TOWN OF WELLESLEY MASSACHUSETTS

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ZONING BOARD OF APPEALS

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

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ZBA 2003-63
Petition of Barry Smith and Katelyn Quynn
15 Tennyson Road

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 BARRY SMITH AND KATELYN QUYNN requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a two-story 26 foot by 24 foot addition, with less than the required right side yard setback, at their nonconforming dwelling with less than the required right side yard setback, at 15 TENNYSON ROAD, in a 15,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On July 28, 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 were Barry Smith and Katelyn Quynn. Mr. Smith said that when they bought the house in 1991, they had no children. They now have seven-year old twin boys, and need more space. They would like to construct an addition at the rear of the house, which would contain a family room and mudroom, with an extra bedroom above.

The Board asked if they had spoken to their right side abutters. A Board member read into the record a letter in support of the petition from Wes and Cynthia Davis, 11 Tennyson Road, the right side abutters.

The Board noted that the Planning Board had no objections.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 15 Tennyson Road, in a 15,000 square foot Single Residence District, on a 14,273 square foot lot, and has a minimum right side yard setback of 10.6 feet.

The petitioners are requesting a Special Permit/Finding that the construction of a two-story 24 foot by 26 foot addition with a minimum right side yard clearance of 11 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated July 17, 2003, stamped by Terrence M. Ryan, Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated July 21, 2003, drawn by David Sharff, Architect; and photographs were submitted.

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 construction of the two-story 24 foot by 26 foot addition shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as the addition shall neither intensify the existing nonconformance or create new nonconformity, as it shall be less nonconforming than the existing nonconforming structure.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of the two-story 24 foot by 26 foot addition 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.

Cynthia S. Hibbard, Acting Chairman

David G. Sheffield

Robert A. Bastille

Cc: Planning Board
Inspector of Buildings
edg

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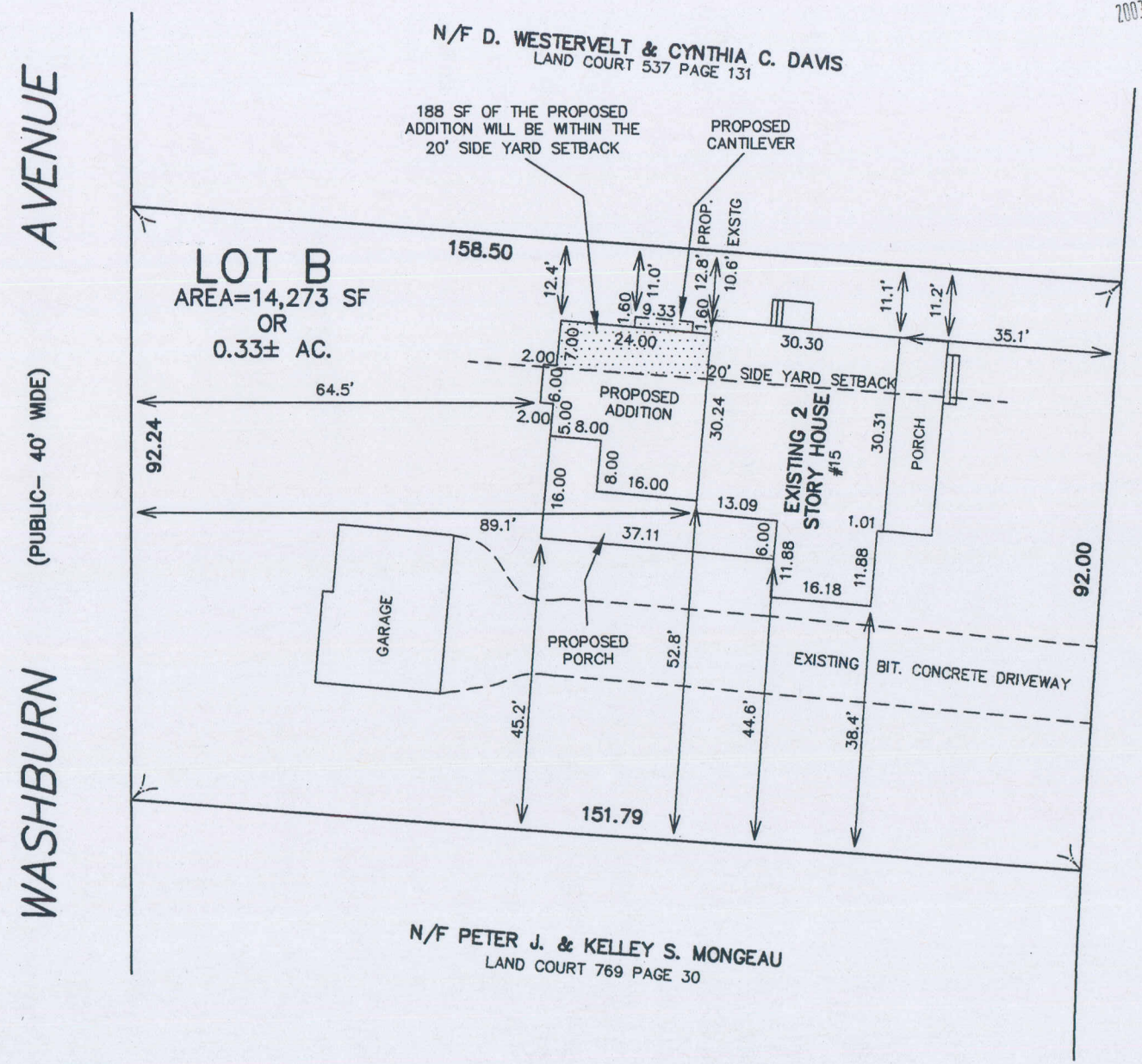
PROPOSED PLOT PLAN
15 TENNYSON ROAD
WELLESLEY, MASS.

DATE: JULY 17, 2003 SCALE: 1" = 20'

PREPARED FOR:
J.M. CONSTRUCTION
P.O. BOX 6470
HOLLISTON, MA 01746

ENGINEERS & SURVEYORS:
APPLEWOOD SURVEY CO.
21 GREEN STREET
HOLLISTON, MASS. 01746
TERRENCE M. RYAN R.L.S. 37057



ZONED: SINGLE RES.
AREA: 15,000 SF
FRONTAGE: 60 FT
SETBACK: 30 FT
SIDEYARD: 20 FT
REARYARD: 15 FT
MAX. LOT COVERAGE: 20%
EXISTING LOT COVERAGE:
1,900 SF = 13.31%
PROPOSED LOT COVERAGE:
2,319 SF = 16.2%

L.C. BOOK 53 PAGE 121

DEED BOOK 8983 PAGE 632
ASSESSORS MAP 43 LOT 1

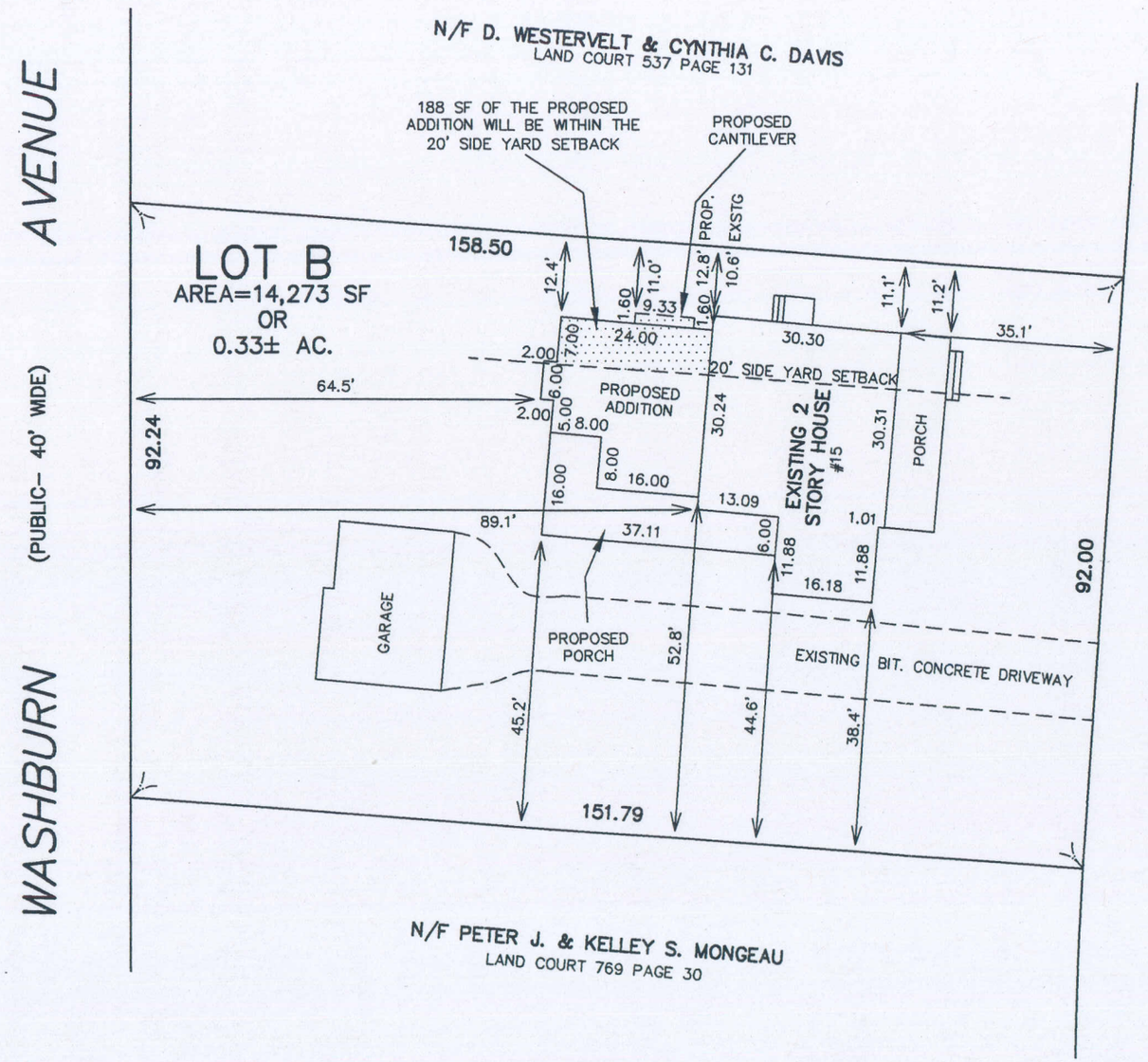
COMMONWEALTH OF MASSACHUSETTS
TERRENCE M. RYAN #37057
REGISTERED PROFESSIONAL LAND SURVEYOR
7/17/03

I CERTIFY THAT THE LOT SHOWN, EXISTING HOUSE SHOWN, AND PROPOSED ADDITION SHOWN THEREON ARE LOCATED IN A FEDERAL FLOOD HAZARD ZONE "C" – SUBJECT TO MINIMAL FLOODING (SOURCE: F.I.R.M. 250255 0010B).

MDH

PROPOSED PLOT PLAN
15 TENNYSON ROAD
WELLESLEY, MASS.

DATE: JULY 17, 2003 (REVISED FEBRUARY 23, 2004)
SCALE: 1" = 20'



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ENGINEERS & SURVEYORS:
APPLEWOOD SURVEY CO.
21 GREEN STREET
HOLLISTON, MASS. 01746
TERRENCE M. RYAN R.L.S. 37057

ZONED: SINGLE RES.
AREA: 15,000 SF
FRONTAGE: 60 FT
SETBACK: 30 FT
SIDEYARD: 20 FT
REARYARD: 15 FT
MAX. LOT COVERAGE: 20%
OR 2,500 SF
EXISTING LOT COVERAGE:
1,900 SF = 13.31%
PROPOSED LOT COVERAGE:
2,796 SF = 19.6%

DEED BOOK 8983 PAGE 632
ASSESSORS MAP 43 LOT 1

L.C. BOOK 53 PAGE 121

COMMONWEALTH OF MASSACHUSETTS
TERRENCE M. RYAN #37057
REGISTERED PROFESSIONAL LAND SURVEYOR
2/23/04

I CERTIFY THAT THE LOT SHOWN, EXISTING HOUSE SHOWN, AND PROPOSED ADDITION SHOWN THEREON ARE LOCATED IN A FEDERAL FLOOD HAZARD ZONE "C" – SUBJECT TO MINIMAL FLOODING (SOURCE: F.I.R.M. 250255 0010B).

MDH