

TOWN OF WELLESLEY



MASSACHUSETTS

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WELLESLEY MA 02482

ZONING BOARD OF APPEALS

2002 JUL 12 A 8:31

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

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ZBA 2002-61

Petition of Thomas M. and Molly P. Aiken

15 Howe Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 27, 2002 at 7:30 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of THOMAS AND MOLLY AIKEN requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the following construction at their nonconforming dwelling with less than the required front, left and right side yard setbacks at 15 HOWE STREET, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure;

1. Demolition of existing nonconforming porch and construction of a one-story 9.2 foot by 4.5 foot addition with less than the required left side yard setback. There will be no change in the footprint.
2. Construction of a 4.0 foot by 3.6 foot one-story addition with less than the required left yard setback.

On June 10, 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 were Thomas and Molly Aiken. Mr. Aiken said they have lived in their house for 11 years. They now have three children, but only one bathroom. They would like to add a second bathroom and a mudroom.

The Board noted that the Planning Board had no objection to the granting of the request.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 15 Howe Street, in a 10,000 square foot Single Residence District, on a 3,803 square foot lot, and has a minimum front yard setback of 17.6 feet, a minimum left side yard setback of 11.3 feet, and a minimum right side yard setback of 17.5 feet.

The petitioners are requesting a Special Permit/Finding that the demolition of their existing nonconforming porch and construction of a one-story 9.2 feet by 4.5 foot addition with a minimum left side yard setback of 19.3 feet; and construction of a 4 foot by 3.6 foot one-story addition with a minimum left side yard setback of 15.7 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

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A Plot Plan dated May 15, 2002, stamped by Robert F. Drake, Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations date 6/3/02, drawn by Eric R. Gould, Registered Architect; and photographs were submitted. 2002 JUN 12 A 8:31

On June 18, 2002, the Planning Board reviewed the petition and had no objection to granting the request.

Decision

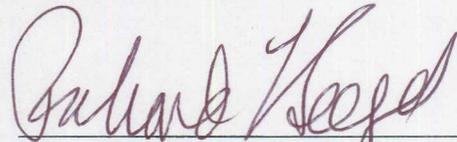
This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the finding of this Authority that neither the demolition of the existing nonconforming porch and construction of a one-story 9.2 foot by 4.5 foot addition with less than the required left side yard setback, nor the construction of a 4 foot by 3.6 foot one-story addition with less than the required left side yard setback, shall be substantially more detrimental to the neighborhood than the existing nonconforming structure as neither addition shall intensify the existing nonconformance nor shall either addition create new nonconformity.

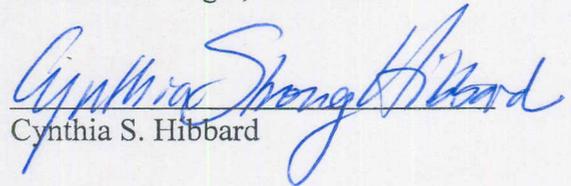
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the porch demolition and construction of the two aforesaid additions in accordance with the submitted plot plan and construction drawings.

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.

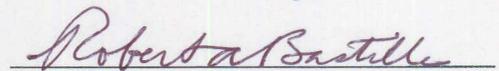
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN
THE OFFICE OF THE TOWN CLERK.



Richard L. Seegel, Chairman



Cynthia S. Hibbard

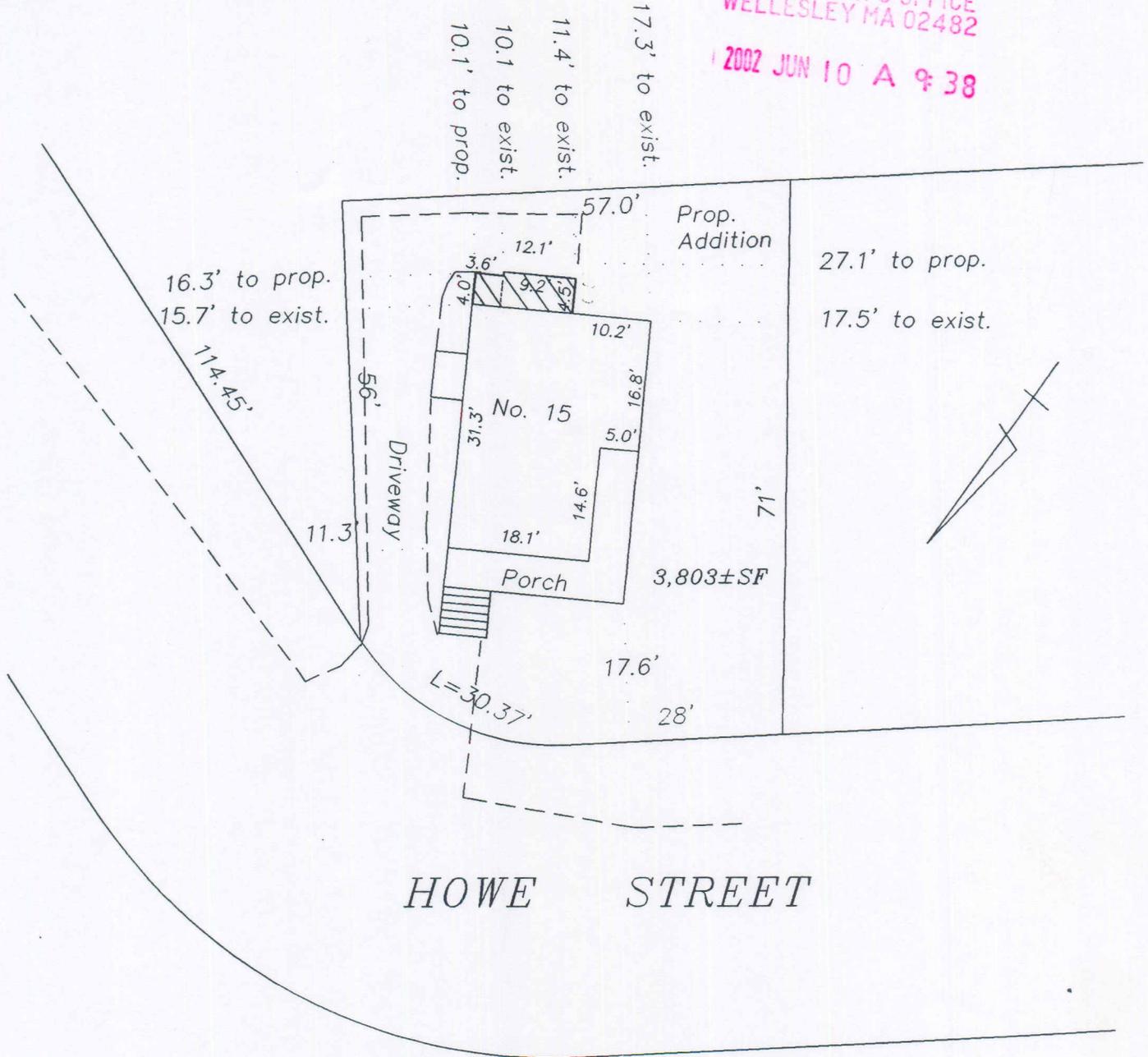


Robert A. Bastille

Cc: Planning Board
Inspector of Buildings
edg

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2002 JUN 10 A 9:38



ASS MAP 149 LOT 81
EXIST LOT COVERAGE 882±sf (23.2%)
PROP. LOT COVERAGE 900±sf (23.6%)

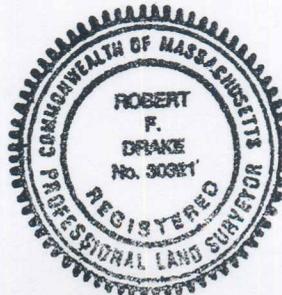
I HEREBY CERTIFY THAT THE CONDITIONS ON THE GROUND ARE THE SAME AS SHOWN HEREON. I FURTHER CERTIFY THAT THE BUILDING(S) ARE LOCATED AS SHOWN HEREON

I FURTHER CERTIFY THAT THE SITE IS NOT LOCATED IN A FEDERALLY DESIGNATED FLOOD HAZARD AREA.

WAFD

SIGNED: _____

DATE: MAY 15, 2002



CERTIFIED PLOT PLAN
IN

No. 15 Howe Street
WELLESLEY, MASS.

SCALE 1" = 20 FEET

Drake Associates Inc.
Civil Engineers Land Surveyors
770 Grove Street Framingham, Mass.
(508) 877-0848
FAX (508) 877-6350