TOWN OF WELLESLEY MASSACHUSETTS

ZONING BOARD OF APPEALS

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ZBA 2003-15
Petition of Thomas Redmond
30 Hastings Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 13, 2003 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 REDMOND requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the demolition of the existing nonconforming one-story dwelling and construction of a two-story 58 foot by 40 foot dwelling, which conforms to all zoning requirements, on his 11,535 square foot lot at 30 HASTINGS STREET, in a Single Residence District in which the minimum lot size required is 15,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On January 24, 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 Thomas Redmond, who said their existing house is not large enough for his family's needs.

The Board asked what was the size of the new footprint. Mr. Redmond said it was about 1,200 square feet. After calculating the square footage, the Board corrected Mr. Redmond, stating it was about 1,600 square feet.

The Board asked if Mr. Redmond had discussed the project with his neighbors. Mr. Redmond said he had not. The Board commented that the house would be considerably larger than others in the neighborhood. Mr. Redmond responded that there are other two-story homes in the neighborhood, some of which are taller than his home, which would have a height of 30 feet. The Board stated that no height dimension was shown on the submitted plans, and requested that a plan showing the height of the ridgeline to be 30 foot from average grade around the house be submitted to the Board.

Marian Pruslin, 20 Madison Road, expressed concern about the size of the proposed house in relation to other homes in the neighborhood. She felt the house would be too large on one of the smallest lots in the area.

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Statement of Facts

The subject property is located at 30 Hastings Street, in a 15,000 square foot Single Residence District, on an 11,535 square foot lot and has a minimum left side yard setback of 19.2 feet and a minimum right side yard setback of 14.3 feet.

The petitioner is requesting a Special Permit/Finding that the demolition of the existing nonconforming one-story dwelling and construction of a two-story 40 foot by 58 foot dwelling with a 30 foot front yard setback, a 20.6 foot left side yard setback and a 20 foot right side yard setback shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

An existing and a proposed Plot Plan, both dated January 16, 2003, stamped by Chester I. Redmond, Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated January 16, 2003, stamped by Chester I. Redmond, Registered Professional Engineer; and photographs were submitted.

In response to the request of the Board, additional elevation drawings showing the ridgeline of the roof at a height of 30 feet, dated February 18, 2003, stamped by Chester I. Redmond, Registered Professional Land Surveyor, were submitted.

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On January 28, 2003, the Planning Board reviewed the petition. The Board members were divided in their recommendation, and therefore made no recommendation one way or the other.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The existing house does not conform to the current Zoning Bylaw. The proposed house shall be conforming in regard to all setbacks, height and percentage of lot coverage.

It is the finding of this Authority that the demolition of the existing structure and construction of the new two-story 40 foot by 58 foot dwelling shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, for although the new structure shall be larger and taller than the existing structure, it shall conform to all zoning requirements, except the size of the lot in the district in which it is located.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for demolition of the existing structure and construction of the new dwelling in accordance with the submitted plot plan and construction drawings.

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

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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.

Cc: Planning Board
Inspector of Buildings
edg

Richard L. Seegel, Chairman

David G. Sheffield

J. Randolph Becker

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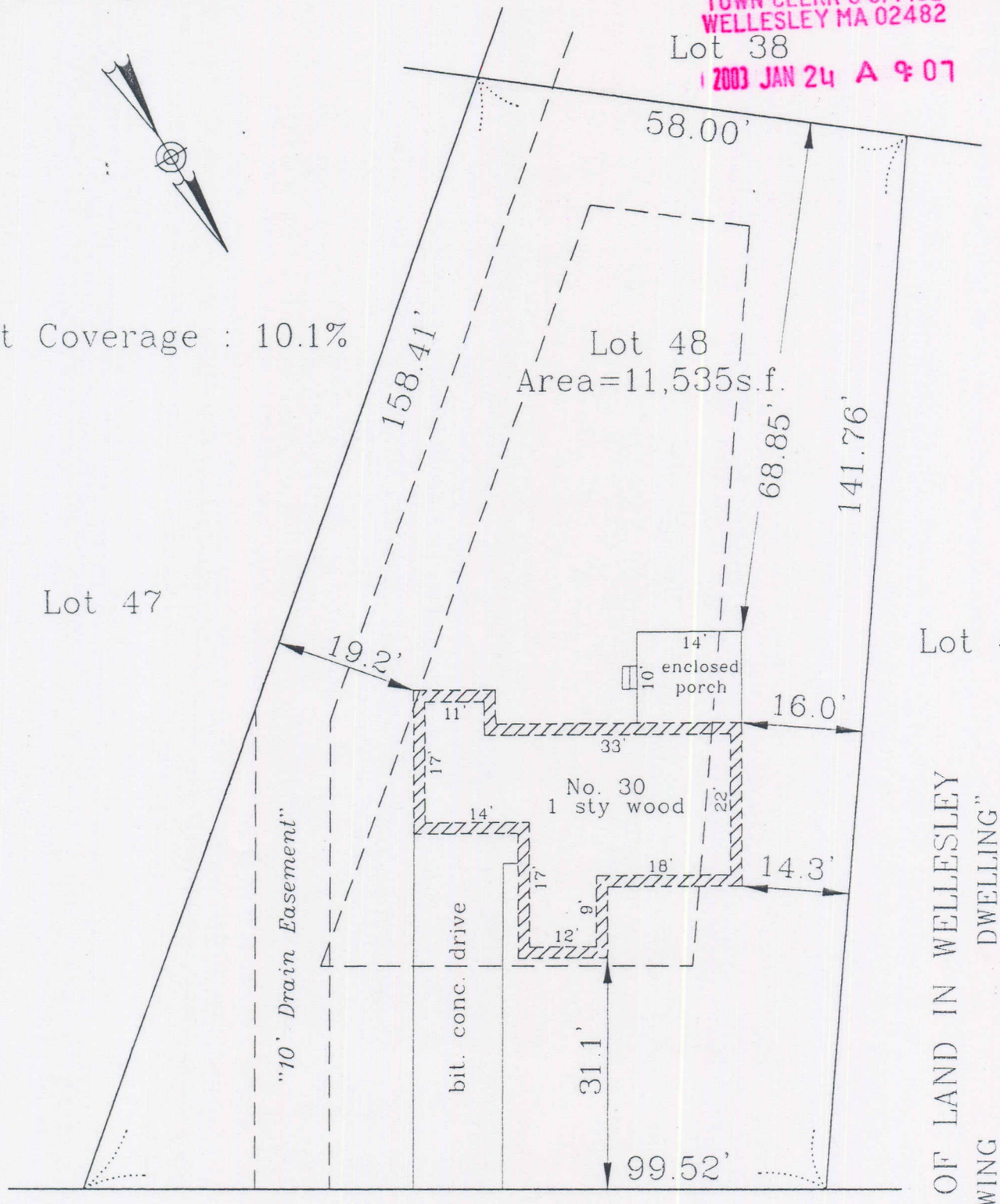

PLAN OF LAND IN WELLESLEY
SHOWING
DWELLING"

Commonwealth Engineering Associates
16 Old Post Road Walpole, Ma. 02032
Scale:1"=20' January 16, 2003

COMMONWEALTH OF MASSACHUSETTS
CHESTER
REDMOND
No. 31342
REGISTERED
PROFESSIONAL LAND SURVEYOR

Dick Seergl

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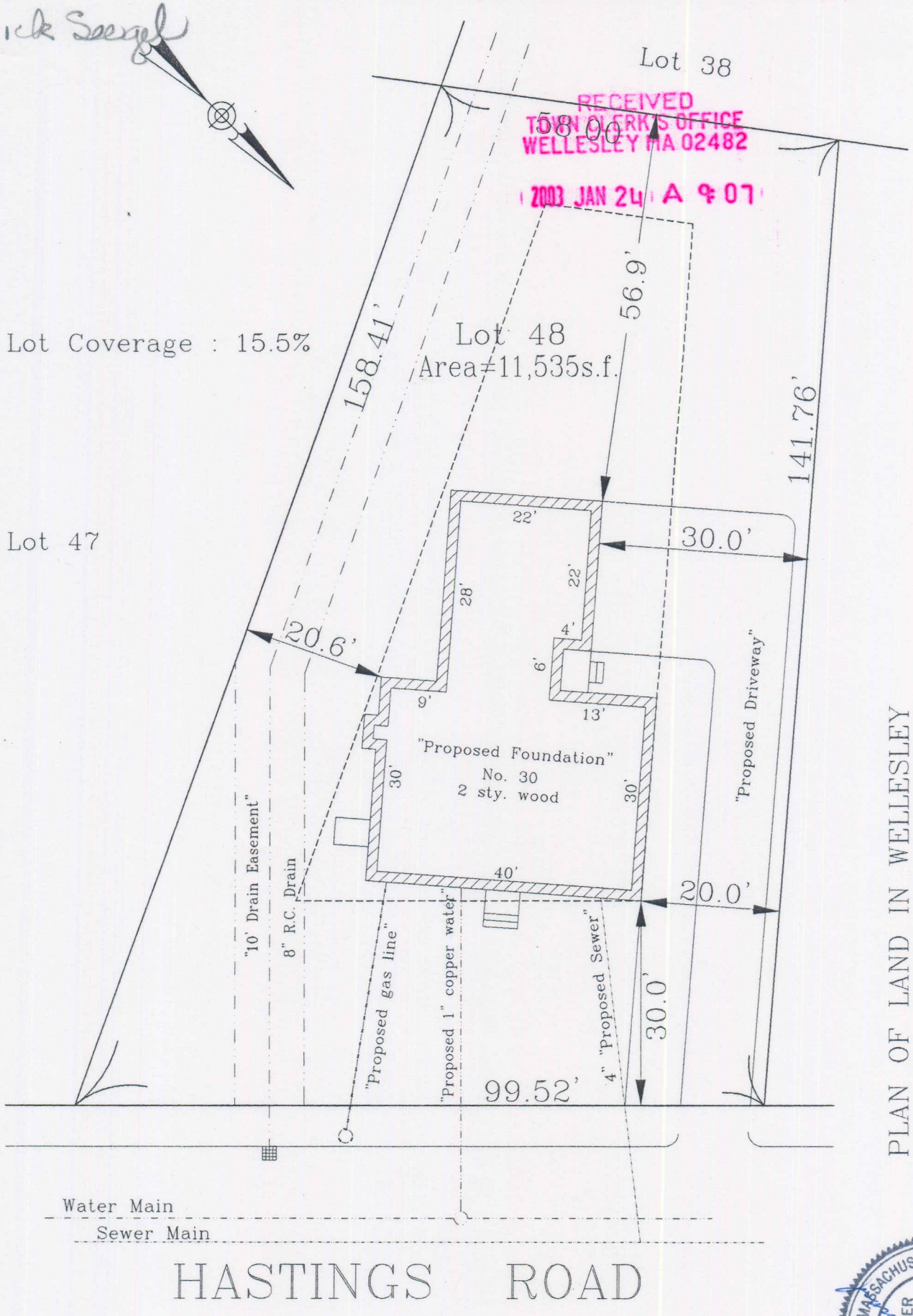

PLAN OF LAND IN WELLESLEY
"SHOWING PROPOSED DWELLING"
Commonwealth Engineering Associates
16 Old Post Road Walpole, Ma. 02032
Scale 1"=20' January 16, 2003

COMMONWEALTH OF MASSACHUSETTS
CHESTER REDMOND No. 31342 REGISTERED PROFESSIONAL LAND SURVEYOR