



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman  
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KENDALL P. BATES

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WILLIAM E. POLLETTA  
FRANKLIN P. PARKER  
SUMNER H. BABCOCK

ZBA 93-62  
Petition of Frank J. and Barbara M. Martin  
6 Sawyer Road

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WELLESLEY, MA 02181

9 1 42 PM '93

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 26, 1993 at 8 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of FRANK J. AND BARBARA M. MARTIN requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw to allow construction of a one-story addition approximately 20 feet by 20 feet at the left front corner of their nonconforming dwelling at 6 SAWYER ROAD, in a Single Residence District, with less than the required left side yard. Said addition will also have less than the required left side yard.

On August 9, 1993, the petitioners requested 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 Frank Martin, who was accompanied by his builder, John O'Neil. Mr. Martin said that the addition is essentially an extension of the existing line of the house. The Board noted that the addition will encroach .1 foot closer to the left side lot line than the existing nonconforming house.

No other person present had any comment on the petition.

Statement of Facts

The subject nonconforming dwelling is located at 6 Sawyer Road, in a Single Residence District, on a 20,005 square foot lot, and has a minimum left side yard clearance of 19.4 feet.

At the Public Hearing on February 25, 1993, the Martins had presented a request for a Special Permit/Finding for a one-story garage with a minimum left side yard clearance of 3.4 feet and a family room extension with a minimum left side yard clearance of 3.6 feet. The Board of Appeals denied this petition (ZBA 93-16) on the grounds that the minimum clearances requested would be a gross violation of the 20 foot side yard setback, and would set an undesirable precedent if granted.

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On July 15, 1993, the Board of Appeals held an informal review of the current petition pursuant to the requirements of Section XXIV-D of the Zoning Bylaw and voted unanimously that the present plan, with a minimum left side yard clearance of 19.3 feet, represented specific and material changes in the conditions upon which the Board denied the original petition.

On July 29, 1993, the Planning Board reviewed this repetitive petition, and voted (four in favor, none opposed) to favorably consent to the petition, as modified, being re-heard before the Board of Appeals.

The petitioners are now requesting a Special Permit/Finding to allow construction of a one-story addition approximately 20 feet by 20 feet with a minimum left side yard clearance of 19.3 feet.

A plot plan dated June 14, 1993, drawn by Paul J. Sawtelle, Registered Land Surveyor; floor plans and elevations; and photographs were submitted.

On August 24, 1993, the Planning Board reviewed the petition and voted to offer no objection to the proposed addition.

#### Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject dwelling does not conform to the current Zoning Bylaw as noted in the foregoing Statement of Facts.

This Authority has determined that the proposed addition would not only intensify the existing nonconformity, but would create an additional one, as the proposed addition will encroach .1 foot closer to the left side lot line than the existing nonconforming dwelling.

This Authority finds that the proposed addition will not be substantially more detrimental to the neighborhood than the existing nonconforming structure as the increased nonconformity of .1 foot is de minimus, and therefore, can be allowed.

The Inspector of Buildings is hereby authorized to issue a permit for construction subject to receipt and approval of a building application and detailed construction plans, and subject to construction in accordance with the plot plan as submitted and noted in the foregoing Statement of Facts.

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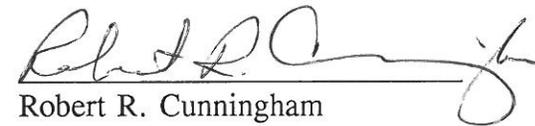
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APPEALS FROM THIS DECISION,  
IF ANY, SHALL BE MADE PURSUANT  
TO GENERAL LAWS, CHAPTER 40A,  
SECTION 17, AND SHALL BE FILED  
WITHIN 20 DAYS AFTER THE DATE  
OF FILING OF THIS DECISION IN  
THE OFFICE OF THE TOWN CLERK.

cc: Planning Board  
Inspector of Buildings  
edg

  
John A. Donovan, Jr., Chairman

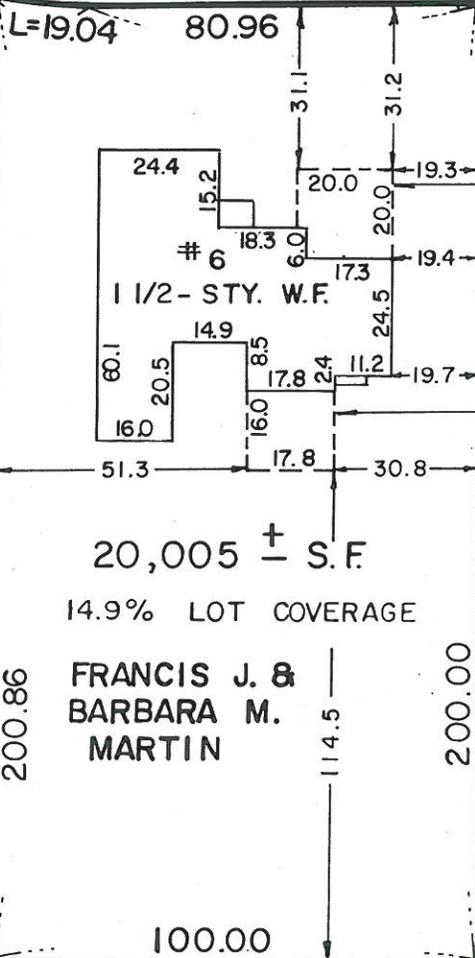
  
Kendall P. Bates

  
Robert R. Cunningham

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# SAWYER ROAD

R=210.00



N/F JESSE W. & JUDITH S. CURRIER

PROPOSED ADDITION

PROPOSED ADDITION

20,005 ± S.F.

14.9% LOT COVERAGE

FRANCIS J. &  
BARBARA M.  
MARTIN

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MA 02181

N/F ELIZABETH F. CLEVELAND  
9 9 32 AM '93  
N/F STEPHEN W. &  
REGINA LAGAKOS

N/F ROBERT J. & MARCELLA F.  
MC GUANE

ASSESSORS MAP 085  
ROUTE 030

PLAN OF LAND  
IN

WELLESLEY, MASS.



*Paul Sawtelle*

SCALE: 1" = 40'  
MASS BAY SURVEY, INC.

JUNE 14, 1993  
NEWTON, MASS.