TOWN OF WELLESLEY MASSACHUSETTS

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2000 MAY -9 P 12: 04

ZONING BOARD OF APPEALS

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

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ZBA 2000-30
Petition of Joseph P. Feiner and Nancy G. Perlmutter
6 Hilltop Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 27, 2000 at 7:30 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of JOSEPH P. FEINER AND NANCY G. PERLMUTTER requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the demolition of an existing screen porch and stair, and construction of a two-story addition 17 feet by 20 feet, including stairs, and a 20.7 foot by 8 foot deck, both of which would have less than the required right side yard setback, at their nonconforming dwelling with less than the required right side yard setback, at 6 HILLTOP ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On April 10, 2000, 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 were Joseph Feiner and Nancy Perlmutter. Mr. Feiner said that their lot contains 6,000 square feet. They are proposing to demolish an existing porch and replace it with an unfinished basement, first floor family room and master bedroom on the second floor. They have three bedrooms now and will have three bedrooms with the addition as the size of one of the bedrooms will be increased. The addition will be conforming on the left side. On the right side, the addition will be 18 inches closer to the line than the porch, but less close than the rest of the house.

The Board noted that the Planning Board had no objection to the request.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 6 Hilltop Road, in a Single Residence District, on a 6,000 square foot lot and has a minimum front setback of 25.7 feet, a minimum left side setback of 19.2 feet and a minimum left side yard setback of approximately 10 feet.

The petitioners are requesting a Special Permit/Finding that the demolition of an existing screen porch and stair and construction of a two-story addition 17 feet by 20 feet including stair, with a minimum right side yard setback of 18.9 feet; and construction of a 20.7 foot by 8 foot deck, with a minimum right side

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yard setback of 18.8 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming dwelling.

A Plot Plan dated March 1, 2000, drawn by Stephen P. Des Roche, Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated February 28, 2000, drawn by Sharon Taylor Scarlett Architects; and photographs were submitted.

On April 24, 2000, the Planning Board reviewed the petition and had no objection to the granting 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 demolition of the existing porch and construction of the two-story addition and deck shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure as neither the addition or the deck will intensify the existing nonconformance nor will either structure create new nonconformity.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the demolition of the screen porch and construction of the two-story addition and deck 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.

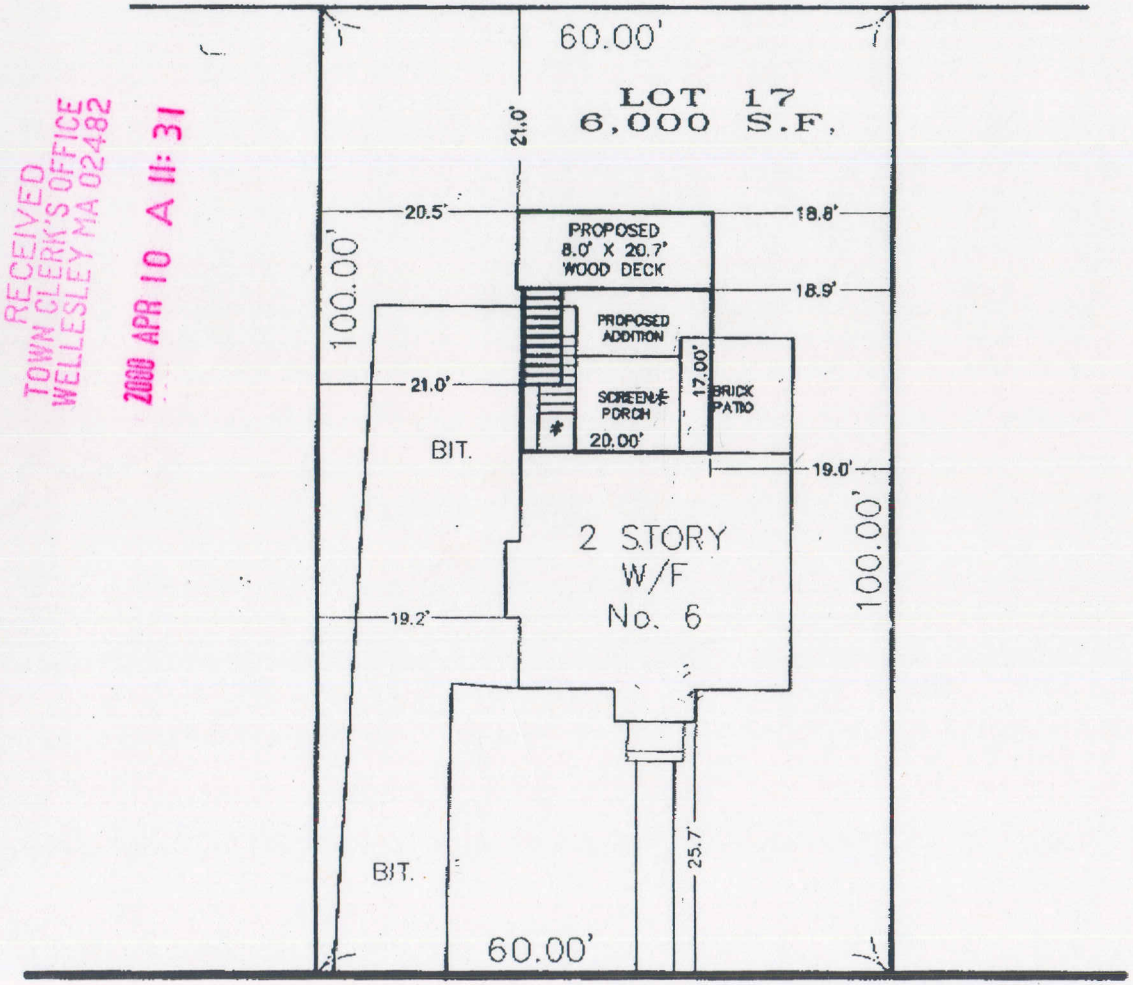
Kendall P. Bates, Chairman

William E. Polletta

Richard L. Seegel

Cc: Planning Board
Inspector of Buildings
edg

	LOT COVERAGE		
	LOT AREA	STRUCTURE & DECK	LOT COVERAGE
EXISTING	6000 S.F.	854 S.F.	14%
PROPOSED	6000 S.F.	1360 S.F.	23%



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PLAN OF LAND

IN

WELLESLEY, MASS.

PREPARED BY:

NEPONSET VALLEY
SURVEY ASSOC., INC.
95 WHITE STREET QUINCY, MASS.
MARCH 1,2000 SCALE 1"= 20'

NOTES:

* 1) SCREEN PORCH AND STAIRS ARE TO BE REMOVED.

COMMONWEALTH OF MASSACHUSETTS
STEPHEN P. Des Roche No. 27699 REGISTERED PROFESSIONAL LAND SURVEYOR

STEPHEN P. DesROCHE PLS No. 27699

HILL TOP ROAD

500.198A