

TOWN OF WELLESLEY



MASSACHUSETTS

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WELLESLEY, MA 02482

ZONING BOARD OF APPEALS

2000 AUG 31 A 8:01

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

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ZBA 2000-65  
Petition of Lisa J. Smith  
8 Meadow Lane

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 24, 2000 at 7:40 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of LISA J. SMITH 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 nonconforming deck and detached garage with deck; and construction of a two-story 17.3 foot by 24 foot addition and a 20.8 foot by 13.8 foot deck, both of which will have less than the required left side yard setback, at her nonconforming dwelling with less than the required left side yard setback, at 8 MEADOW LANE, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On August 7, 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 Lisa Smith, who said she was hoping to add a two-story addition in which the first floor would have a family room open to the kitchen, and the second floor would contain a master bedroom, bath and closets. She would also like to add a deck. The current garage would be removed, as would the existing deck.

The Board commented that Ms. Smith's house is difficult to locate and is very secluded. The Board was of the opinion that the addition would be an improvement and would be less nonconforming than the existing house. Ms. Smith said she has spoken to the neighbors and no one had any objection.

The Board noted that the Planning Board was interested in where the established roadway right-of-way was located. Ms. Smith replied that she was not certain of its location.

No other person present had any comment on the petition.

Statement of Facts

The subject dwelling is located at 8 Meadow Lane, in a Single Residence District, on a 19,693 square foot lot, and has a minimum left side yard setback of 10.7 feet and a minimum front yard setback of 15.6 feet.

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The petitioner is requesting a Special Permit/Finding that the demolition of an existing nonconforming deck and garage with deck; and construction of a two-story 24 foot by 17.3 foot addition, with a minimum left side yard clearance of 14.5 feet, and a 20.8 foot by 13.4 foot deck with a minimum left side yard clearance of 15.5 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated July 9, 2000, drawn by George N. Giunta, Professional Land Surveyor; Floor Plans and Elevations dated July 17, 2000, drawn by Charles F. Fox, Jr., Registered Architect; and photographs were submitted.

On August 22, 2000, the Planning Board reviewed the petition and had no concerns about the project, but had concerns about the lot itself. The DPW street list includes a reference to Meadow Lane as being an unaccepted street of 420 feet in length. The Board wondered if there is an established roadway right-of-way, and if so, its exact location and whether it might affect the required setbacks.

#### 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.

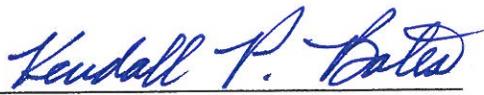
It is the finding of this Authority that the construction of the proposed two-story addition and deck, each of which has less than the required left side yard setback, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as neither the addition nor the deck will create new nonconformity as both structures will be less nonconforming than the existing nonconforming dwelling.

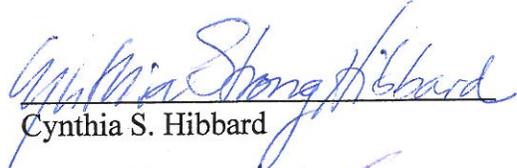
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the construction of the 17.3 foot by 24 foot two-story addition and the 20.8 foot by 13.8 foot deck in accordance with the submitted plot plan and construction drawings.

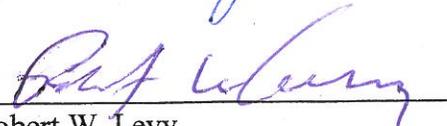
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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.

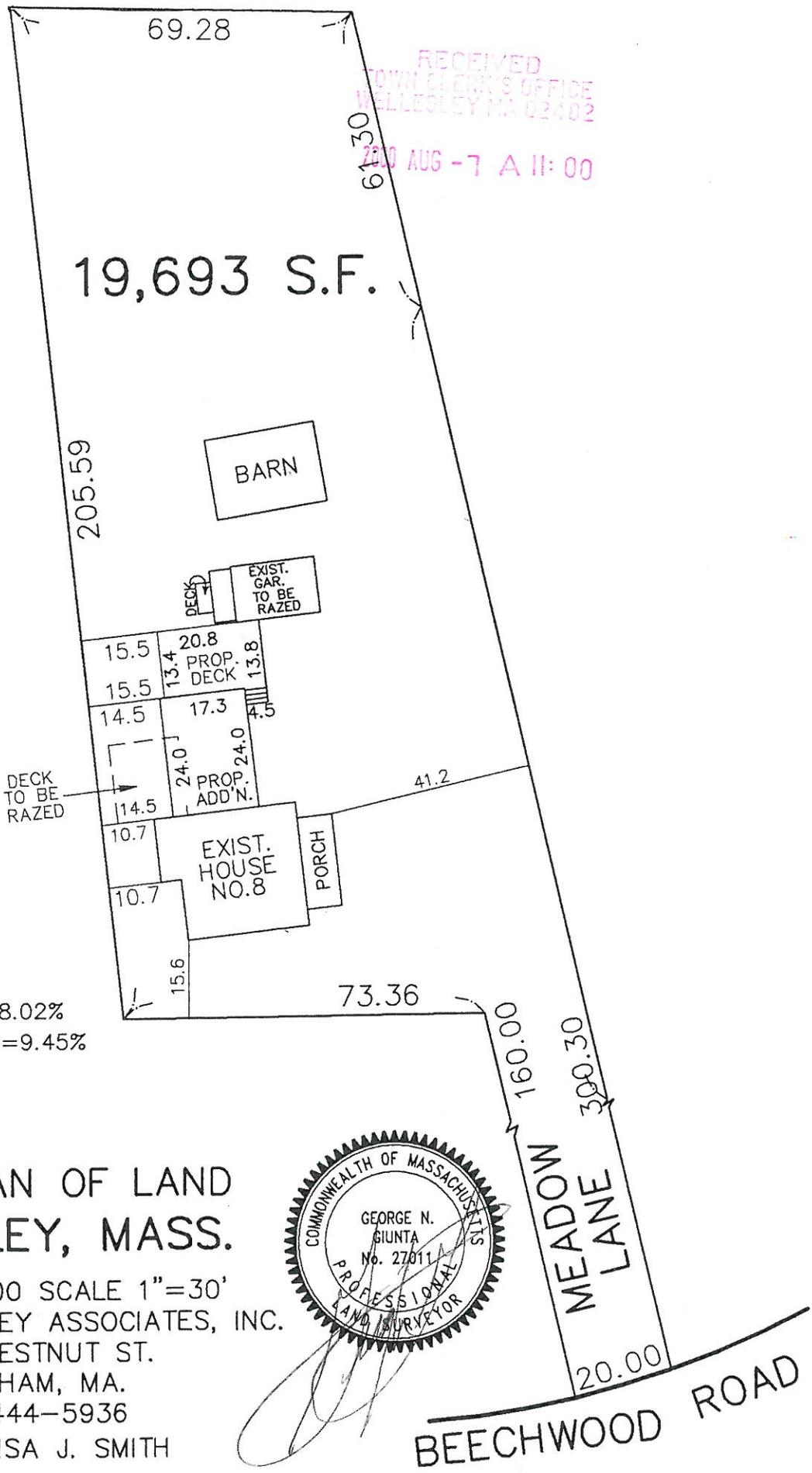
Cc: Planning Board  
Inspector of Buildings  
edg

  
Kendall P. Bates, Chairman

  
Cynthia S. Hibbard

  
Robert W. Levy

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WELLESLEY MA 02402  
2:00 AUG -7 A 11:00



19,693 S.F.

BARN

EXIST. GAR. TO BE RAZED

15.5 13.4 20.8 13.8  
15.5 PROP. DECK

14.5 17.3 4.5  
24.0 PROP. ADD'N.

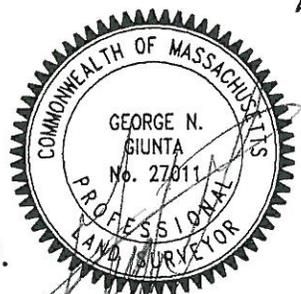
DECK TO BE RAZED

10.7 10.7 15.6  
EXIST. HOUSE NO. 8  
PORCH

EXISTING LOT COV.=8.02%  
PROPOSED LOT COV.=9.45%

# PLOT PLAN OF LAND WELLESLEY, MASS.

JULY 9, 2000 SCALE 1"=30'  
NEEDHAM SURVEY ASSOCIATES, INC.  
281 CHESTNUT ST.  
NEEDHAM, MA.  
781-444-5936  
OWNER: LISA J. SMITH



160.00  
300.30  
MEADOW LANE  
20.00  
BEECHWOOD ROAD