

TOWN OF WELLESLEY



MASSACHUSETTS

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ZONING BOARD OF APPEALS

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

2002 JUN -5 A 8:20

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ROBERT A BASTILLE
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ZBA 2002-48
Petition of David and Maureen Newman
7 Fuller Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 23, 2002 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of DAVID AND MAUREEN NEWMAN requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a 15.16 foot by 14.40 foot two-story addition with less than the required left side yard setback, at their nonconforming dwelling with less than the required left side yard setback, at 7 FULLER ROAD, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On May 6, 2002, the petitioners filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was David Newman, who said the addition will not be visible from the front, and has been pulled back farther from the left side line than the existing house.

No other person had any comment on the petition.

Statement of Facts

The subject property is located at 7 Fuller Road in a 10,000 square foot Single Residence District, on an 11,132 square foot lot, and has a minimum left side yard setback of 11.4 feet.

The petitioners are requesting a Special Permit/Finding that the construction of a 15.16 foot by 14.40 foot two-story addition with a minimum left side yard clearance of 11.6 feet shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A plot plan dated April 24, 2002, stamped by Terrence M. Ryan, Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated March 1, 2002, drawn by Vincent Codispoti, Jr., Architect; and photographs were submitted.

On May 14, 2002, the Planning Board reviewed the petition and noted that the project will increase the building mass at its closest point to the lot line.

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.

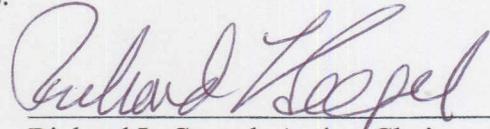
It is the finding of this Authority that the proposed 15.16 foot by 14.40 foot two-story addition with a minimum left side yard setback of 11.6 feet shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure for although the addition will intensify the existing nonconformance, it will not create new nonconformity as it is less nonconforming than the existing structure.

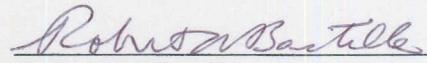
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of the two-story addition in accordance with the submitted plot plan and construction drawings.

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

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

Cc: Planning Board
Inspector of Buildings
edg


Richard L. Seegel, Acting Chairman


Robert A. Bastille


J. Randolph Becker

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PROPOSED PLOT PLAN WELLESLEY, MASS.

DATE: APRIL 24, 2002 SCALE: 1" = 20'

PREPARED FOR:

DAVID A. & MAUREEN G. NEWMAN
7 FULLER ROAD
WELLESLEY, MASS. 02481

ENGINEERS & SURVEYORS:

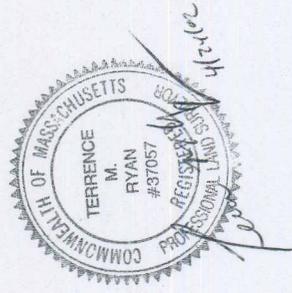
APPLEWOOD SURVEY CO.
21 GREEN STREET
HOLLISTON, MASS. 01746
TERRENCE M. RYAN R.L.S. 37057

ZONED: SINGLE RES.
AREA: 10,000 SF
FRONTAGE: 60 FT
SETBACK: 30 FT
SIDEYARD: 20 FT
REARYARD: 10 FT

DEED BOOK 8389 PAGE 191
ASSESSORS MAP 63 LOT 31

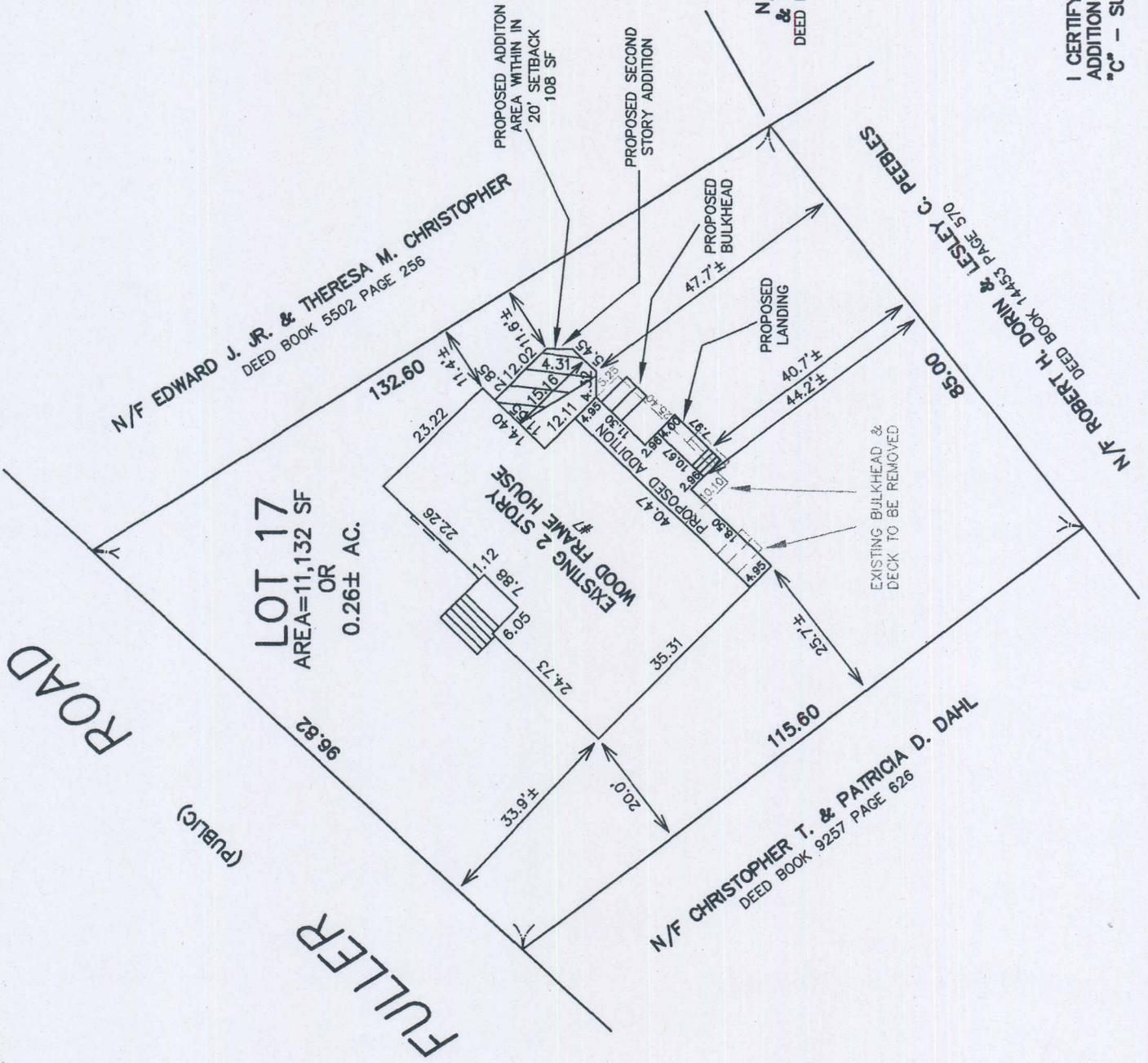
MAXIMUM LOT COVERAGE: 19% UP TO 2,700 SF
EXISTING LOT COVERAGE = 20% OR 2,233 SF
PROPOSED LOT COVERAGE = 20% OR 2,233 SF

N/F LINDSAY P.
& PAULINE ELLMS
DEED BOOK 3731 PAGE 443



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2002 MAY -6

I CERTIFY THAT THE LOT SHOWN, EXISTING HOUSE SHOWN AND PROPOSED ADDITION SHOWN THEREON ARE LOCATED IN A FEDERAL FLOOD HAZARD ZONE "C" - SUBJECT TO MINIMAL FLOODING (SOURCE: F.I.R.M. 250255 0005 B).



DEED BOOK 1490 PAGE 67