

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

888 WORCESTER 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) 489-7450

WALTER B. ADAMS
DEREK B. REDGATE
PETER COVO

ZBA 2024-36
Petition of Strack/Phillips Trust
1 Stevens Street

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, May 9, 2024, at 7:30 pm, on the petition of Strack/Phillips Trust requesting a Special Permit/Finding pursuant to the provisions of Section 5.1 and Section 6.3 of the Zoning Bylaw that enclosure of an existing nonconforming two-story porch with less than required side yard setbacks, on an existing nonconforming structure with less than required side yard setbacks, at 1 Stevens Street, on an 8,388 square foot corner 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.

On April 4, 2024, 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 was Alexis Strack, the Petitioner, who said that the proposal is to enclose an existing 16 year old two story porch with an 18.4 foot setback where 20 feet is required. She said that the project was approved by the Wetlands Protection Committee last year. She said that they purchased the house in 2018.

The Chairman identified the nonconformities of undersized lot of 8,388 square feet where 10,000 square feet are required, less than required front yard setback, and less than required side yard setback along the western side property line on a corner lot.

A Board member said that a final as-built plan was submitted, not a plot plan, as required. The Chairman said that the Final As-Built Plan, dated March 18, 2024, was stamped by the surveyor. He said that there will be no change to the footprint.

No member of the public wished to speak to the petition.

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WELLESLEY MA 02482
2024 MAY 22 PM 12:18

Statement of Facts

The subject property is located at 1 Stevens Street, on an 8,388 square foot corner lot in a Single Residence District in which the minimum lot size is 10,000 square feet, with a minimum front yard setback of 23.3 feet to Stevens Street where 30 feet is required, and a minimum side yard setback of 18.4 feet where 20 feet is required.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section 5.1 and Section 6.3 of the Zoning Bylaw that enclosure of an existing nonconforming two-story porch with less than required side yard setbacks, on an existing nonconforming structure with less than required front yard and side yard setbacks, on an 8,388 square foot corner 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.

An As-Built Plan, dated 3/18/24, stamped by George C. Collins, Professional Land Surveyor #41784, Floor Plans and Elevation Drawings, dated 12/08/21, prepared by Architectural Expressions LLP, and photographs were submitted.

On April 30, 2024, the Planning Board reviewed the petition and recommended that a Special Permit be approved.

On May 9, 2024, Rafi Razzaque, Department of Public Works Engineering Division, submitted comments.

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 enclosure of an existing nonconforming two-story porch with less than required side yard setbacks will not 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 enclosure of an existing nonconforming two-story porch with less than required side yard setbacks, in accordance with the submitted plans.

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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ZBA 2024-36
Petition of Strack/Phillips Trust
1 Stevens 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.

Robert W. Levy (Chm.)
Robert W. Levy, Acting Chairman

David G. Sheffield (Chm.)
David G. Sheffield

Derek B. Redgate (Chm.)
Derek B. Redgate

ZBA 2024-36
Applicant Strack/Phillips Trust
Address 1 Stevens Street

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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.

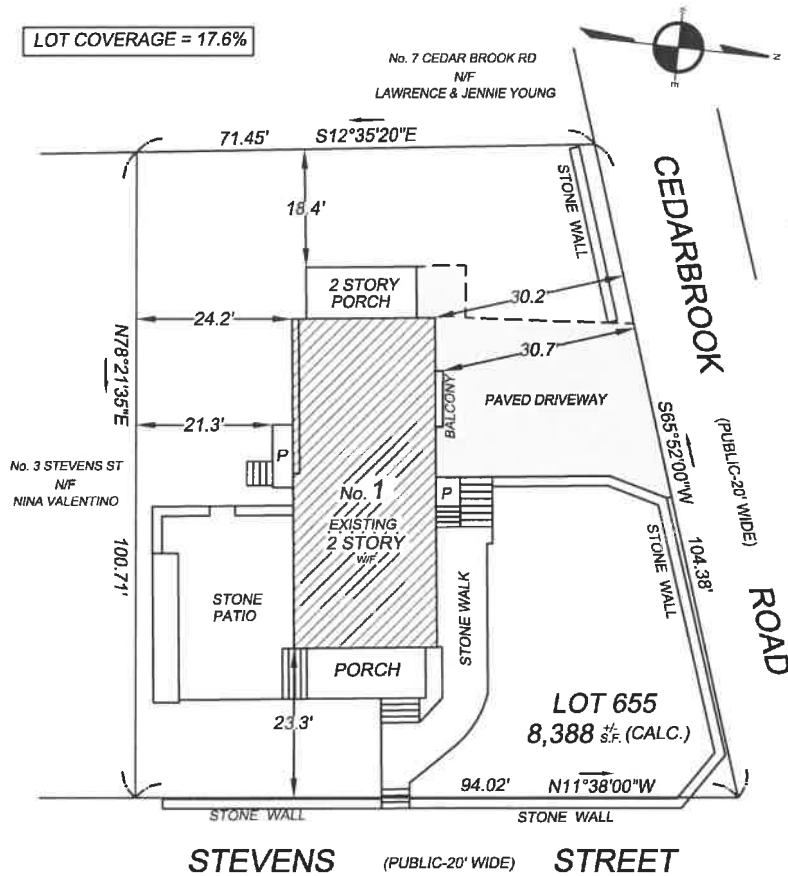
Date:

Attest:

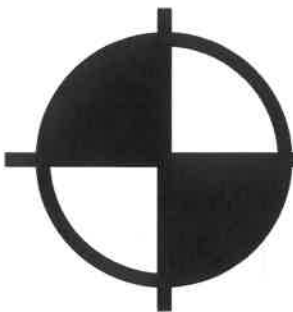
Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm

LOT COVERAGE = 17.6%



FINAL AS-BUILT PLAN
LOCATED AT
1 STEVENS STREET
WELLESLEY, MA.



**BOSTON
SURVEY, INC.**

UNIT C-4 SHIPWAYS PLACE
CHARLESTOWN, MA. 02129
(617)242-1313

SCALE: 1 INCH = 30 FEET
DATE: MARCH 18, 2024