

TOWN OF WELLESLEY



MASSACHUSETTS

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482

ZONING BOARD OF APPEALS

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

2001 MAY 17 A 9:28

KENDALL P. BATES, CHAIRMAN
WILLIAM E. POLLETTA, VICE CHAIRMAN
RICHARD L. SEEDEL

ELLEN D. GORDON
EXECUTIVE SECRETARY
TELEPHONE
(781) 431-1019 EXT. 208

ROBERT A. BASTILLE
CYNTHIA S. HIBBARD
ROBERT W. LEVY

ZBA 2001-23
Petition of George and Cynthia Smithy
38 Greenwood Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, April 26, 2001 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 GEORGE AND CYNTHIA SMITHY requesting for good cause, an extension of a variance (ZBA 2000-50) granted on June 28, 2000, which will expire on June 28, 2001, to construct a one-story 8 foot by 22.8 foot garage expansion with less than the required left side yard setback at 38 GREENWOOD ROAD, in a Single Residence District. There will be no changes in the plans approved with the original variance submission.

On April 9, 2001, 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 Cynthia Smithy, who said they have been working on this project since last year, but have had one delay after another. The first architect quadrupled the price to finish the project. After an extensive search for an architect to finish the job, the plans were completed in February. Since then, it has been a struggle to find a contractor. They have one firm bid, which is high, and two other "ball park" figures, but construction is not going to begin by the end of June.

The Board stated that it is limited by statute to grant no more than a 6 month extension. After that, Mrs. Smithy would have to begin the process again. The variance must be acted upon within the 6 month period, which means securing a building permit and beginning construction. Mrs. Smithy felt a 6 month extension would be sufficient.

The Board decided that the 6 month extension would begin on June 29, 2001 and would expire on December 29, 2001.

No other person present had any comment on the petition.

Statement of Facts

The subject premises is located at 38 Greenwood Road, in a Single Residence District, on a 42.922 square foot lot, and has a minimum left side yard clearance of 12.9 feet.

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
MAY 11 A 9 28

The petitioners were granted a variance (ZBA 2000-50) on June 28, 2000 to construct a one-story 8 foot by 22.8 foot garage expansion with a minimum left side yard clearance of 9 feet in accordance with the submitted plot plan and construction drawings, and further subject to the following conditions:

1. The two-car garage shall never be used as living space.
2. No second story shall ever be added to the garage.
3. No plumbing shall ever be installed in the garage.

The petitioners are now requesting an extension for good cause to the variance granted on June 28, 2000.

Copies of all the original materials, including a plot plan dated May 4, 2000, stamped by Joyce E. Hastings, Professional Land Surveyor; Existing and Proposed Elevation Drawings dated 4/18/00, drawn by Archdesign, Inc. and photographs, were submitted with a letter justifying the request for the variance extension.

On April 24, 2001, the Planning Board reviewed the petition and offered no comment.

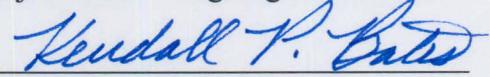
Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing, and is of the opinion that there is good cause to grant an extension to the variance granted on June 28, 2000. Therefore, the requested extension is granted, as voted unanimously by this Authority at the Public Hearing, subject to the following conditions.

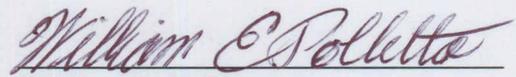
1. Construction of the garage expansion shall be in accordance with the plot plan and construction drawings listed in the foregoing Statement of Facts.
2. All conditions listed in the prior variance grant and enumerated in the foregoing Statement of Facts are hereby incorporated into this decision.
3. The extension to ZBA 2000-50 shall begin on June 29, 2001 and shall expire on December 29, 2001. If construction has not begun by that time, the petitioners shall submit a request for a variance, as no further extensions shall be allowed.

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, subject to the foregoing conditions.

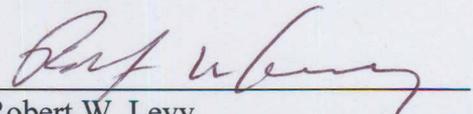
APPEALS FROM THIS DECISION, IF ANY, SHALL BE MADE PURSUANT TO GENERAL LAWS, CHAPTER 40A, SECTION 17, AND SHALL BE FILED WITHIN 20 DAYS AFTER THE DATE OF FILING OF THIS DECISION IN THE OFFICE OF THE TOWN CLERK.



Kendall P. Bates, Chairman



William E. Polletta



Robert W. Levy

Cc: Planning Board
Inspector of Buildings
edg

ZBA 2001-23

Petition of GEORGE AND CYNTHIA SMITHY requesting for good cause, an extension of a variance (ZBA 2000-50) granted on June 28, 2000, which will expire on June 28, 2001, to construct a one-story 8-foot by 22.8-foot garage expansion with less than the required left side yard setback at 38 GREENWOOD ROAD, in a Single Residence District. There will be no changes in the plans approved with the original variance submission.

Wellesley, MA 02481
March 26, 2001

Zoning Board of Appeals
Wellesley Town Hall
Wellesley, MA 02481

To the members of the Zoning Board of Appeals and Ellen Gordon,

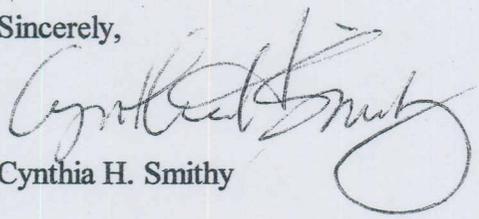
I am writing this letter to request an extension of the variance that was granted on June 15, 2000 by the Board. This variance will allow us to build a conventional two-car garage with less than the required setback on the left side yard. It is important to note that the project itself has not changed.

We need to file the building permit and start construction by June 28, 2001. That timetable appears to be difficult to meet for the following reasons. First, we had to find another architect after the first architect significantly raised his rates for the completion of the project. Now he no longer works on residential projects. After much research and lots of rejections, we found another architect. The new architect had to redraw, re-measure, and rethink the project. In February, he had completed the final drawings and a construction outline.

Two contractors who had expressed interest in the project from the beginning were now no longer able to fit this project into their timetable. The search began for additional contractors. Bids were finally sent out to four interested contractors at the beginning of March. We are still waiting to hear from two of the four contractors. I am in the process of looking for an additional contractor so that we receive three bids. The current building boom has definitely impacted this project.

We are ready to start on this project; we simply need to find a quality contractor willing to do the work. We hope that you consider our request for an extension of the original variance granted last June. Thank you in advance.

Sincerely,


Cynthia H. Smithy

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482

2001 APR -9 A 10:18

