

**ZONING BOARD OF APPEALS**

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

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ZBA 2011-51
Petition of Jeffrey Courey
15 Old Colony Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 4, 2011 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of JEFFREY COUREY requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a 33.09 foot by 53 foot second story addition that will meet all setback requirements over an existing one-story structure, on a 17,662 square foot lot in a district in which the minimum lot size is 20,000 square feet, at 15 OLD COLONY ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On July 19, 2011 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 Alicia Talanian homeowner, representing Jeffrey Courey (the "Petitioner"). She said that the plan is to raise the roof so that it is in line with the rest of the house. She said that there is an existing room over the garage. She said that they would be raising those walls. She said that the plan is to build over the existing family room, which is currently attic space. She said that they will not be expanding the footprint of the house

Rob Pinto, Project Manager, said that the new ridge will be approximately 1.5 feet lower than the existing ridge. He displayed a plan with the height of the addition (retained by proponent).

There was no one present at the Public Hearing who wished to speak to the petition.

Statement of Facts

The subject property is located at 15 Old Colony, on a 17,662 square foot lot in a district in which the minimum lot size is 20,000 square feet.

The Petitioner is requesting a Special Permit/Finding that construction of a 33.09 foot by 53 foot second story addition that will meet all setback requirements over an existing one-story structure, on a 17,662 square foot lot in a district in which the minimum lot size is 20,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A plot plan dated 6/20/11, stamped by Paul J. DeSimone, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 5/11/11, prepared by Berard Martel Architecture Inc., and photographs were submitted.

On August 3, 2011, the Planning Board reviewed the petition and recommended that the Special Permit be granted with a condition.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing.

It is the opinion of this Authority that construction of a 33.09 foot by 53 foot second story addition that will meet all setback requirements over an existing one-story structure, on a 17,662 square foot lot in a district in which the minimum lot size is 20,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as it shall neither increase an existing nonconformity nor create a new nonconformity.

Therefore, a Special Permit is granted for construction of a 33.09 foot by 53 foot second story addition that will meet all setback requirements over an existing one-story structure, 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.

If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time-stamped on this decision.

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.

J. Randolph Becker, Acting Chairman

Cynthia S. Hibbard

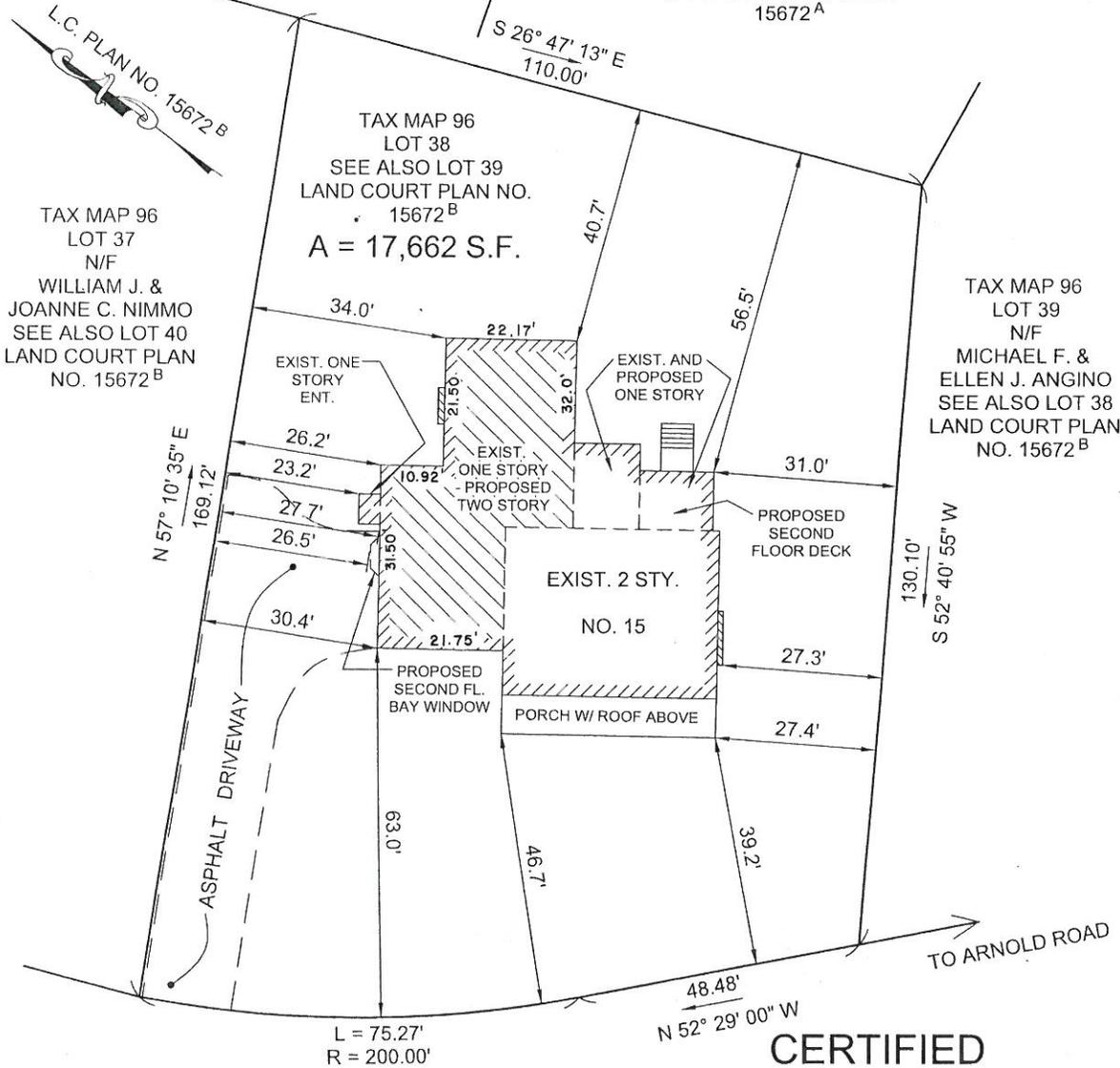
Robert W. Levy

cc: Planning Board
Inspector of Buildings
lrm

RECORD OWNER
JEFFREY P. COUREY &
ALICIA D. TALANIAN
 LAND COURT CERT. NO. 171453

TAX MAP 96 - LOT 42
 N/F
 GAIL S. DOORLEY, TRUSTEE OF
 34 ARNOLD ROAD REAL ESTATE TRUST
 SEE ALSO LOT 33
 LAND COURT PLAN NO.
 15672^A

TAX MAP 96 - LOT 41
 N/F
 GREGORY C. & CHERLY K. NELSON
 SEE ALSO LOT 34
 LAND COURT PLAN NO.
 15672^A



TAX MAP 96
 LOT 37
 N/F
 WILLIAM J. &
 JOANNE C. NIMMO
 SEE ALSO LOT 40
 LAND COURT PLAN
 NO. 15672^B

TAX MAP 96
 LOT 38
 SEE ALSO LOT 39
 LAND COURT PLAN NO.
 15672^B
A = 17,662 S.F.

TAX MAP 96
 LOT 39
 N/F
 MICHAEL F. &
 ELLEN J. ANGINO
 SEE ALSO LOT 38
 LAND COURT PLAN
 NO. 15672^B

OLD COLONY ROAD

(PUBLIC - 40.0' WIDE)

**CERTIFIED
 PLOT PLAN
 IN
 WELLESLEY, MA
 15 OLD COLONY ROAD**

0 20' 40' 60'



SCALE: 1" = 20'-0"

JUNE 20, 2011

D & A SURVEY ASSOCIATES, INC.
 P.O. BOX 621 MEDFORD, MA 02155
 (781) 324 - 9566 (781) 321 - 2501 (FAX)

NOTES:

1. PLAN REFERENCE: BEING LOT 39 ON A PLAN DATED JANUARY 15, 1935 AND FILED WITH THE LAND COURT AS PLAN NO. 15672^B
2. PERCENTAGE OF LOT COVERAGE:
 EXISTING: 26.40%
 PROPOSED: 26.44%
3. MAXIMUM BUILDING COVERAGE:
 EXISTING: 2,883 S.F. / 17,662 S.F. = 16.32%
 PROPOSED: 2,890 S.F. / 17,662 S.F. = 16.36%
4. ZONING DISTRICT: SRD 20 - SINGLE RESIDENCE



Paul J. DeSimone

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 WELLESLEY MA 02482
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