

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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2000 JUN 28 A 8:17

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ZBA 2000-47
Petition of Michael G. Scampini
17 Hilltop Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 15, 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 MICHAEL G. SCAMPINI requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a 30 foot by 32.5 foot second story addition with less than the required left, right and front yard setbacks, at 17 HILLTOP ROAD, 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 30, 2000, 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 Michael Scampini, who said his house now has two bedrooms and one bath. He would like to add a second story which would contain a master bedroom and bath, and an office area and half bath. The footprint would not be increased.

The Board stated that it appeared on the plot plan that the second story will extend beyond the footprint. Mr. Scampini replied that the second story will extend to the small 5 foot bulge on the first floor and will extend 1 foot over the front porch.

The Board noted that the Planning Board opposed the extension over the front porch, and recommended that the porch remain as an open porch. Mr. Scampini said the dimensions of the porch will not change.

The Executive Secretary explained that she had received a call from Alma Napoleon, the left side abutter, who said that she and Mr. Scampini shared the driveway. She was very concerned that construction vehicles will block her ability to use the driveway, and asked that they be parked in the street and not in the driveway while the project was being built. Mr. Scampini said this would not be a problem.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 17 Hilltop Road, in a Single Residence District, on a 6,290 square foot lot and has a minimum left side yard clearance of 10.3 feet, a minimum right side yard clearance of 17.7

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feet and a minimum front yard clearance of 18 feet. The petitioner shares a driveway with the left side abutter for a distance of approximately 50 feet from the front property line.

The petitioner is requesting a Special Permit/Finding that the construction of a 30 foot by 32.5 foot second story addition with a minimum left side yard clearance of 10.3 feet, a minimum right side yard clearance of 17.7 feet and a minimum front yard clearance of 24 feet shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated April 14, 2000 drawn by Paul Josephson, Registered Land Surveyor; Existing and Proposed Floor Plans and Elevations dated 3/31/00; and photographs were submitted.

On June 6, 2000, the Planning Board reviewed the petition and objected to the extension of the proposed second story over the front porch. The Planning Board recommended that the porch remain as an open porch.

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 30 foot by 32.5 foot second story addition shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure as it will neither intensify the existing nonconformance nor create new nonconformity.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of the second story in accordance with the submitted plot plan and construction drawings, subject to the following conditions:

1. The 12.3 foot by 7 foot front porch shall never be enclosed.
2. During the period of construction, no vehicles associated with said construction or delivery of materials shall be parked in the first 50 feet of the shared driveway as measured from the front property line at any time.

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.

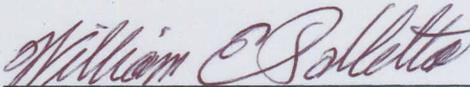
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN
THE OFFICE OF THE TOWN CLERK.

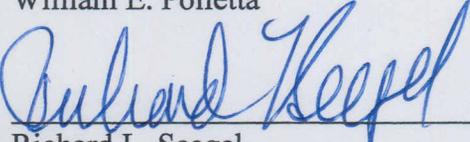
Cc: Planning Board
edg Inspector of Buildings

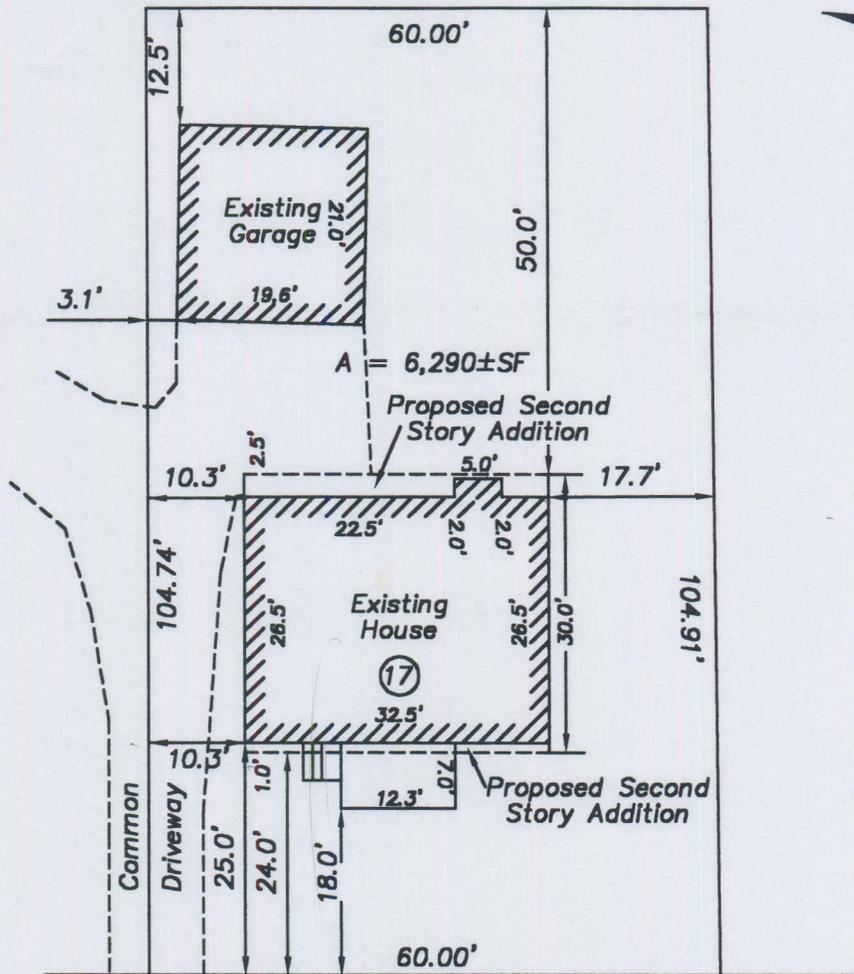
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Kendall P. Bates, Chairman


William E. Polletta


Richard L. Seegel



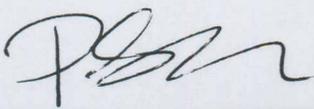
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2000 MAY 30 A 9:16

HILL TOP ROAD

EXISTING LOT COVERAGE = 21.8%
PROPOSED LOT COVERAGE = 23.4%

I HEREBY CERTIFY THAT THE BUILDING(S) SHOWN ON THIS PLAN ARE LOCATED ON THE GROUND AS SHOWN.
I ALSO CERTIFY THAT THE BUILDING(S) SHOWN HEREON **DO NOT** LIE WITHIN A FEDERALLY DESIGNATED FLOOD HAZARD AREA AS DEFINED ON THE F.E.M.A. FLOOD HAZARD BOUNDARY MAP FOR THE TOWN/CITY OF **WELLESLEY**, MASS.



Signed  Date 4-14-2000

PROPOSED PLOT PLAN
IN
WELLESLEY, MASS.

Scale 1" = 20'
P.N. ASSOCIATES, INC.
P.O. Box 693
Framingham, Mass.
508-958-2914
Fax 508-231-5281