



ZONING BOARD OF APPEALS

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

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 (781) 431-1019 EXT. 208

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ZBA 2003-7
 Petition of Louise Bolles
22 Wilson Street

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 1-2003-03-A-9-06

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, January 16, 2003 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of LOUISE BOLLES requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the following construction at her nonconforming dwelling with less than the required front, left and rear yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure:

1. A 9 foot by 11 foot one-story addition with less than the required rear yard and front yard setbacks.
2. A 3.5 foot by 6 foot one-story addition with less than the required rear yard setback.

On December 23, 2003, the petitioner 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 Louise Bolles, who said she would like to add a bathroom and extend the garage 9 feet on the right side, and add a small back hall in order to reach the bathroom.

The Board noted that the Planning Board had not objection to the request.

The Board asked if there would be a window in the bathroom. Ms. Bolles said there would be a skylight. The foundation for the bathroom would be within the existing garage. There is one window in the garage, but no more would be added.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 22 Wilson Street, on a 4,834 square foot lot, in a 10,000 square foot Single Residence District, and has a minimum rear yard setback of 9 feet; a minimum front setback from Wilson Street of 20 feet and a minimum left side yard setback of 9.9 feet.

The petitioner is requesting a Special Permit/Finding that the construction of a one-story 9 foot by 11 foot garage addition with a minimum rear yard setback of 11 feet and a minimum front setback of 23 feet; and a one-story 6 foot by 3.5 foot addition with a minimum rear yard setback of 8.8 feet shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

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A Plot Plan dated October 10, 2002, stamped by Bruce Bradford, Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated December 17, 2002, drawn by Henry Heald; and photographs were submitted.

On November 14, 2002, the Wetlands Protection Committee voted to issue an Order of Conditions (DEP 324-419) for the project.

On January 7, 2003, 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 dwelling 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 construction of the 9 foot by 11 foot one-story garage expansion and the one-story 3.5 foot by 6 foot addition shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure as neither structure shall intensify the existing nonconformance, and although the 3.5 foot by 6 foot addition encroaches on the rear lot line an additional .2 feet, the change is de minimus and can be allowed.

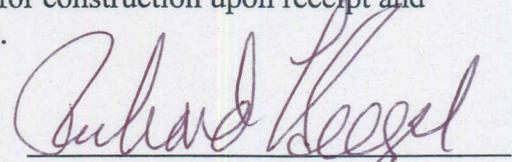
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of the two additions in accordance with the submitted plot plan, construction drawings, and the Order of Conditions (DEP 324-419) issued by the Wetlands Protection Committee.

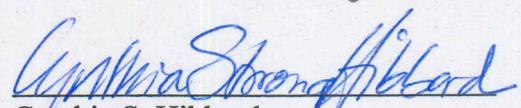
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

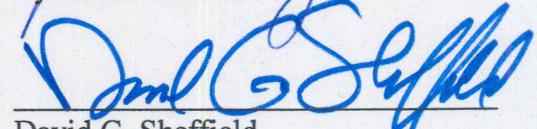
APPEALS FROM THIS DECISION, IF ANY, SHALL BE MADE PURSUANT TO GENERAL LAWS, CHAPTER 40A, SECTION 17, AND SHALL BE FILED WITHIN 20 DAYS AFTER THE DATE OF FILING OF THIS DECISION IN THE OFFICE OF THE TOWN CLERK.

Cc: Planning Board
Wetlands Protection Committee
Inspector of Buildings
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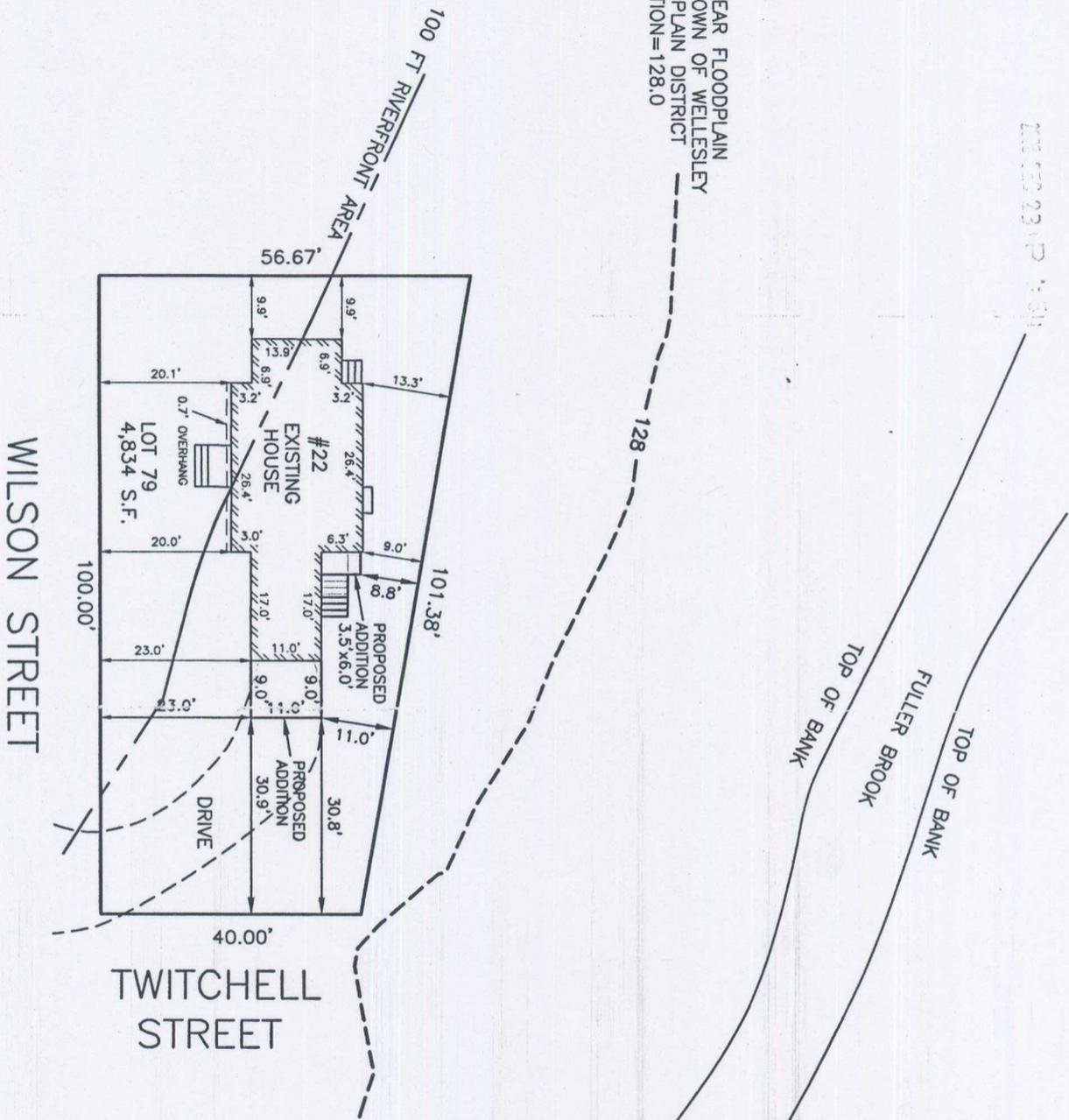


PLAN OF LAND IN
WELLESLEY, MA.

22 WILSON STREET
PROPOSED CONSTRUCTION
PREPARED FOR:
LOUISE BOLLES
SCALE 1 IN. = 20 FT
OCTOBER 10, 2002

STRUCTURES 981 S.F.
LOT COVERAGE 20.3%

100 YEAR FLOODPLAIN
AND TOWN OF WELLESLEY
FLOODPLAIN DISTRICT
ELEVATION=128.0



EVERETT M.
BROOKS
COMPANY
ENGINEERS & SURVEYORS
49 LEXINGTON STREET
WEST NEWTON MA 02465
(617) 527-8750
PROJECT NO. 20995