



ZONING BOARD OF APPEALS

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

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1999 MAR -2 A 9 25
ROBERT A. BASTILLE
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ZBA 99-11
Petition of Carol C. McGlinchey
4 Earle Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 18, 1999 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of CAROL C. McGLINCHEY requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a 12.16 foot by 2 foot walk-out bay window structure, with less than the required left side yard setback, at her nonconforming dwelling with less than the required left and right side yard setbacks, at 4 EARLE ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On February 1, 1999, 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 Russell Santoro, contractor for Mrs. McGlinchey, who was also present. Mr. Santoro said that Mrs. McGlinchey would like permission to add the walk-out bay window on the side of an existing porch. The bay encroaches into the side line 2 feet from the porch, which is less than the closest point of the existing building, which is 10.4 feet. The purpose of the bay is to provide space for a table. The base of the bay will be 12 feet with a depth of 2 feet.

The Board noted that the Planning Board had no objection to the request, and there would be no further encroachment on the left side yard.

No other person present had any comment on the petition.

Statement of Facts

The subject premises are located at 4 Earle Road, in a Single Residence District, on an 11,557 square foot lot, and has a minimum right side yard clearance of 12.1 feet and a minimum left side yard clearance of 10.4 feet.

The petitioner is requesting a Special Permit/Finding that the construction of a 12.16 foot by 2 foot walk-out bay window structure with a minimum left side yard clearance of 10.6 feet, will not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated January 25, 1999, drawn by Alexander V. Zaleski; Registered Professional Land Surveyor; Floor Plans and Elevations; and photographs were submitted.

On February 9, 1998, the Planning Board reviewed the petition and offered no objection to the request.

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.

It is the finding of this Authority that the proposed 12.16 foot by 2 foot walk-out bay window structure will not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as it will neither intensify the existing nonconformance, nor will it create new nonconformity.

Therefore, a Special Permit is granted, as voted unanimously at the Public Hearing, for the walk-out bay window, subject to construction 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.

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

Kendall P. Bates, Chairman

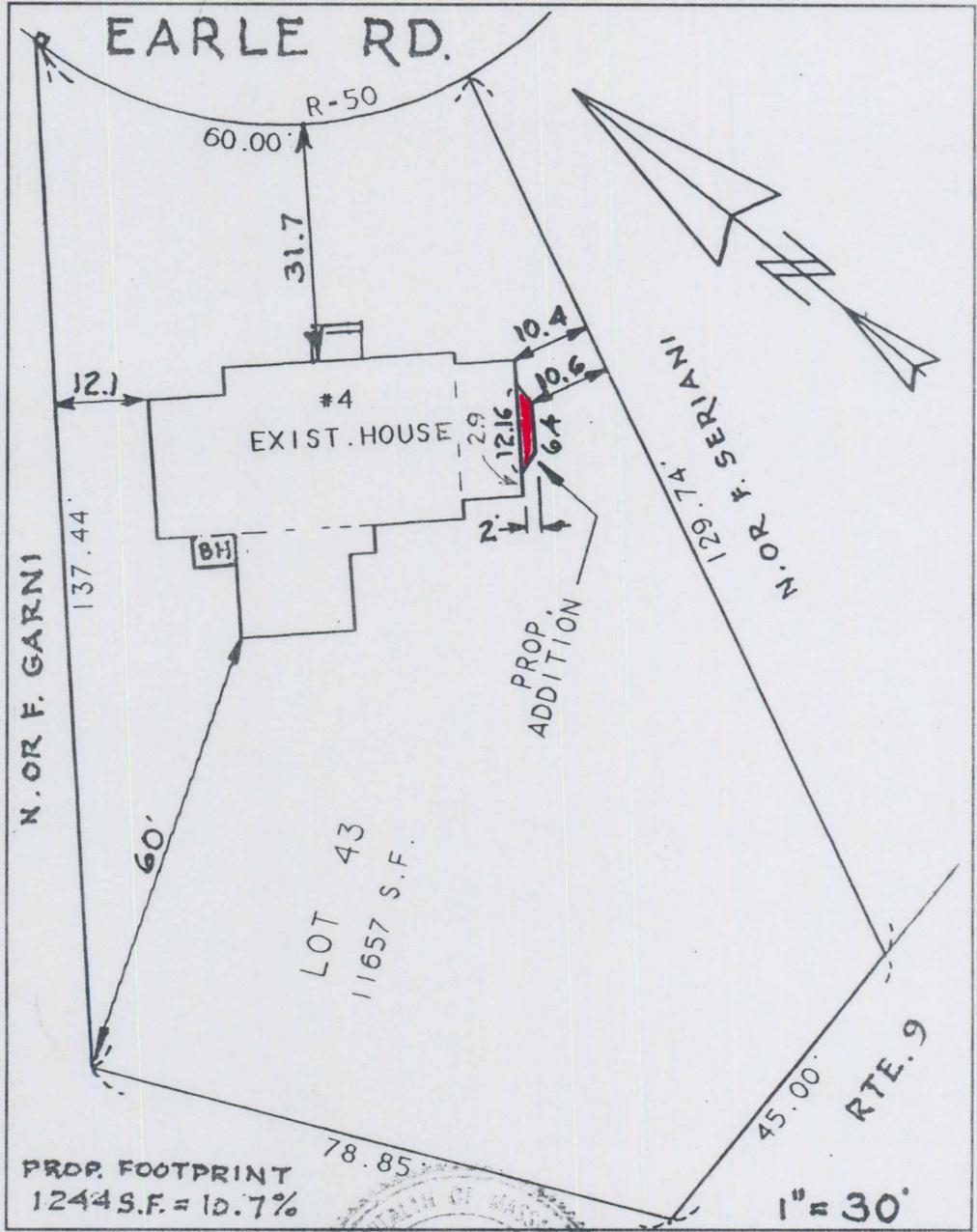
William E. Polletta

Cynthia S. Hibbard

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PROPOSED CONSTRUCTION
CERTIFIED PLOT PLAN



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1999 FEB - 1 A 8:40

PROPR. FOOTPRINT
1244 S.F. = 10.7%

LOT 43
11657 S.F.



1.25.1999

DATE

Alexander V. Zaleski

REG. LAND SURVEYOR

248 MARKED TREE RD.

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PHONE

NEEDHAM, MA 02492

ADDRESS