

TOWN OF WELLESLEY



MASSACHUSETTS

## ZONING BOARD OF APPEALS

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

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ZBA 2006-08  
Petition of Dayna and Barrett Coakley  
7 Haven Road

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Petition of DAYNA AND BARRETT COAKLEY requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that reconstruction of an existing 10 foot 2 inch by 18 foot garage to an 11 foot by 18 foot garage, with less than required left side yard setback, in a 10,000 square foot Single Residence District, at 7 HAVEN ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On January 23, 2006, 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 Barrett Coakley, who said that they are asking for a Special Permit to alter an existing nonconforming garage by approximately 8 inches to avoid a watershed event with the conforming addition that is going on. He said that the additional 8 inches will not impact the property line on the left hand side. He said that the additional 8 inches will be located on the inside to connect the new addition with the garage.

The Board asked if Mr. Coakley had spoken with his neighbor on the left hand side. Mr. Coakley said that they have spoken with the neighbor and he has no problem with the plans.

The Board said that the lot has an irregular shape.

The Board asked if the current garage has full footings and if the garage will be replaced down to the footings. Mr. Coakley said that it will be replaced down to the footings.

The Board asked if the new garage will be on the same footprint. Mr. Coakley said that it will be.

The Board asked if the new garage will be on a new foundation. Mr. Coakley said that there will be a new foundation.

### Statement of Facts

The subject property is located at 7 Haven Road, in a 10,000 square foot Single Residence District, with a minimum left side yard setback of 9.1 feet.

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The petitioner is requesting a Special Permit/Finding that reconstruction of an existing 10 foot 2 inch by 18 foot garage to an 11 foot by 18 foot garage, with a minimum left side yard setback of 9.1 feet shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 12/22/05, stamped by Carmelo Frazetti, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, and photographs were submitted.

#### 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 although reconstruction of an existing 10 foot 2 inch by 18 foot garage to an 11 foot by 18 foot garage is increasing a nonconformity, such increase shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for reconstruction of an existing 10 foot 2 inch by 18 foot garage to an 11 foot by 18 foot garage, in accordance with the submitted plot plan and construction drawings.

The Inspector of Buildings is hereby authorized to issue a permit for reconstruction upon 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.

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Richard L. Seegel, Chairman

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David G. Sheffield

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Robert A. Bastille

cc: Planning Board  
Inspector of Buildings  
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