



ZONING BOARD OF APPEALS

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

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2013 JUL 25 P 2:42
 TOWN CLERK'S OFFICE
 WELLESLEY MA 02482

ZBA 2013-52
 Petition of Anthony Franciose
 12 Pickerel Terrace

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 11, 2013, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of ANTHONY FRANCIOSE requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that construction of a second story addition that will meet all setback requirements on an existing nonconforming structure with less than required left side yard and front yard setbacks, at 12 PICKEREL TERRACE, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On June 24, 2013, 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 Sean Killeen, who said that he was representing Anthony Franciose, (the "Petitioner").

Mr. Killeen said that the proposal is to build a second story addition on an existing nonconforming structure. He said that the addition will be on the side of the house but it is technically the front facing Moses Pond. He said that the lot is the point of Pickerel Point. He said that the only abutter is to the side at what looks to be the back of the house.

Mr. Killeen said that the addition will be entirely conforming. He said that the Total Living Area plus Garage (TLAG) was submitted.

Mr. Killeen said that the footprint will stay the same. He said that they will build a bathroom upstairs over the one-story kitchen.

Mr. Killeen said that Franciose's have owned this house for many generations.

The Board said that there is a lot of wood stored at the front of the house. Mr. Killeen said that a large oak that threatened the house was taken down.

The Board said that the two nonconformances are the left side yard at 10.8 feet and the front yard setback at 28.4 feet.

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SLEY MA 0282

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 12 Pickerel Terrace, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, with a minimum left side yard setback of 10.8 feet and a minimum front yard setback of 28.4 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that construction of a second story addition that will meet all setback requirements on an existing nonconforming structure with less than required left side yard and front yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 6/18/13, stamped by Joseph R. Sullivan, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevations Drawings, dated 6/18/13, prepared by Finespaces Architecture, LLC, and photographs were submitted.

On May 30, 2013, the Wetlands Protection Committee issued a Negative Determination of Applicability, subject to conditions.

On July 9, 2013, 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 opinion of this Authority that construction of a second story addition that will meet all setback requirements on an existing nonconforming structure with less than required left side yard and front 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 construction of a second story addition that will meet all setback requirements on an existing nonconforming structure with less than required left side yard and front yard setbacks, 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 constructions plans.

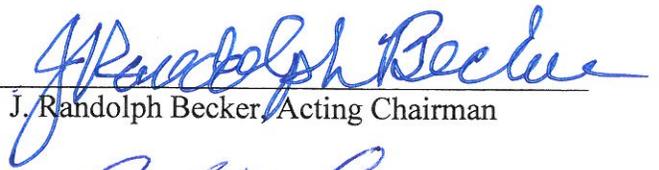
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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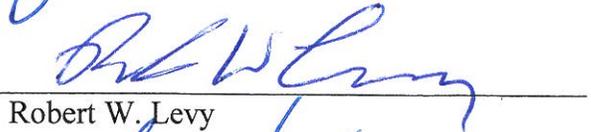
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APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



J. Randolph Becker, Acting Chairman



Robert W. Levy



Walter B. Adams

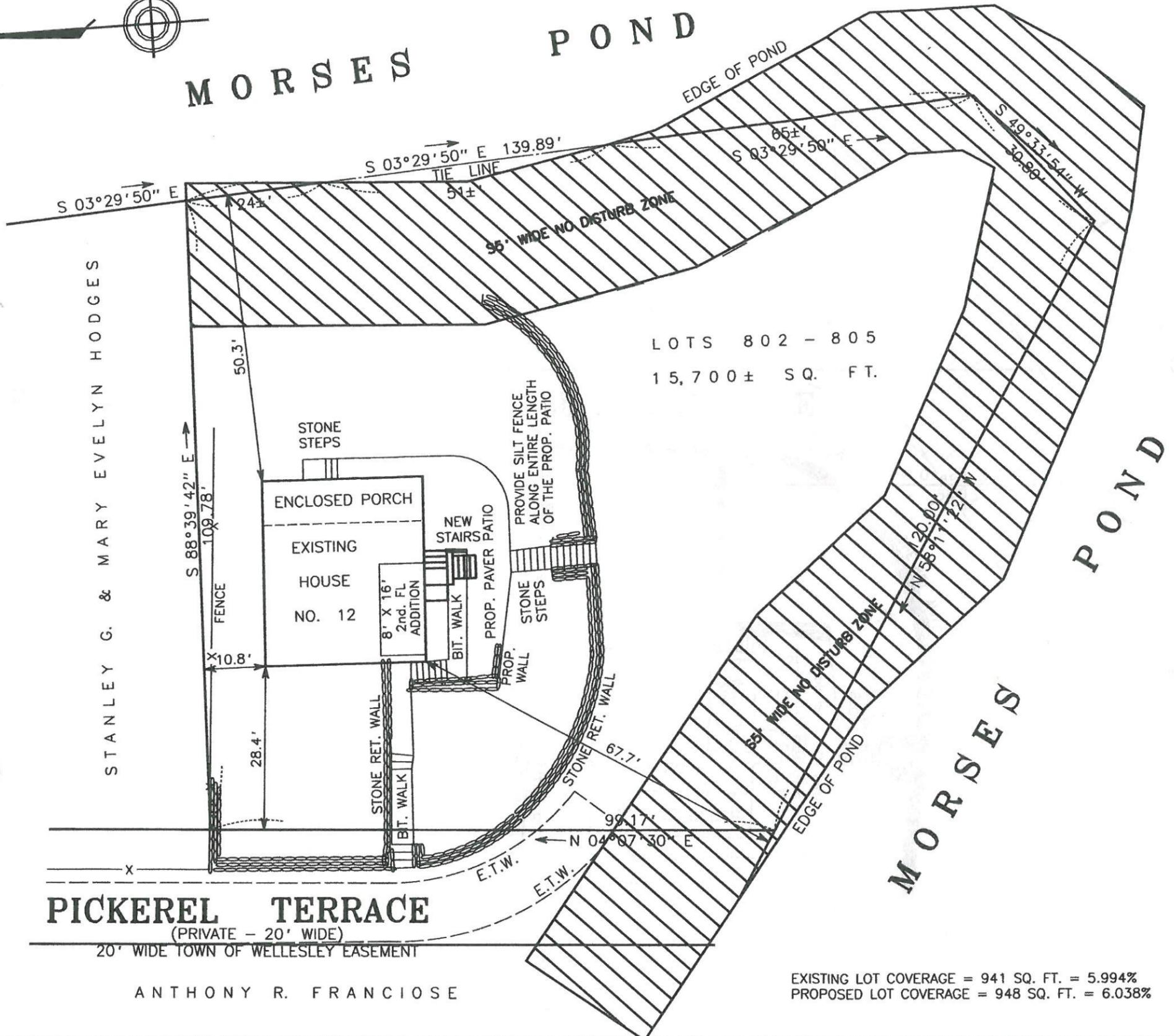
cc: Planning Board
Inspector of Buildings

lrm

LAND COURT 39694A



MORSES POND



PICKEREL TERRACE

(PRIVATE - 20' WIDE)
20' WIDE TOWN OF WELLESLEY EASEMENT

ANTHONY R. FRANCIOSE

EXISTING LOT COVERAGE = 941 SQ. FT. = 5.994%
PROPOSED LOT COVERAGE = 948 SQ. FT. = 6.038%



SULLIVAN SURVEYING COMPANY, LLC
 209 WEST CENTRAL ST.
 NATICK, MA. 01760
 PHONE : 508-655-0082
 FAX : 508-655-0083

BOARD OF APPEALS PLAN OF LAND IN WELLESLEY, MASS.

OWNED BY : ANTHONY R. FRANCIOSE

DEED REFERENCE : BOOK 2904, PAGE 64
BOOK 3747, PAGE 503

NORFOLK REGISTRY OF DEEDS

ASSESSORS MAP REFERENCE
MAP 193, LOTS 6-8

ZONING CLASSIFICATION SR-10,000 SQ. FT.



JOSEPH R. SULLIVAN
REG. PROFESSIONAL LAND SURVEYOR

2013 JUN 24 A 11:43
REGISTRY'S OFFICE
WELLESLEY MA 02482

SCALE : 1" = 20' | DATE : JUNE 18, 2013

DRAWING NO. 15,952