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

APR 21 A 9:12

KENDALL P. BATES, CHAIRMAN
WILLIAM E. POLLETTA, VICE CHAIRMANELLEN D. GORDON
EXECUTIVE SECRETARY
TELEPHONE
(781) 431-1019 EXT. 208ROBERT A. BASTILLE
CYNTHIA S. HIBBARD

ZBA 99-19

Petition of George D. and Lauren S. Corbett
59 Pilgrim Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, April 8, 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 GEORGE D. AND LAUREN S. CORBETT requesting a variance from the terms of Section XIX and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to allow construction of the following additions to their nonconforming dwelling with less than the required front setback from PILGRIM ROAD, at 59 PILGRIM ROAD, in a Single Residence District:

1. A two-story 20 foot by 3.5 foot addition
2. A one-story 13.5 foot by 17.5 foot addition

Both additions will have less than the required front setback from PILGRIM ROAD.

On March 22, 1999, the petitioners 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 George Corbett, who said that he and his wife had conferred with their architect, and looking at the shape of the lot, tried to determine where to site an addition. The house is a two-bedroom cape, and they need more space. The lot is pie-shaped with a front setback from two streets, and a severe upgrade in the rear, which contains large rocks.

Mr. Corbett explained that the house is a little less than 27 feet from the front lot line at the closest point and will be a little less than 23 feet from the left front corner of the one-story addition. There is a retaining wall at the front line, and about 8 feet of land in front of the wall, which belong to the town. They have carefully configured the additions so as not to encroach on the left side yard setback, but need relief in the front. None of the neighbors have any problems with the additions.

The Board stated that there is a hardship due to the shape of the lot and the vertical slope in the rear. The Board was of the opinion that the slightly reduced front yard was preferable to a nonconforming side yard. The road curves in front of the property which reduces the impact on the front setback.

No other person present had any comment on the petition.

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The subject property is located at 59 Pilgrim Road and Massasoit Road, in a Single Residence District, on a 10,018 square foot lot, and has a minimum front yard clearance of 26.5 feet from Pilgrim Road. The rear of the property contains a vertical slope and a rocky terrain.

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The petitioners are requesting a variance to construct a 3.5 foot by 20 foot two-story addition with a minimum front setback of 25.2 feet and a 17.5 foot by 13.5 foot one-story addition with a minimum front setback of 22.7 from the left front corner.

A Plot Plan dated 3/12/99 drawn by David G. Greenhalgh, Professional Land Surveyor; Floor Plans and Elevations dated March 15, 1999, drawn by Angela Ward Hyatt; and photographs were submitted.

On April 5, 1999, the Planning Board reviewed the petition and opposed the granting of the request. The Board did not believe that the statutory prerequisite conditions for the granting of a variance were present.

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 with the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that the statutory prerequisites for the granting of a variance are present on this lot, as the shape of the lot is triangular; the rear of the lot has a vertical slope; and the terrain is rocky. The additions have been carefully sited so as not to create new nonconformance on a conforming left side yard.

It is the opinion of this Authority that because of the aforementioned deterrents, a literal enforcement of the provisions of Section XIX of the Zoning Bylaw would involve a considerable hardship to the petitioners, and that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

Therefore, the requested variance is granted, as voted unanimously by this Authority at the Public Hearing, to construct the two-story and the one-story additions, subject to construction in accordance with the submitted plot plan and construction drawings.

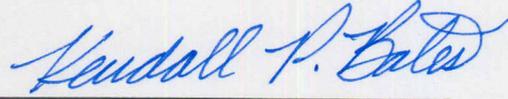
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and detailed construction plans.

If the rights authorized by this variance are not exercised within one year of the date of grant of said variance, they shall lapse, and may be re-established only after notice and a new hearing pursuant to Section XXIV-D of the Zoning Bylaw.

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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.

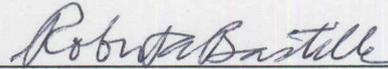
cc: Planning Board
Inspector of Buildings
edg



Kendall P. Bates, Chairman



William E. Polletta

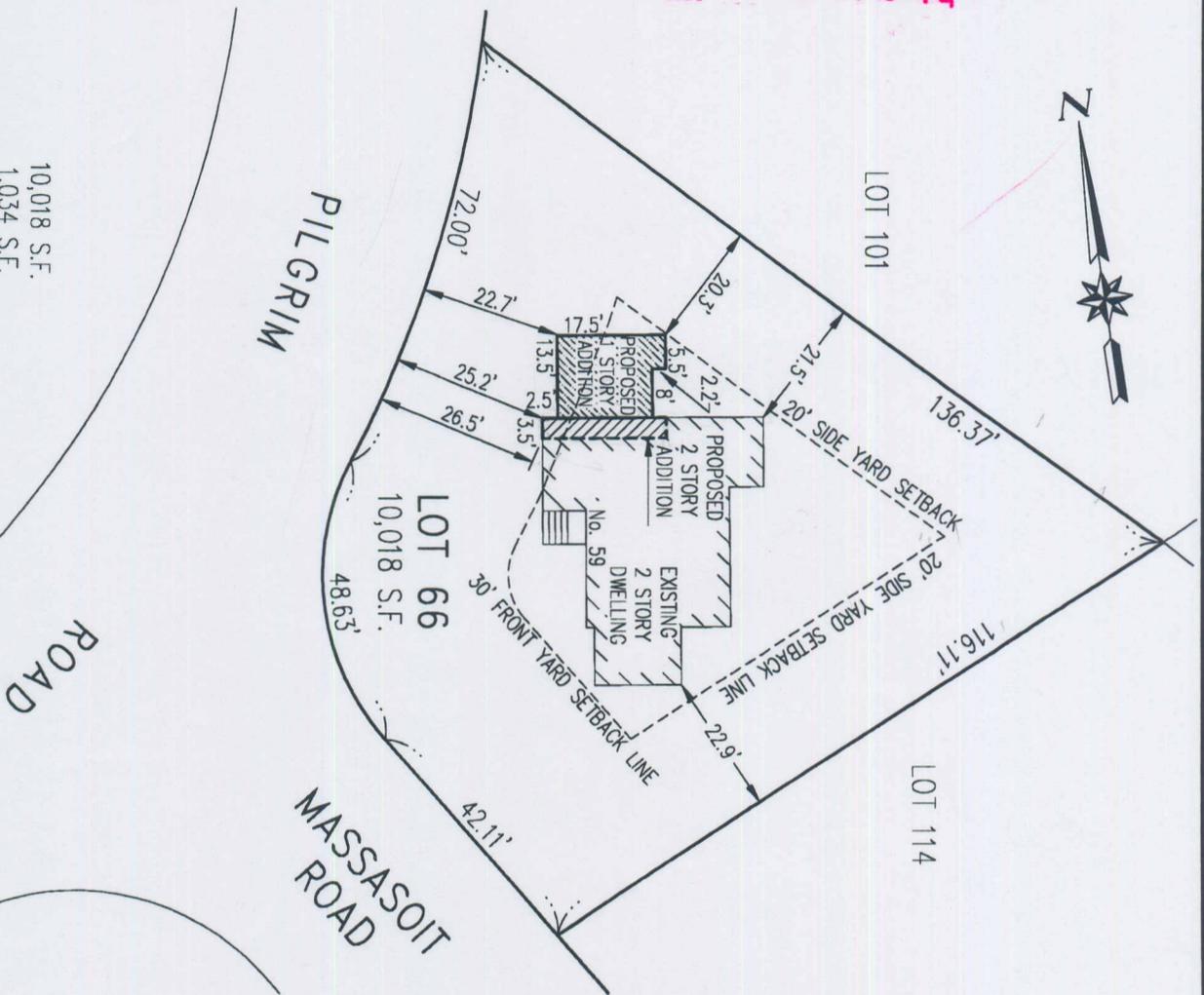


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1999 MAR 22 A 10:14



LOT AREA: 10,018 S.F.
EXISTING BUILDING AREA: 1,034 S.F.
PROPOSED BUILDING AREA: 286 S.F.
TOTAL BUILDING AREA: 1,820 S.F.
PERCENTAGE LOT COVERED: 13.2%
PERCENTAGE OF NON-BUILDABLE LOT: 74%

I CERTIFY THAT THIS PLAN IS THE RESULT OF A SURVEY PERFORMED ON THE GROUND ON JANUARY 5, 1995 AND THAT THE INFORMATION SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE.



David G. Greenhalgh
PROFESSIONAL LAND SURVEYOR
DATE: 3/12/99

SITE PLAN OF LAND
FOR VARIANCE
IN
WELLESLEY
MASSACHUSETTS

SCALE: 1" = 30'
REvised: 3/12/99
FEBRUARY 26, 1999
PREPARED FOR: GEORGE CORBETT III
59 PILGRIM ROAD
WELLESLEY, MA 02181

JOB NUMBER: 114532 ACAD FILE: 114532BP.dwg


DES LAURIERS & ASSOCIATES, INC.
40 KENWOOD CIRCLE
FRANKLIN, MA 02038
(508) 520-0502
153 US ROUTE 1
SCARBOROUGH, ME 04074
(207) 883-1000

