



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

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ZBA 87-46

Petition of Timothy A. Sorrell  
Lot #4, High Meadow Circle

Pursuant to due notice, The Special Permit Granting Authority held a Public Hearing on Thursday, June 25, 1987 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) of the Town Hall at 525 Washington Street, Wellesley on the petition of TIMOTHY A. SORRELL requesting a Special Permit pursuant to the provisions of Section XIX-B and Section XXV of the Zoning Bylaw which will allow the construction of a dwelling on a lot known as Lot #4 on HIGH MEADOW CIRCLE (part of a subdivision on property formerly known as 15 SUMMIT ROAD) with a frontage of less than the required sixty (60) feet. Said lot contains 24,905 square feet of land and is located in a Single Residence District.

On June 3, 1987 the petitioner requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Timothy Sorrell, who stated that he meets the requirements of Section XIX-B of the Zoning Bylaw regarding his request for a Special Permit.

No others were present expressing favor or opposition to the request.

Statement of Facts

The property in question is known as Lot #4, High Meadow Circle. It is part of a subdivision on property formerly known as 15 Summit Road. Lot #4 is on a cul-de-sac, contains 24,905 square feet of land and is located in a Single Residence District. High Meadow Subdivision has received a Certificate of Approval of a Definitive Plan, dated May 21, 1987, from the Wellesley Planning Board.

Timothy Sorrell owns the lot in question which has a frontage of 52.47 feet, the requirement being 60 feet. He is requesting a Special Permit pursuant to the provisions of Section XIX-B of the Zoning Bylaw which will allow the lot to become a buildable lot.

Section XIX-B of the Zoning Bylaw states: "Provided however, that a lot having its only frontage on a curved street line having a sideline radius of less than 100 feet may have a reduced frontage upon the granting of a special permit in accordance with SECTION XXV and provided: a. The minimum frontage shall be 50 feet. b. The minimum front yard width is maintained at the street setback line (house line) and

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c. All other dimensional zoning requirements are satisfied."

A Plot Plan was presented, entitled "Subdivision of Land in Wellesley", drawn by Joseph R. Sullivan, Registered Professional Land Surveyor and Everett R. Kennedy, Registered Professional Engineer of MacCarthy & Sullivan Engineering, Inc., Natick, Ma. dated April 7, 1987, January 28, 1987 and 5/15/87. The "Certificate of Approval of a Definitive Plan" by the Planning Board, dated May 21, 1987, was also presented.

The Planning Board on June 16, 1987 voted to offer ..."no objection as this lot, within an approved subdivision plan, meets all of the prerequisite special permit conditions in that the lot fronts on a cul-de-sac street bulb with a radius at the sideline of less than 100 feet. The required lot width is present at the line of the proposed house and all other zoning requirements can be met."

A letter was received from Mr. Sorrell dated June 30, 1987 requesting that the Special Permit to be granted by the ZBA be made permanent rather than have a limit of two years per Zoning Bylaw requirements.

Decision

This Authority has made a careful study of the evidence presented. The property in question meets all of the requirements of Section XIX-B of the Zoning Bylaw. The lot fronts on a curved street line having a sideline radius of less than 100 feet. The petitioner has not presented construction plans for a dwelling on the lot, so this Special Permit has conditions which must be met upon construction of a dwelling.

A Special Permit is hereby granted to Timothy A. Sorrell pursuant to Section XIX-B and XXV of the Zoning Bylaw to allow Lot #4 on High Meadow Circle to become a build-able lot with a frontage of 52.47 feet as shown on the Subdivision of Land in Wellesley plan by MacCarthy & Sullivan Eng., Natick, Joseph R. Sullivan, Registered Professional Land Surveyor, dated April 7, 1987, January 28, 1987 and 5/15/87, subject to the following conditions:

1. That minimum front yard width is maintained at the street setback line (house line).
2. That all other dimensional zoning requirements are satisfied.
3. That this Special Permit shall lapse within 2 years of the date of 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.

cc: Planning Board  
Building Inspector

mam

Stephen S. Porter  
Stephen S. Porter, Chairman

Robert R. Cunningham  
Robert R. Cunningham

William E. Polletta  
William E. Polletta

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