

**ZONING BOARD OF APPEALS**

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

RICHARD L. SEEDEL, CHAIRMAN  
CYNTHIA S. HIBBARD  
DAVID G. SHEFFIELDLENORE R. MAHONEY  
EXECUTIVE SECRETARY  
TELEPHONE  
(781) 431-1019 EXT. 2208  
web: [www.wellesleyma.gov](http://www.wellesleyma.gov)J. RANDOLPH BECKER, VICE CHAIRMAN  
ROBERT W. LEVY  
DAVID L. GRISSINO

ZBA 2011-60  
Petition of Joe Lahey  
32 Parker Road

---

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 8, 2011, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of JOE LAHEY requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing nonconforming deck and construction of a 15 foot by 15.5 foot one-story addition with crawl space underneath, construction of a 6 foot by 37 foot two-story addition with crawl space underneath, and construction of an 11 foot by 15 foot deck, that will meet all setback requirements, on an existing nonconforming structure with less than required right side yard setbacks, in a 10,000 square foot Single Residence District, at 32 PARKER ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Record Owner of Property: Stuart & Camille Segel

On August 23, 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 were Camille and Stuart Segel, the homeowners. Mr. Lahey (the "Petitioner") was not present at the Public Hearing.

The Board said that the Petitioner applied for a Variance and a Variance is not needed. The Board said that it will deem this as an application for a Special Permit.

The Board said that the proposal is a simple solution for expanding a couple of rooms.

The Board asked about the dimension to the proposed deck from the right side yard property line. Mr. Segel said that it will be 31.2 feet.

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 32 Parker Road, in a 10,000 square foot Single Residence District, with a minimum right side yard setback of 17.3 feet.

The Petitioner is requesting a Special Permit/Finding that demolition of an existing nonconforming deck and construction of a 15 foot by 15.5 foot one-story addition with crawl space underneath, construction of a 6 foot by 37 foot two-story addition with crawl space underneath, and construction of an 11 foot by 15 foot deck, that will meet all setback requirements, on an existing nonconforming structure with less than required right side yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 7/26/11, stamped by James Richard Keenan, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 6/20/11, prepared by Silverwatch Architects, LLC, and photographs were submitted.

On September 7, 2011, the Planning Board reviewed the petition and recommended that the Special Permit be granted.

#### 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 demolition of an existing nonconforming deck and construction of a 15 foot by 15.5 foot one-story addition with crawl space underneath, construction of a 6 foot by 37 foot two-story addition with crawl space underneath, and construction of an 11 foot by 15 foot deck, that will meet all setback requirements, on an existing nonconforming structure with less than required right side yard setbacks 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, as voted unanimously by this Authority at the Public Hearing, for demolition of an existing nonconforming deck and construction of a 15 foot by 15.5 foot one-story addition with crawl space underneath, construction of a 6 foot by 37 foot two-story addition with crawl space underneath, and construction of an 11 foot by 15 foot 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.

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.

---

Richard L. Seegel, Chairman

---

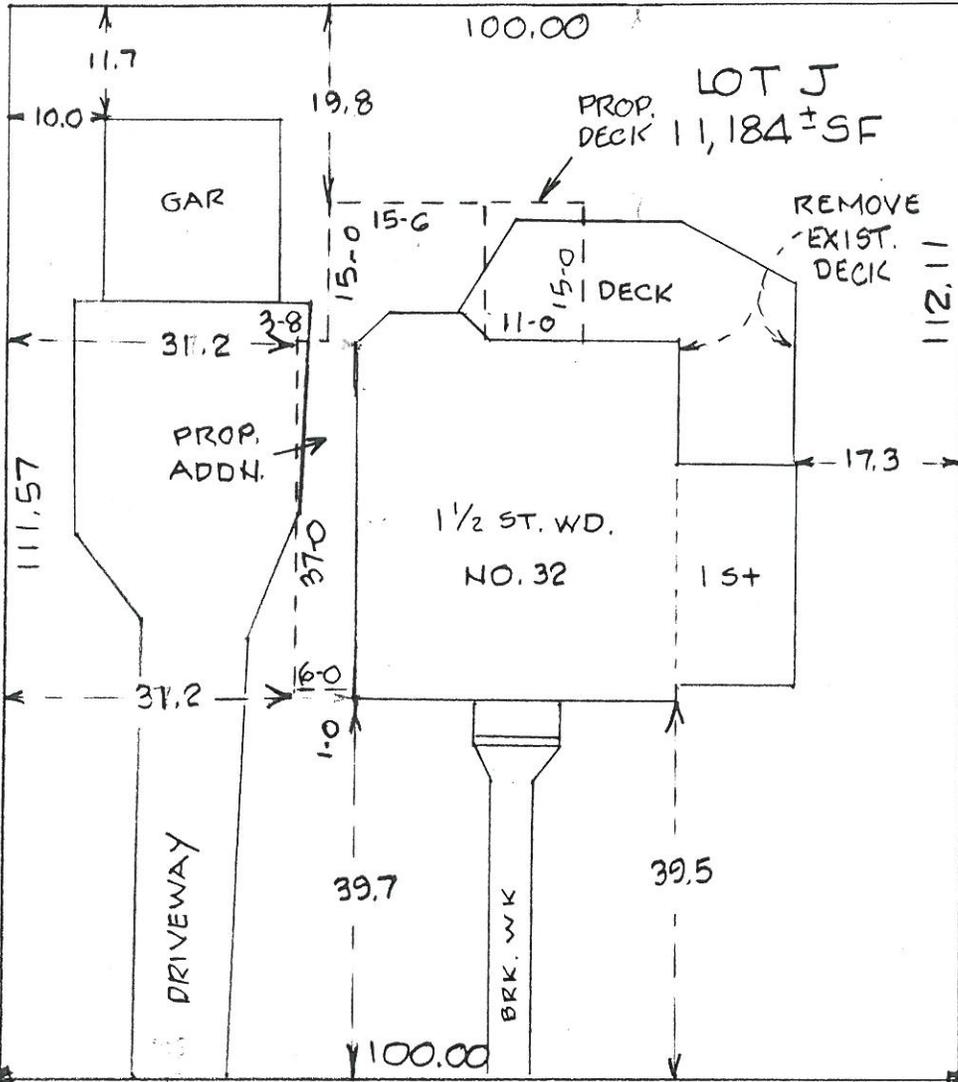
Cynthia S. Hibbard

---

David G. Sheffield

cc: Planning Board  
Inspector of Buildings  
lrm

WALTER WOODS 2010 REVOCABLE FAMILY TR.



PETER R. & MARLENE K. LINKOW

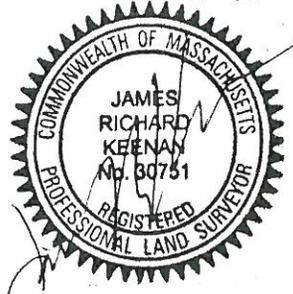
2011 AUG 23 A 9:53

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02482

DISTRICT = 10,000 SF  
 EXIST BLD COVER = 2428 SF  
 PROP " " = 2500 SF  
 EXIST LOT COVER = 21.7%  
 PROP. " " = 22.3%

# PARKER ROAD

OWNER: STUART M. & CAMILLE A. SEGEL  
 BK. 760 PG. 158



I CERTIFY THAT THIS PLOT PLAN IS THE  
 RESULT OF AN INSTRUMENT SURVEY.

**PLOT PLAN**  
 IN  
**WELLESLEY, MASS.**  
 SCALE: 1 IN. = 20 FT. JULY 26, 2011

**James R. Keenan R.L.S.**  
 8 Winchester Pl., Suite 208  
 Winchester, Mass. 01890