increase of 842 square feet of TLAG, for a total of 3,384 square feet. A Board member said that is well within the threshold for Large House Review (LHR) in a 10,000 square foot Single Residence District. A Board member asked that a completed TLAG Affidavit be submitted that shows a TLAG not to exceed 3,384 square feet.

The Chairman said that the three existing nonconformities are lot size, left side yard and right side yard setbacks. He said that the right side yard setback will be corrected, leaving only two nonconformities.

A Board member asked if the Petitioner spoke with the neighbors at 10 Benvenue Street. Mr. Guidi said that he spoke with the neighbors across the street, next door and two doors down as recently as three nights ago and they were all supportive. He said that the existing garage is old and slanting. He said that improving that and turning the gable will make the house look more attractive. The Board member said that the Board recommends that neighbors provide documentation of their support.

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

Statement of Facts

The subject property is located at 6 Benvenue Street, on a 9,964 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, with a minimum left side yard setback of 13.7 feet and a minimum right side yard setback of 19.9 feet where 20 feet is required.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section 17 and Section 25 of the Zoning Bylaw that demolition of an existing nonconforming garage with less than required right side yard setbacks, and construction of a new garage with a second story addition that will meet setback requirements, on an existing nonconforming structure with less than required side yard setbacks, on a 9,964 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.

Proposed Addition Plan, dated 7/21/20, stamped by Alan M. Grady, Professional Land Surveyor, Floor Plans and Elevation Drawings, dated 8/4/20, prepared by Mass Architect, were submitted.

On December 14, 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.

It is the opinion of this Authority that demolition of an existing nonconforming garage with less than required right side yard setbacks, and construction of a new garage with a second story addition that meets setback requirements, on an existing nonconforming structure with less than required side yard setbacks, on a 9,964 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 demolition of an existing nonconforming garage with less than required right side yard setbacks, and construction of a new garage with a second story addition, on an existing nonconforming structure with less than required side yard setbacks, on a 9,964 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 completed TLAG Affidavit shall be submitted that shows a TLAG that is not greater than 3,384 square feet.

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.

RECEIVED
PLANNING BOARD
12/14/20
DEC 29 PM 1:11
TOWN OF WILMINGTON
MA 02090

ZBA 2020-70
Petition of Brad & Amy Guidi
6 Benvenue Street

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 (Ch.M.)
J. Randolph Becker, Chairman

Robert W. Levy (Ch.M.)
Robert W. Levy

Walter B. Adams (Ch.M.)
Walter B. Adams

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2020 DEC 29 P 1:47

ZBA 2020-70
Applicant Brad & Amy Guidi
Address 6 Benvenue Street

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

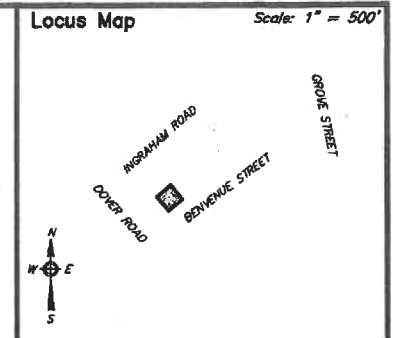
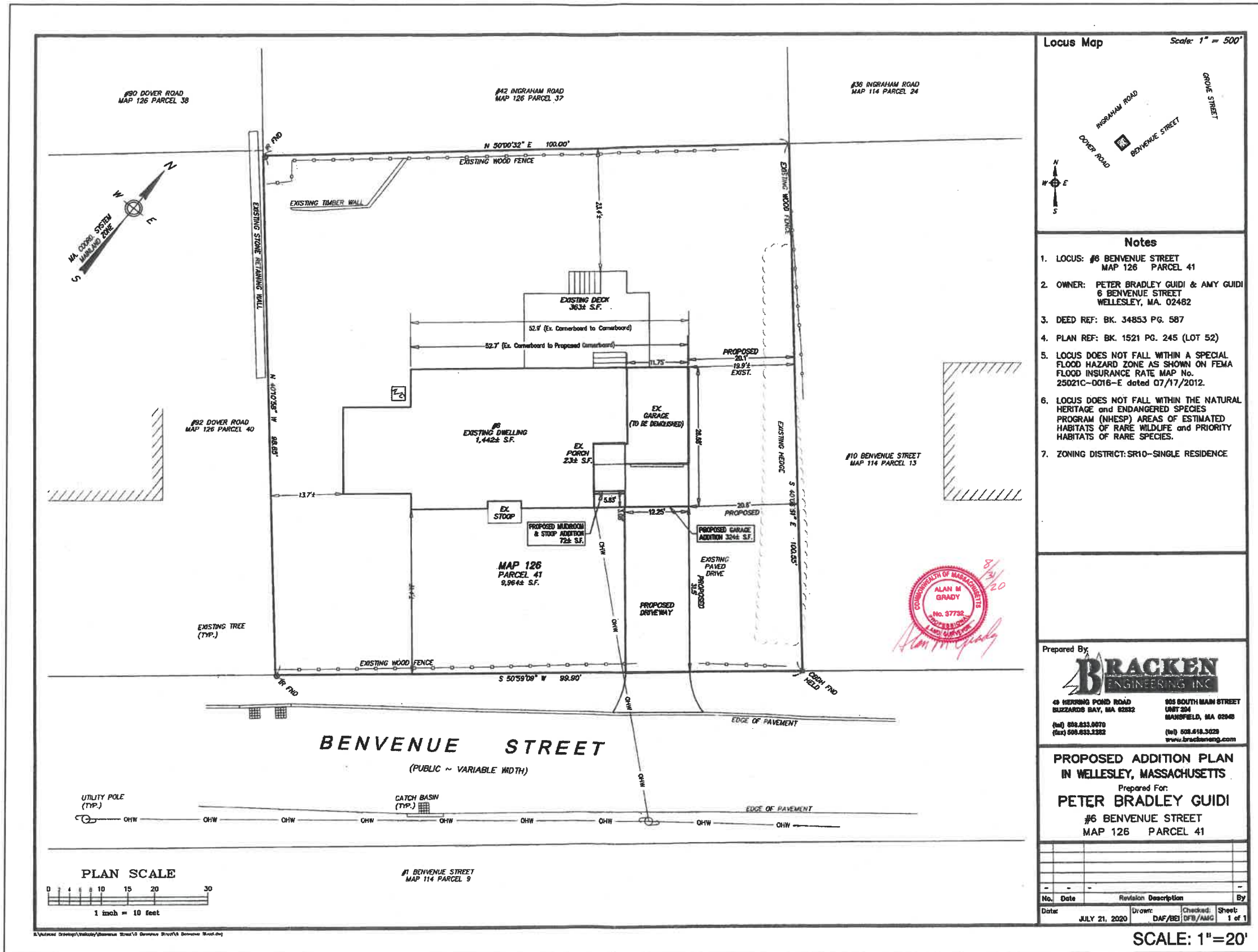
In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed,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

Date:

Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm



- Notes**
1. LOCUS: #6 BENVENUE STREET MAP 126 PARCEL 41
 2. OWNER: PETER BRADLEY GUIDI & AMY GUIDI 6 BENVENUE STREET WELLESLEY, MA. 02482
 3. DEED REF: BK. 34853 PG. 587
 4. PLAN REF: BK. 1521 PG. 245 (LOT 52)
 5. LOCUS DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD ZONE AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP No. 25021C-0016-E dated 07/17/2012.
 6. LOCUS DOES NOT FALL WITHIN THE NATURAL HERITAGE and ENDANGERED SPECIES PROGRAM (NHESP) AREAS OF ESTIMATED HABITATS OF RARE WILDLIFE and PRIORITY HABITATS OF RARE SPECIES.
 7. ZONING DISTRICT: SR10-SINGLE RESIDENCE



Prepared By:
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PROPOSED ADDITION PLAN IN WELLESLEY, MASSACHUSETTS
 Prepared For:
PETER BRADLEY GUIDI
 #6 BENVENUE STREET MAP 126 PARCEL 41

No.	Date	Revision Description	By
1	JULY 21, 2020	Drawn: DAF/BB Checked: DFB/AMG	Sheet: 1 of 1

SCALE: 1"=20'



PROPOSED LOT COVERAGE INCREASE = 171sf

EXISTING DWELLING INCLUDING GARAGE @ APROX 1442sf + EXISTING DECK @ 363sf = TOTAL EXITING LOT COVERAGE @ 1805sf
 PROPOSED DWELLING INCLUDING PROPOSED FIRST FLOOR ADDITION @ 1613sf + EXISTING DECK @ 363sf = TOTAL LOT COVERAGE @ 1,976sf

Lot Coverage Less Than 25%: Total lot = Aprox 9,964SF X 25% = 2,491sf Max Lot Coverage > Proposed Total Lot Coverage 1,976sf @ 19.8%

Lot Coverage Calcs Prepared by John T Brennan, AIA, John T Brennan & Associates, Architects. 10/16/20