

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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2000 JUN 13 10:27
ROBERT A. BASTILLE
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ZBA 2000-42

Petition of Joseph R. and Judith Destefano
15 Hunting Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 25, 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 R. AND JUDITH DESTEFANO requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a full second story addition 40.7 feet by 24.8 feet with less than the required left and right side yard setbacks, at their nonconforming dwelling with less than the required left and right side yard setbacks, at 15 HUNTING STREET, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming dwelling. There will be no change in the footprint.

On May 8, 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 and Judith Destefano. Mr. Destefano said that they are adding on to their existing home within the exact outline of the house. They are inclining the walls rather than going straight up, which will diminish the volume of the house.

The Board agreed with the Planning Board, which had no objection to the request.

Paul Staid, 35 Hunting Circle, the southside abutter, voiced objection to the petition on the grounds that it will negatively impact his privacy. The offset of the proposed addition from the property line is about 16 feet. His house is about 20 feet from the joint property line. The view from his bedroom window will be directly into the Destefano bedroom window and a large bay window of the addition.

The Board commented that it appeared there are 40 foot high trees between the two properties. Mr. Staid responded that the trees are not that high and have gaps between them. Mr. Destefano explained that the room in question will be a guest room and will not have nightly use.

Statement of Facts

The subject property is located at 15 Hunting Street, in a Single Residence District, on a 7,546 square foot lot, and has a minimum left side yard clearance of 15.3 feet and a minimum right side yard clearance of 18 feet.

ZBA 2000-42
Petition of Joseph R. and Judith Destefano
15 Hunting Street

The petitioners are requesting a Special Permit/Finding that the construction of a full second story 40.7 feet by 24.8 feet with a minimum left side yard clearance of 17.3 feet and a minimum right side yard clearance of 18 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming dwelling. There will be no change in the footprint.

A Plot Plan dated April 20, 2000 drawn by George N. Giunta, Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated 4/6/2000, drawn by Arshag Merguerian, Architect; and photographs were submitted.

On May 23, 2000, the Planning Board reviewed the petition and offered no objection to granting the request.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The existing 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 40.7 foot by 24.8 foot second story addition 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 additional nonconformance as there will be no change in the footprint due to this addition.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of the 40.7 foot by 24.8 foot second story addition in accordance with the submitted plot plan and construction drawings.

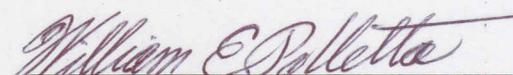
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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 PETITION IN
THE OFFICE OF THE TOWN CLERK.

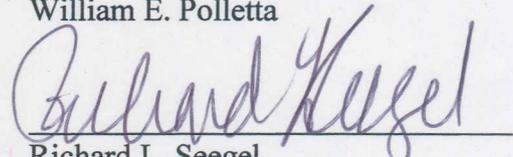
Cc: Planning Board
Inspector of Buildings
edg



Kendall P. Bates, Chairman



William E. Polletta



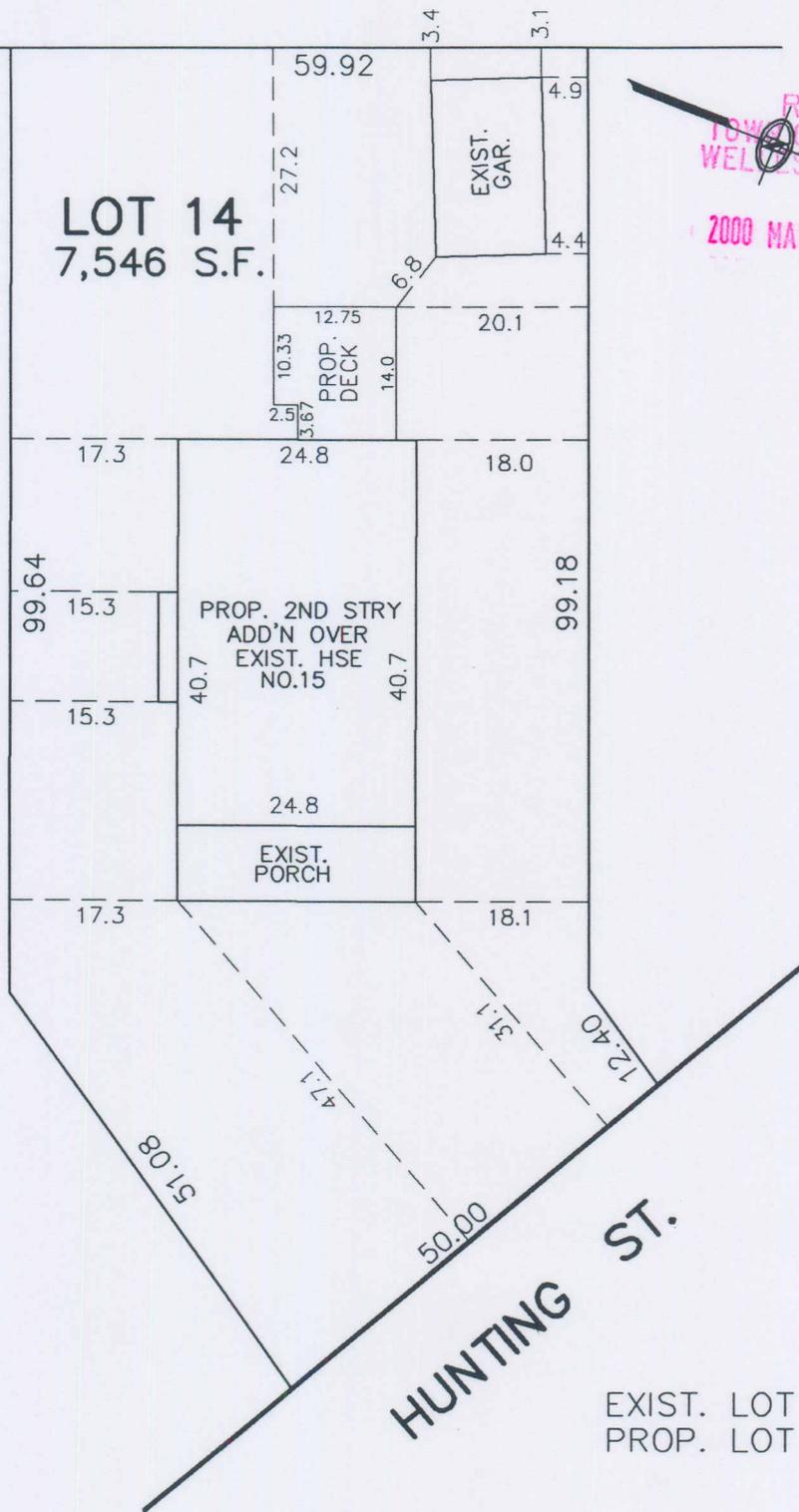
Richard L. Seegel

2000 JUN 13 A 8:27

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LOT 14
7,546 S.F.

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WELLESLEY MA 02482
2000 MAY -8 A 9:32



EXIST. LOT COV.=19.1%
PROP. LOT COV.=21.3%

PLOT PLAN OF LAND
WELLESLEY-----MASS.

APRIL 20, 2000 SCALE 1"=20'
NEEDHAM SURVEY ASSOCIATES, INC.
281 CHESTNUT ST.
NEEDHAM MA.

