

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

888 WASHINGTON STREET • SUITE 160 • WELLESLEY, MA 02482

J. RANDOLPH BECKER, CHAIRMAN  
ROBERT W. LEVY, VICE CHAIRMAN  
DAVID G. SHEFFIELD

LENORE R. MAHONEY  
EXECUTIVE SECRETARY  
TELEPHONE  
(781) 431-1019 EXT. 2208

WALTER B. ADAMS  
DEREK B. REDGATE  
RICHARD L. SEE GEL

ZBA 2022-46  
Petition of Deadra Doku  
3 Pickerel Road

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02482  
AUG 28 PM 12:27

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 7, 2022, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Deadra Doku requesting a Special Permit/Finding pursuant to the provisions of Section 14E, Section 17 and Section 25 of the Zoning Bylaw that demolition of an existing nonconforming deck and construction of a larger deck with less than required right side yard and rear yard setbacks, on an existing nonconforming structure with less than required right side yard setbacks, at 3 Pickerel 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 June 9, 2022, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

On July 12, 2022, the Petitioner filed a revised request for a hearing before this Authority, requesting a Special Permit/Finding and/or a Variance pursuant to the provisions of Section 14E, Section 17, Section 19, Section 24 and Section 25 of the Zoning Bylaw for demolition of an existing nonconforming deck and construction of a larger deck with less than required right side yard and rear yard setbacks, on an existing nonconforming structure with less than required right side yard setbacks, at 3 Pickerel 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.

### July 7, 2022

The Board voted unanimously to continue the petition to August 4, 2022 to be heard de novo.

### August 4, 2022

Present at the public hearing were Deadra Doku, the Petitioner, Tim Gover, and Joel Lunger.

Mr. Gover said that the Petitioner appeared before the Board at the July 7, 2022 public hearing to request a special permit. He said that the request is to replace and extend a 30 year old 6 foot by 12 foot cantilevered deck off of the back of the house. He said that the Board asked that a survey that shows the distance from the lot lines to the proposed deck be submitted.

The Chairman said that revised plans show a deck that will meet the rear yard setback requirements. Mr. Gover said that at the previous hearing, there was a question about creating a new nonconformity. He said that their engineer redesigned the deck so that it is now 10 feet by 14 feet.

Mr. Gover said that the Wetlands Protection Committee approved the project.

The Chairman said that the erosion control barrier appears to go onto the Lomer and Hildebrand properties. Ms. Doku said that they can remove it.

Don Eburne, 4 Pickerel Road, said that he and his wife, Carol Hildebrand, own the property that is immediately adjacent to 3 Pickerel Road. He said that they are the only people who will see the deck and they have no objections to it. He said that there are no houses in back of 3 Pickerel Road. He said that he and his wife are in full support.

#### Statement of Facts

The subject property is located at 3 Pickerel Road, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, with a minimum right side yard setback of 15.8 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 demolition of an existing nonconforming deck and construction of a larger deck with less than required right side yard setbacks, on an existing nonconforming structure with less than required right side yard setbacks, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 5/18/22, revised 7/8/22, stamped by Todd P. Chapin, Professional Land Surveyor, Floor Plan and Elevation Drawing, dated 5/16/22, revised 7/10/22, prepared by Joel S. Lunger, P.E., General Scope of Work, dated 5/18/22, revised 7/11/22, prepared by Rockwood Inc., and photographs were submitted.

On July 1, 2022, the Planning Board reviewed the petition and recommended that the ZBA delay action. On August 2, 2022, 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 Board found that the Design and Operation Standards in Part F are adequately satisfied and not otherwise prohibited in Part D.1, of Section 14E of the Zoning Bylaw for Water Supply Protection Districts.

It is the opinion of this Authority that demolition of an existing nonconforming deck with less than required right side yard setbacks and construction of a larger deck with less than required right side yard setbacks will result in the intensification of an existing nonconformity, 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 deck with less than required right side yard setbacks and construction of a larger deck with less than required right side yard setbacks, in accordance with the plan dated July 8, 2022.

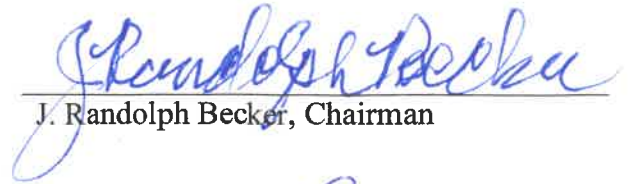
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed constructions plans.

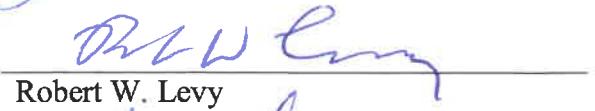
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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2022 AUG 28 PM 12:27

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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.

  
J. Randolph Becker, Chairman

  
Robert W. Levy

  
Walter B. Adams

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Applicant Deadra Doku  
Address 3 Pickerel 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

n/f  
Valera, Juan  
8 POND TERRACE  
Book 24138 Page 225  
Property ID: 201

n/f  
Lomer, Edward P  
1A PICKEREL ROAD  
Book 21323 Page 596  
Property ID: 201-13

FEMA MAP 25021C0012E EFF. DATE 7-17-2012  
ZONE AE BASE FLOOD ELEVATION  
= 124.0'

Town of Wellesley  
Property ID:  
193-10

## MORSES POND

LOT AREA  
=  $\pm 10,030$  S.F.

FACE OF 48" TREE

PROPOSED DECK  
AREA = 129 S.F.

APPROX.  
23.5'  
TOP OF BANK

FEMA MAP 25021C0012E EFF.  
DATE 7-17-2012  
ZONE X AREA OF MIN. FLOOD  
HAZARD

EXIST DECK TO BE  
REPLACED (11.8'x4.8')

PLACE EROSION CONTROL  
BARRIER ELEV. 124'

### TABLE OF AREAS:

LOT AREA =  $10,030 \pm$  S.F.  
EXISTING HOUSE/GARAGE =  $1,990 \pm$  S.F.  
EXISTING DECK =  $57 \pm$  S.F.  
EXIST. BUILD. TOTAL =  $2,047 \pm$  S.F.  
EXIST. DRIVE, PATIO =  $1,831 \pm$  S.F.  
TOTAL COVERAGE =  $5,925 \pm$  S.F.  
% LOT COVERAGE =  $5925 / 10030 = 59.07\%$   
EXIST. OPEN SPACE =  $40.93\%$

PROP. DECK TOTAL =  $129 \pm$  S.F.  
 $129 - 57 = 72$  S.F. - TOTAL FOOTPRINT INCREASE  
PROP. COVERAGE =  $5,997 \pm$  S.F.  
PROPOSED % LOT COVERAGE =  $5997 / 10030 = 59.79\%$   
PROP. OPEN SPACE =  $40.21\%$

PICKEREL ROAD  
(PRIVATE - VARIABLE WIDTH)

UTILITY POLE  
W/EASEMENT

VINYL FENCE

TIMBER CURBING

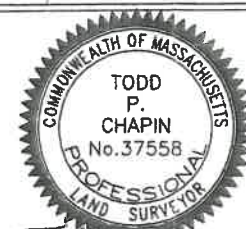
SCALE 1" = 20 FEET

0 FEET 20 FEET 40 FEET 60 FEET

FLOOD ZONE NOTE:  
PORTION OF PROPERTY LIES WITHIN ZONE AE  
A SPECIAL FLOOD HAZARD AREA AS SHOWN  
ON FIRM MAP 25021C0012E EFFECTIVE  
DATE: 07/17/2012.

PORTION OF PROPERTY LIES IN ZONE X  
AN AREA OF MINIMAL FLOOD HAZARD  
AS SHOWN ON FIRM MAP 25021C0012E  
EFFECTIVE  
DATE: 07/17/2012.

PLAN PREPARED FOR  
PROPERTY OWNER(S):  
DEADRA DOKU  
3 PICKEREL ROAD  
WELLESLEY MA 02482



TODD P. CHAPIN P.L.S. 37558

ASSESSORS MAP - MAP 201 BLOCK 0015  
ZONING DISTRICT: SR10  
MINIMUM SETBACK REQUIREMENTS:  
FRONT YARD = 30.0' SIDE YARD = 20.0'  
REAR YARD = 10.0' MAX. STORIES = 2.5  
MAX. HEIGHT = 35'

RealMapInfo LLC  
118 Turnpike Road Suite 200  
Southborough, MA. 01772  
RealMapInfo.com 508-523-4559

### PROPOSED DECK

PLOT PLAN OF LAND IN  
WELLESLEY, MASS

SCALE: 1"=20'

DATE: 07/08/2022

DEED REF. BOOK: 24217 PAGE: 370

PLAN BOOK 75 PLAN NO 3641

RECORDED @ NORFOLK COUNTY REGISTRY OF DEEDS

TOWN OF WELLESLEY



MASSACHUSETTS

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**July 7, 2022**

The Board voted unanimously to continue the petition to August 4, 2022 to be heard de novo.

**August 4, 2022**

Present at the public hearing were Deadra Doku, the Petitioner, Tim Gover, and Joel Lunger.

RECEIPT  
Printed: March 7, 2023 @ 15:23:56  
Norfolk Registry of Deeds  
William P O'Donnell  
Register

Trans#: 15388      Oper:YSANCHEZ

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Book: 41086 Page: 37 Inst#: 13113  
Ct1#: 340 Rec:3-07-2023 @ 3:23:48p  
WELL 3 PICKEREL ROAD

DOC	DESCRIPTION	TRANS AMT
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DECISION		
	10.00 rec fee	10.00
	50.00 Surcharge	50.00
	5.00 Tech.Surcharge	5.00
	Postage/Handling Fee	1.00
	State Fee \$40.00	40.00
		-----

Total fees:      106.00

\*\*\* Total charges:      106.00

CHECK PM 4339      106.00