

TOWN OF WELLESLEY



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WELLESLEY MA 02482

ZONING BOARD OF APPEALS

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

2001 MAY 17 A 9:29

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ROBERT W. LEVY

ZBA 2001-26  
Petition of David R. and Jane P. Neilson  
8 Avon Road

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 DAVID R. AND JANE P. NEILSON requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a one-story 15 foot by 26.3 foot addition, with less than the required front setback, at their nonconforming dwelling with less than the required front setback, at 8 AVON ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

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 David Neilson, who said that the addition is 15 feet by 26.3 feet, and the limitation is the front setback. They are expecting twins, and have one 8 year old son. The house is very small. The first floor consists of a dining room, kitchen and living room. The addition will serve as a family room with two closets.

The Board noted that the Planning Board had no objection.

No other person present had any comment on the petition.

Statement of Fact

The subject property is located at 8 Avon Road, in a Single Residence District, on an 8,000 square foot lot, and has a minimum right side yard clearance of 10.2 feet and a minimum front yard clearance of 17.5 feet.

The petitioners are requesting a Special Permit/Finding that the construction of a 15 foot by 26.3 foot one-story addition with a minimum front yard clearance of 18.5 feet shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A plot plan dated March 27, 2001, stamped by George N. Giunta, Registered Land Surveyor; Existing and Proposed Floor Plan and Elevations dated 4/4/01, drawn by David and Jane Neilson; and photographs were submitted.

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On April 24, 2001, the Planning Board reviewed the petition and had no objection to the request.

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 construction of the one-story 15 foot by 26.3 foot addition with a minimum front yard clearance of 18.5 feet shall 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 new nonconformity.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the construction of the one-story addition subject to construction in accordance with the submitted plot plan and construction drawings.

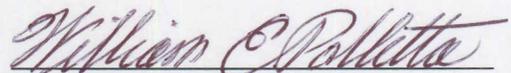
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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.

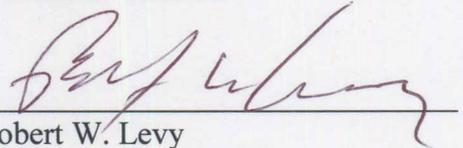
Cc: Planning Board  
Inspector of Buildings  
edg



Kendall P. Bates, Chairman



William E. Polletta

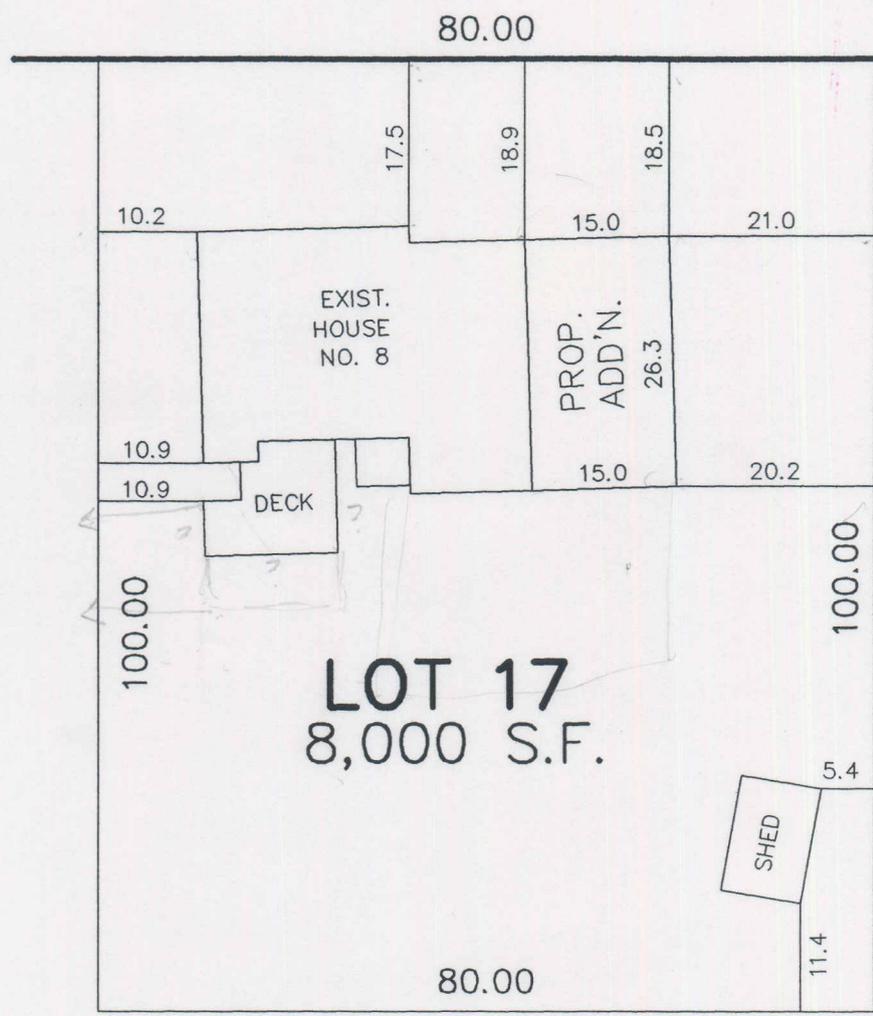


Robert W. Levy

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200 APR 10 10:25

# AVON ROAD



## PLOT PLAN OF LAND WELLESLEY, MASS.

MAR. 27, 2001 SCALE 1"=20'

NEEDHAM SURVEY ASSOCIATES, INC.

281 CHESTNUT ST.  
NEEDHAM, MA. 02492

OWNER: DAVID R. NEILSON



EXIST LOT COV.=10.19%

PROPOSED LOT COV.=15.12