



## ZONING BOARD OF APPEALS

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

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ZBA 2003-37  
 Petition of Barry and Joanne Reynolds  
 131 Grove Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 8, 2003 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of BARRY AND JOANNE REYNOLDS 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 setback from GROVE STREET, at 131 GROVE 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. A two-story 27 foot by 25 foot addition with less than the required front setback from Grove Street.
2. A 2 foot by 6 foot chimney with less than the required front setback from Grove Street.

On April 22, 2003, 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 Barry Reynolds, who said they would like to add a two-car garage with a bedroom above. Their existing garrison colonial house with a gambrel roof is approximately 24 feet from the Grove Street property line. The house is on the corner of Grove Street, Wildwood Drive, and Cottage Street, requiring a 30 foot setback from all three frontages. The addition will be no more nonconforming from Grove Street and will be conforming on the other three sides.

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

The Board asked if the access to the existing garage was from a shared driveway entering from Cottage Street. Mr. Reynolds said he owns the driveway, but there is a deeded right-of-way to the parcel behind them. The existing garage would be used for storage.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 131 Grove Street in a 10,000 square foot Single Residence District, on an 11,891 square foot lot, and has a minimum front setback of 24.2 feet from Grove Street. The property is bounded by Cottage Street on the left and Wildwood Circle on the right.

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The petitioners are requesting a Special Permit/Finding that the following construction shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure:

1. A two-story 27 foot by 25 foot addition with a minimum front setback of 24.3 feet from Grove Street.
2. A 2 foot by 6 foot chimney with a minimum front setback of 23 feet from Grove Street.

A Plot Plan dated April 11, 2003, stamped by Russell D. Wilson, Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated April 10, 2003, drawn by JHA; and photographs were submitted.

On April 29, 2003, the Planning Board reviewed the petition and had no objection to the granting of 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 stated in the foregoing Statement of Facts.

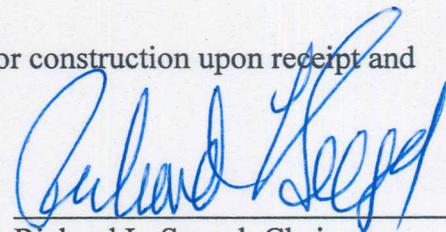
It is the finding of this Authority that the construction of the proposed two-story addition and chimney shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as neither will intensify the existing nonconformance nor create new nonconformity.

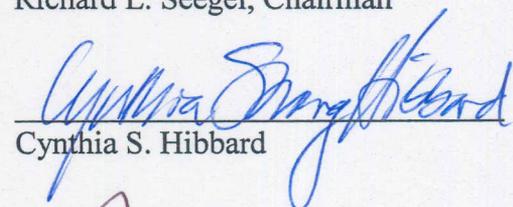
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of the two-story addition and chimney in accordance with the submitted plot plan and construction drawings.

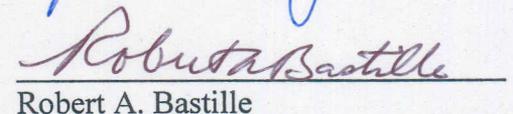
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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, Chairman

  
Cynthia S. Hibbard

  
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