



ZONING BOARD OF APPEALS

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

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ZBA 2003-47
 Petition of William and Lynne Perry
14 Mellon Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 19, 2003 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of WILLIAM AND LYNNE PERRY 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 left and right side yard setbacks at 14 MELLON ROAD, 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 deck and construction of a 49.6 foot by 20 foot two-story addition with less than the required left and right side yard setbacks.
2. Construction of a 20 foot by 20 foot deck with less than the required right side yard setback.

Presenting the case at the hearing was William Perry, who said he is requesting a Special Permit for an addition at the rear of the house, as they need more living space. The existing house is a two-bedroom cape. The two-story addition would consist of extra bathrooms, a larger living room, and a larger basement, with a deck off of the addition. The addition would be less nonconforming than the existing house.

The Board noted that letters in support of the petition had been received from two abutters, and that the Planning Board had no objection to granting the request.

The Board expressed the opinion that the addition would be appropriate to the lot.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 14 Mellon Road, in a 10,000 square foot Single Residence District, on a 20,812 square foot lot, and has a minimum left side yard clearance of 14.1 feet and a minimum right side yard clearance of 15.1 feet.

The petitioners are requesting a Special Permit/Finding to demolish a nonconforming 20 foot by 25.3 foot deck and construct a 49.6 foot by 20 foot two-story addition with a minimum left side yard setback of 19.1 feet and a minimum right side yard setback of 15.1 feet; and a 20 foot by 20 foot deck with a minimum right side yard setback of 15.7 feet.

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A Plot Plan dated May 13, 2003, stamped by Frank Iebba, Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated April 24, 2003; and photographs were submitted.

Letters in support of the petition were received from Jim and Jackie Brooks, 16 Mellon Road, and Leah Josephs, 12 Mellon Road.

On June 10, 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.

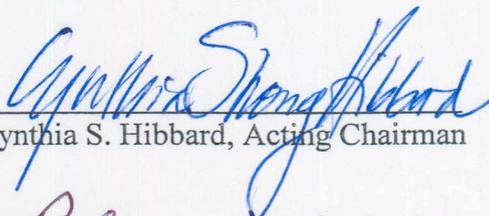
It is the finding of this Authority that the proposed demolition of the nonconforming deck and construction of a two-story addition with less than the required left and right side yard setbacks, and a deck with less than the required right side yard setback, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, for although the two-story addition shall intensify the existing nonconformance, both the addition and deck are less nonconforming than the existing structure, and therefore shall not create new nonconformity.

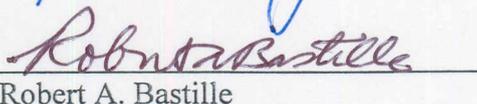
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, to demolish the existing deck and construct the two-story addition and new deck in accordance with the submitted plot plan and construction drawings.

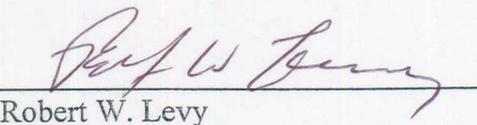
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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

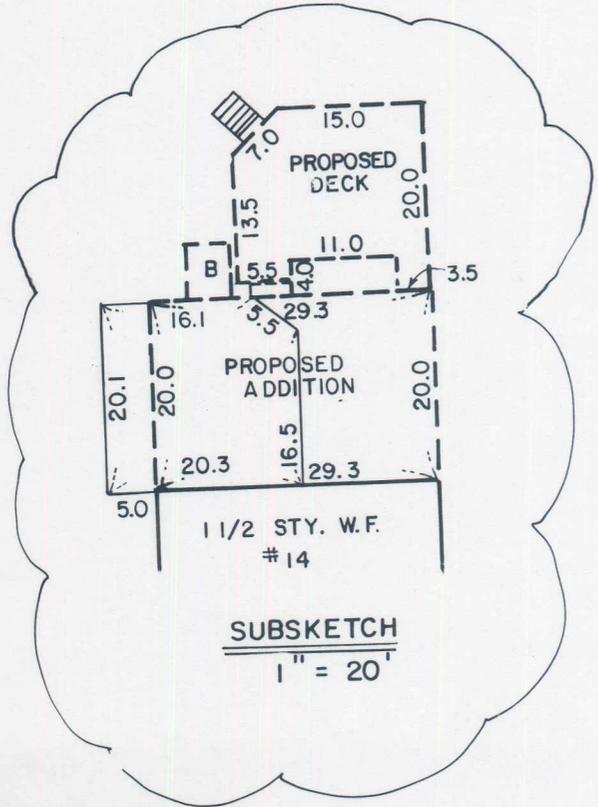
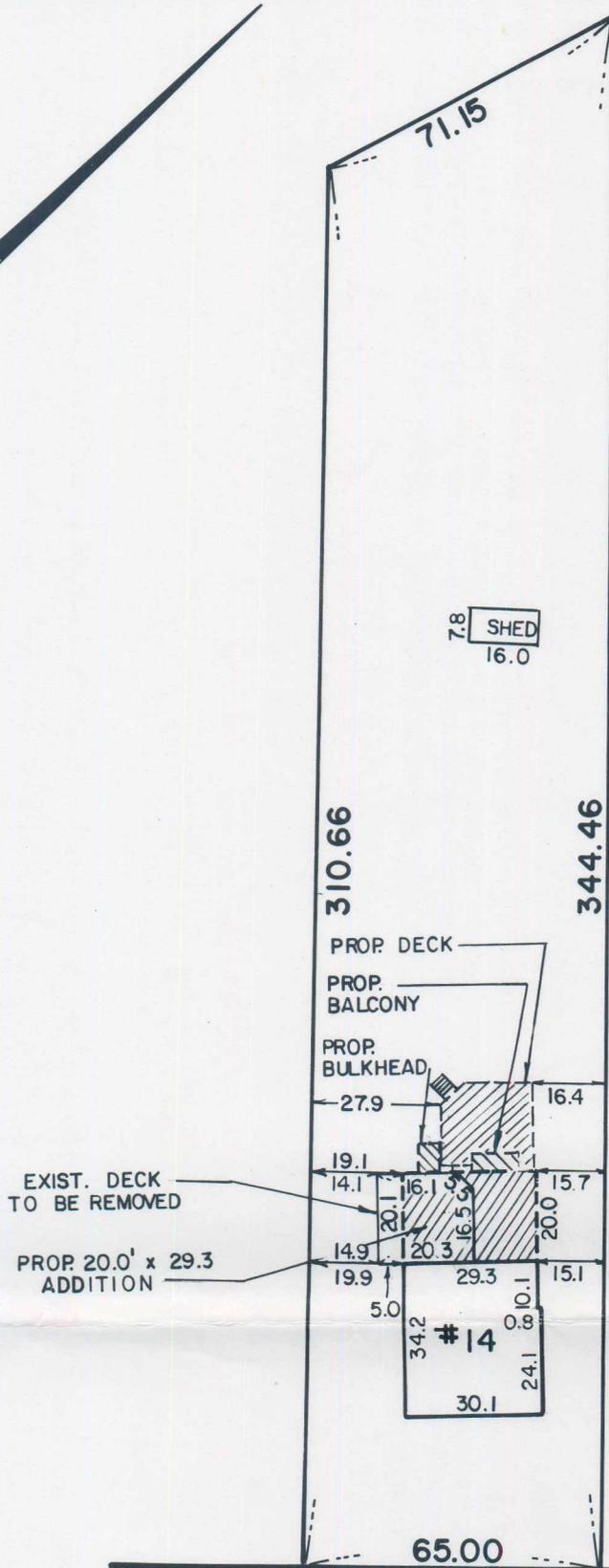

Cynthia S. Hibbard, Acting Chairman


Robert A. Bastille


Robert W. Levy

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LOT AREA = 20,812[±] S.F.
 PROP. LOT COVERAGE = 10.5 %
 EXIST. LOT COVERAGE = 6.8 %



EXIST. DECK
TO BE REMOVED

PROP. 20.0' x 29.3
ADDITION

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Frank IFBBA
 617-297-7342

MELLON ROAD

PLAN OF LAND
 IN
WELLESLEY, MASS.

SCALE : 1" = 40'
 ESSEX ENGINEERING & SURVEY

MAY 13, 2003
 NEWTON, MASS.