

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

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2003 SEP -5 A 8:17

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ZBA 2003-62  
Petition of Kathllen Gladstone  
29 Cottage Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 14, 2003 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of KATHLEEN GLADSTONE 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 9.4 foot by 21.2 foot portion of her nonconforming dwelling, with less than the required front and right side yard setbacks, at 29 COTTAGE STREET, in an Historic District, and a 10,000 square foot Single Residence District, and reconstruction of a one-story 9.4 foot by 21.2 foot addition with a 2 foot by 12.8 foot expansion, and a 1 foot by 5.3 foot bay window, both of which will have less than the required right side yard setback, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On July 28, 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 Christopher Royer, architect, who was representing Ms. Gladstone. Mr. Royer said that Ms. Gladstone bought the house last winter. She would like to be able to sit in the sun and view her garden. The best place to do this would be the wing at the rear. Presently, it is too small to be a sitting room, has a low ceiling and not enough windows. She would like to renovate and expand the room. If the structure is not adequate to renovate, it would be demolished and rebuilt with the expansion.

Mr. Royer said the project would add about 32 square feet to the footprint on the left side of the existing room. The roof would be raised in order to attain a proper ceiling height. He believes it would be an improvement to the neighborhood.

The Board noted that there was a lengthy discussion about the skylights with the Historic Commission. Mr. Royer said the Commission approved one skylight, which would not be visible from the street. The light would be installed above the kitchen and has nothing to do with the Special Permit petition.

The Board stated that the Planning Board had no objections. Furthermore, the Board agreed that the proposal would enhance the property, and that the scale would be compatible with the neighborhood.

No other person present had any comment on the petition.

Statement of Facts

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The subject property is located at 29 Cottage Street in an Historic District, and a 10,000 square foot Single Residence District, on a 12,800 square foot lot, with a minimum right side yard clearance of 5.6 feet.

The petitioner is requesting a Special Permit/Finding that the demolition of the existing 9.4 foot by 21.2 foot portion of her dwelling with a minimum right side yard clearance of 7.7 feet, and construction of a 9.4 foot by 21.2 foot addition with a 2 foot by 13.8 foot expansion having a minimum right side yard clearance of 7.7 feet, and a 1 foot by 5.3 foot bay window with a minimum right side yard clearance of 10.9 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated June 23, 2003, stamped by Bruce Bradford, Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated July 21, 2003, drawn by Royer Architects; and photographs were submitted.

The Historic District Commission reviewed the proposal on June 10<sup>th</sup> and July 15, 2003 and approved the project plans with one skylight and the sliding doors.

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 the proposed demolition of the existing 9.4 foot by 21.2 foot room and construction of a 9.4 foot by 21.2 foot addition with a 2 foot by 13.8 foot expansion and a 1 foot by 5.3 foot bay window shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure as neither the addition nor the bay window would intensify the existing nonconformance or create new nonconformity.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the demolition, reconstruction and expansion of the 9.4 foot by 21.2 foot addition, the 2 foot by 13.8 foot expansion and the 1 foot by 5.3 foot bay window 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.

