

**ZONING BOARD OF APPEALS**

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ZBA 2009-50
Petition of Chris Wasel & Laurie Doran
15 Putney Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 6, 2009 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of CHRIS WASEL & LAURIE DORAN requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a 15 foot by 22.3 foot two-story addition, construction of a 15 foot by 15 foot deck, and construction of a 14 foot by 17.3 foot two-story addition with less than required front yard setbacks, in a 15,000 square foot Single Residence District, at 15 PUTNEY ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On July 20, 2009 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 Laurie Doran, (the "Petitioner"). Ms. Doran said that the house is old and is close to the road. She said that in order to get functional space between the addition and the main house the addition was pushed back just over 24 feet from the front property line.

Ms. Doran said that they have lived there since 1996. She said that it is a tiny house. She said that they have put a lot of time and sweat equity into the house and would like to be able to stay there.

The Board asked about the bumpout shown on Plan A7. Ms. Doran said that is for a gas fireplace.

The Board said that there is nothing shown on Plan A8 about electrical or mechanical services in the garage. Ms. Doran said that the upper level of the garage will be used for storage. She said that they would like to have lighting there. She said that there is no intention to make that liveable space.

The Board said that it would approve heating and electricity in the garage but not plumbing.

The Board said that the front setbacks seem to vary quite a bit along the street. The house at 15 Putney Road appears to be the closest to the street. Ms. Doran said that they spoke with the neighbors and they were comfortable with the proposed plans.

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 15 Putney Road, in a 15,000 square foot Single Residence District, with a minimum front yard setback of 8.6 feet.

The Petitioner is requesting a Special Permit/Finding that construction of a 24 foot by 26 foot two-story garage, construction of a 15 foot by 22.3 foot two-story addition, construction of a 15 foot by 15 foot deck, and construction of a 14 foot by 17.3 foot two-story addition with less than required front yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 6/18/09, stamped by Jerry D. Gibbs, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 6/20/09, prepared by David L. Grissino, AIA, and photographs were submitted.

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 although construction of a 24 foot by 26 foot two-story garage, construction of a 15 foot by 22.3 foot two-story addition, construction of a 15 foot by 15 foot deck, and construction of a 14 foot by 17.3 foot two-story addition with less than required front yard setbacks is increasing a nonconformity, such increase shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of a 24 foot by 26 foot two-story garage, construction of a 15 foot by 22.3 foot two-story addition, construction of a 15 foot by 15 foot deck, and construction of a 14 foot by 17.3 foot two-story addition, subject to the following condition:

- There shall be no plumbing in the garage.

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.

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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

Cynthia S. Hibbard

Robert W. Levy

cc: Planning Board
Inspector of Buildings
lrm