TOWN OF WELLESLEY MASSACHUSETTS

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ZONING BOARD OF APPEALS

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

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ZBA 2001-33
Petition of Christine Norcross and Deborah VanderVeen
80 Prospect Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 24, 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 CHRISTINE NORCROSS and DEBORAH VANDERVEEN 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 construction of a two-level 19 foot by 12.75 foot addition containing a deck of the same dimensions on the basement level and a kitchen expansion on the ground level, both of which will have less than the required right side yard setback, at their nonconforming dwelling, with less than the required right side yard setback, at 80 PROSPECT STREET, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On May 7, 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 Deborah VanderVeen, who said they will remove the deck, which is only 5 feet from the side line. They have set the addition in an additional 6 inches to be less nonconforming than the existing house. The house is set on a hill, so the new deck will be at basement level in the rear, and the kitchen expansion on the first floor level.

The Board noted that there is a steep drop-off at the rear of the property and asked if there would be any precautions taken regarding sediment run-off during construction. Ms. VanderVeen said there is a drain in position presently. The drop-off begins about 40 feet from the rear of the house. The Board suggested that during the period of construction, hay bales be placed along the rear property line to prevent any run-off entering neighboring properties.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 80 Pleasant Street on a 6,479 square foot lot and has a minimum right side yard clearance of 5 feet and a minimum left side yard clearance of 12.4 feet.

The petitioners are requesting a Special Permit/Finding that the demolition of the existing nonconforming deck and construction of a two-level 19 foot by 12.75 foot addition containing a deck at basement level

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and a kitchen expansion at ground level, which will have a minimum right side yard clearance of 12.85 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated April 29, 2001, stamped by Andrew C. Murphy, Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated April 20, 2001, drawn by David Johnson, Registered Architect of Studio Twenty Six, and photographs were submitted.

On May 15, 2001, the Planning Board reviewed the petition and had no objection to the grant of the request.

Decision

This Authority has made a careful study of the materials submitted 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 demolition of the existing nonconforming deck and construction of the 19 foot by 12.75 two-level addition with a minimum right side yard clearance, 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 demolition of said deck and construction of the two-level addition in accordance with the submitted plot plans and construction drawings, subject to the condition that prior to construction and throughout the construction period, hay bales shall be positioned along the rear property line.

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.

Kendall P. Bates, Chairman

Richard L. Seegel

Cynthia S. Hibbard

Cc: Planning Board
Inspector of Buildings
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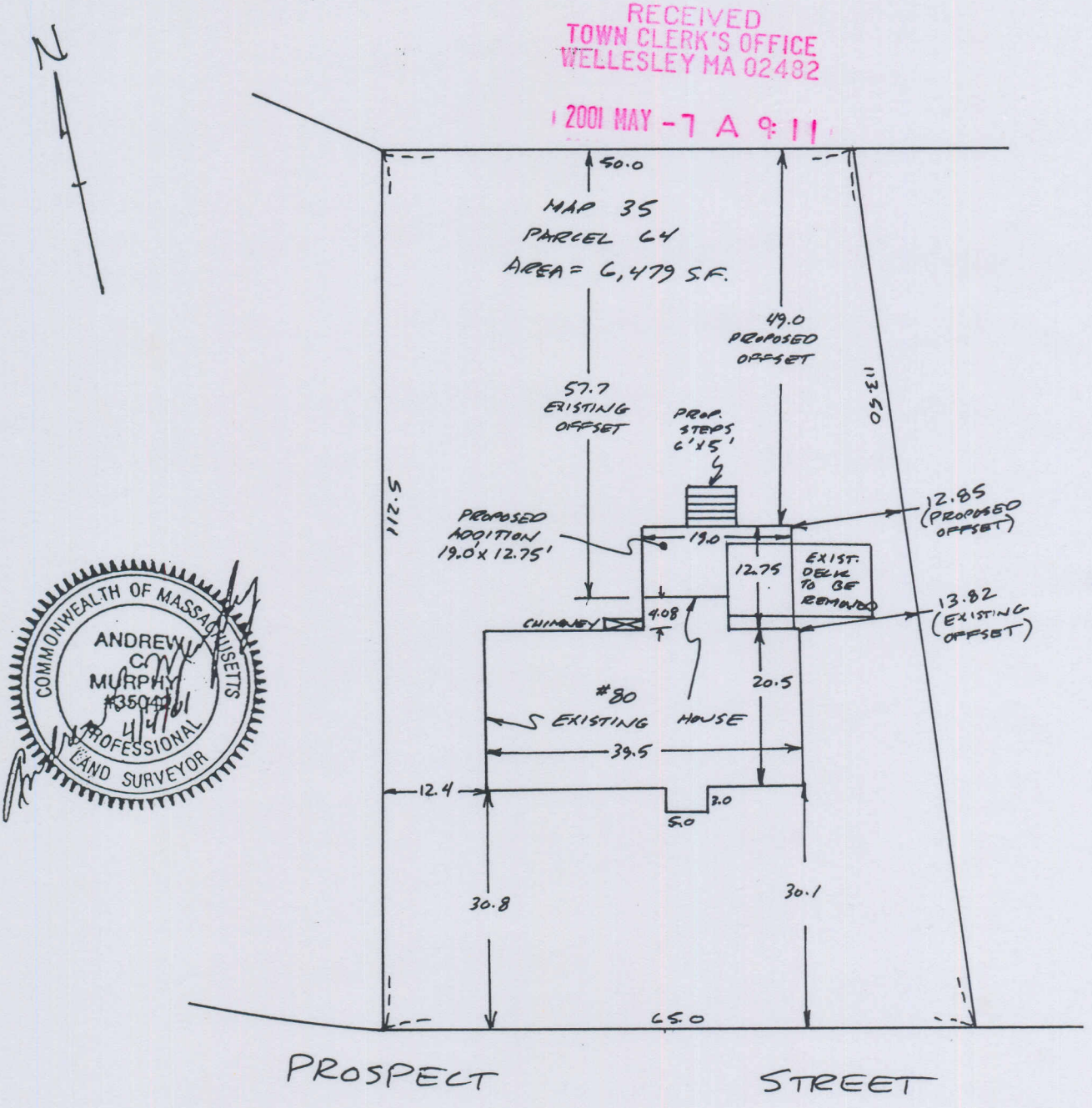

EXISTING LOT COVERAGE: 14%
PROPOSED LOT COVERAGE; 16.5%

ZONE; SRD 10-Single Residence
MAP; 35
PARCEL; 64

PRESENT OWNER:Christine Norcross & Deborah Vanderveer
PROPERTY ADDRESS: #80 Prospect Street
Wellesley, MA
COUNTY OF: Middlesex
DEED (Book/Page): 13822/453
PLAN REFERENCE: Shown on a plan filed as Plan No. 751 of 1894

CERTIFIED PLOT PLAN

#80 PROSPECT STREET

WELLESLEY, MASS.

SCALE: 1"= 20' APRIL 29, 2001

NOBSCOT SURVEY CORPORATION
175 EDMANDS ROAD FRAMINGHAM, MA