

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482

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2021 OCT 21 P 3:12

RECEIVED
ZONING BOARD
OCT 21 2021

ZBA 2021-78
Petition of Kayla Sheets & Kiril Selverov
27 Atwood Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, October 7, 2021 at 7:30 pm, in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Kayla Sheets & Kiril Selverov requesting a Variance pursuant to the provisions of Section 19 and Section 25 of the Zoning Bylaw for installation of an air conditioning condenser and decorative screening with less than required front yard setbacks, and installation of a second air conditioning condenser with less than required right side yard setbacks, at 27 Atwood Street, in a 10,000 square foot Single Residence District.

On August 10, 2021, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

WITHDRAWN WITHOUT PREJUDICE

The Chairman said that the request is for a variance. He asked that the Petitioner address the standards for granting a variance.

Mr. Selverov said that the request is for approval of the location of air conditioning condensers (ac). He said that the way that the house was built, it can be ducted almost everywhere except for a room on the right. He said that because of that, they need to have two condensers with a mini split. He said that they looked at all of the possible locations for the condensers and chose what is best. He said that the location is identical to the neighbor's condenser.

The Chairman asked about efforts to make the ac conforming. Mr. Selverov said that they would like to have had the ac in the back yard but there is a deck and a sliding door there. He said that there is a door that leads to the basement at the back left corner. He said that the terrain is inclined, so there is no possibility of putting the ac in the back yard. He said that there is no possibility of putting the ac on the

driveway side because it would block the cars. He said that their neighbor's driveway is on the right side of this property. He said that placing the ac on the right would make them visible.

The Chairman asked if the ac could be put under the deck or between the paved area and the house. Mr. Selverov said that it would not be possible to put the ac in those locations.

Mr. Selverov said that the advantage of the proposed location is that will not be seen because they can be screened with bushes, similar to what the neighbors have done. He said that he spoke with all of the neighbors who all agree that the proposed location is good. He said that the decibel level will be below the requirement. The Chairman said that he reviewed the manufacturer's specifications and it appears that the units will have a level as low as 70 decibels.

The Board discussed turning the mini split to fit into the nook to be compliant. A Board member asked if a full condenser is needed. Mr. Selverov said that they were told that it was needed. He said that they cannot duct the side room.

A Board member asked if there is a photograph of the back yard showing topography.

A Board member discussed maintenance problems with an ac under a deck. Mr. Selverov said that he did not know the height of the deck off of the ground.

A Board member said that not enough information was submitted to show the Board that the petition meets the statutory requirements for a variance. The Chairman said that the sloped back does not appear to prohibit putting the ac there. He said that having a topographical issue does not mean that you are entitled to a variance because it has to relate somehow to the relief that is sought.

A Board member said that it is very unusual to have ac at the front of the house, even when they are screened. Mr. Selverov said that their neighbor has ac in the front. He said that the proposed units will not be visible.

The Chairman said that the petitioner should look at other locations for the ac that would be compliant. He said that the mini split might fit into the nook or at the back.

The Board voted unanimously to allow the petition to be withdrawn without prejudice.

NOTES:

1. THE BEARING BASIS OF THIS SURVEY REFERS TO APPROXIMATE NORTH SCALED FROM PLAN BOOK 1804, PLAN 189.
2. THIS PLAN IS BASED ON INFORMATION PROVIDED BY A SURVEY PREPARED IN THE FIELD BY LEVESQUE GEOMATICS AND OTHER REFERENCE MATERIAL AS LISTED HEREON.
3. THE PURPOSE OF THIS PLAN IS FOR THE PERMITTING OF TWO AIR CONDITIONING CONDENSERS SHOWN HEREON.
4. AREA = 11,084 SF OR 0.254 AC.

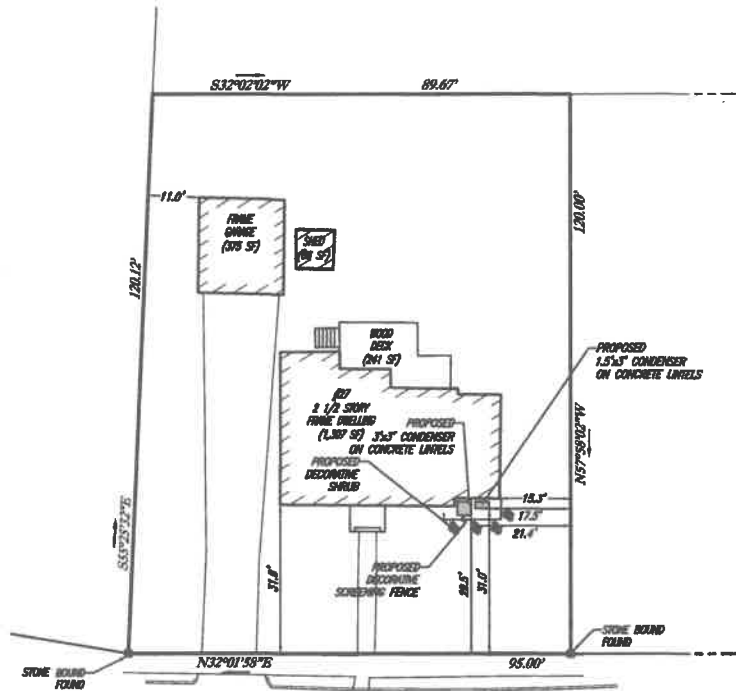
LOCUS INFORMATION:

OWNERS:
 KIRIL SELVEROV & KAYLA SHEETS
 27 ATWOOD STREET
 WELLESLEY, MA 02482
 BOOK 37047, PG. 203

MAP 99, LOT 49

PLAN BOOK	PLAN
75	3626
1804	189
1804	176

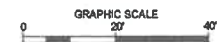
ZONING INFORMATION
 SINGLE RESIDENCE-10 DISTRICT
 SOURCE: TOWN OF WELLESLEY ZONING MAP
 DATED DECEMBER 20, 2002, LAST REVISED MAY 13, 2019
 EXISTING LOT COVERAGE = 1,989 SF OR 17.84%
 PROPOSED COVERAGE = 2,002 SF OR 18.06%



ATWOOD STREET

(PUBLIC - 40' WIDE)

Digitally signed by JOSEPH I. LEVESQUE III
 DN: cn=JOSEPH I. LEVESQUE III, o=LEVESQUE GEOMATICS INC., ou=LEVESQUE GEOMATICS INC., email=jil@levesque-geo.net, c=US
 JOSEPH I. LEVESQUE III
 Location: 43 Glendale Road, Sturbridge, MA 01518
 Please do not print the author of this document.
 Contract info:
 (508) 868-0041 / JILOR@L-GEO.NET
 Date: 2021.08.05 21:31:10-0400Z



PLOT PLAN
 OF
 MAP 99, LOT 49
 PREPARED FOR KIRIL SELVEROV &
 KAYLA SHEETS
 27 ATWOOD STREET
 TOWN OF WELLESLEY
 NORFOLK COUNTY
 COMMONWEALTH OF MASSACHUSETTS



LEVESQUE GEOMATICS INC
 43 GLENDALE ROAD
 STURBRIDGE, MA 01518
 PHONE: (508) 868-0041

THIS SURVEY HAS BEEN PERFORMED IN THE FIELD UNDER MY SUPERVISION, AND TO THE BEST OF MY KNOWLEDGE, BELIEF AND INFORMATION, THIS SURVEY HAS BEEN PERFORMED IN ACCORDANCE WITH CURRENTLY ACCEPTED ACCURACY STANDARDS.
 JOSEPH I. LEVESQUE III
 MASSACHUSETTS PROFESSIONAL LAND SURVEYOR #53840
 DATE: 8/5/2021

DATE	REV. 1 - 8/5/2021	JOB NO.	K507-001
SCALE	1" = 20'		
DRAWN	JIL	SHEET NO.	1 OF 1
CHKD.	JIL		