

TOWN OF WELLESLEY



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2001 MAY 17 A 9 28

ZONING BOARD OF APPEALS

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

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ZBA 2001-24
Petition of Helen L. Robertson
9 West Riding

Pursuant to due notice, the Special 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 HELEN L. ROBERTSON requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a 2 foot by 8 foot dormer on the front of the dwelling and a 2 foot by 5.5 foot dormer on the right side of the dwelling, both of which will have less than the required front setback, at her nonconforming dwelling with less than the front setback, at 9 WEST RIDING, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. There will be no change in the footprint.

On April 9, 2001, 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 Helen Robertson, who said she is renovating her carriage house, and would like to add dormers, two of which would extend from the flat face of the dwelling on the driveway side. One dormer would be 2 feet by 8 feet and the one on the right side would be 2 feet by 5.5 feet. She feels that she will be improving rather than being detrimental to the neighborhood.

The Board noted that the Planning Board objected to the dormer facing the street, which is a very narrow private way.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 9 West Riding, in a Single Residence District, on a 10,177 square foot lot, and has a minimum front setback of 18.6 feet from the center line of the street.

The petitioner is requesting a Special Permit/Finding that the construction of a 2 foot by 8 foot dormer on the front of the house, with a minimum front yard clearance of 20.1 feet; and a 2 foot by 5.5 foot dormer on the right side of the house, with a minimum front yard clearance of 29.5 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. There will be no change in the footprint.

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A Plot Plan dated March 23, 2001, stamped by Paul J. DeSimone, Registered Land Surveyor; Existing and Proposed Floor Plans and Elevations dated March 7, 2001, drawn by Helen L. Robertson; and photographs were submitted.

A letter dated April 15, 2001 was received from Mary R. Lefkowitz, 15 West Riding Street, expressing support for the petition.

On April 24, 2001, the Planning Board reviewed the petition and opposed the granting of the dormer on the street side of the house, noting that the street is a very narrow private way.

Decision

This Authority has made a careful study of the materials and the information presented at the hearing. The subject property 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 front and right side dormers shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure as they will neither intensify the existing nonconformance, nor will they create new nonconformity as there will be no change in the footprint, and both dormers are less nonconforming than the existing nonconforming structure.

Therefore, a Special Permit for construction of the 2 foot by 8 foot front dormer and the 2 foot by 5.5 foot right side dormer is granted, as voted unanimously by this Authority at the Public Hearing, subject to construction in accordance with the plot plan and submitted 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.

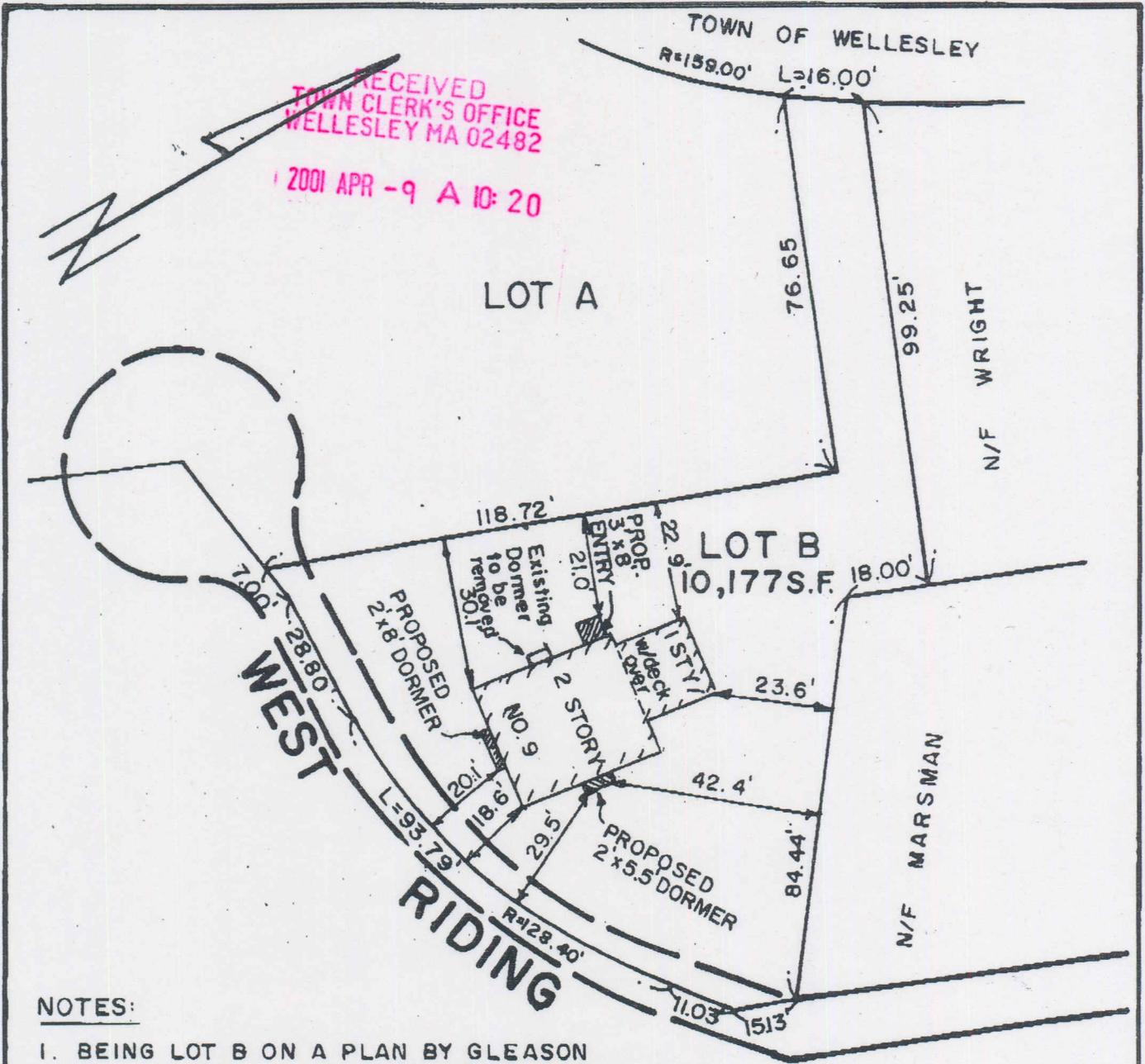
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN
THE OFFICE OF THE TOWN CLERK.

Cc: Planning Board
Inspector of Buildings
edg

Kendall P. Bates, Chairman

William E. Polletta

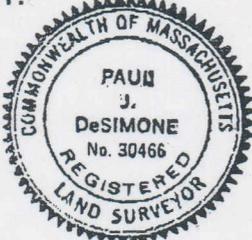
Robert W. Levy



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NOTES:

1. BEING LOT B ON A PLAN BY GLEASON ENGINEERING CO. DATED AUGUST 29, 1968 RECORDED IN NORFOLK REGISTRY OF DEEDS IN BOOK 4548, PAGE 393
2. THIS PLAN WAS PREPARED FROM AN INSTRUMENT SURVEY.



Paul J. DeSimone

**CERTIFIED PLOT PLAN
IN
WELLESLEY, MA**



MARCH 23, 2001
CAMERON BROTHERS, INC.
11 TOURO AVE. MEDFORD, MA 02155
(781) 324-9566 (781) 321-2501 (FAX)