

TOWN OF WELLESLEY



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WELLESLEY MA 02482

ZONING BOARD OF APPEALS

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

2001 JUN 11 A 8:15

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ZBA 2001-46  
Petition of Debra S. Ternove  
12 Intervale Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 28, 2001 in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of DEBRA S. TERNOVE 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 14 foot by 10 foot addition and a 6 foot by 16 foot deck, both of which will have less than the required right side yard setback, at her nonconforming dwelling with less than the required left, front and right side yard setbacks, at 12 INTERVALE ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On June 11, 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 Debra Ternove, who said they would like to add a 10 foot by 14 foot addition to the back of the house. They are expanding the back of the house so they can remodel their kitchen and have an eat-in area, as they do not have a dining room. The expansion will replace the existing deck, and they propose to add a smaller deck attached to the addition.

The Board noted that the Planning Board had no objection.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 12 Intervale Road, in a Single Residence District, on a 5,640 square foot lot, and has a minimum left side yard of 6.1 feet to the 19 inch overhang; a minimum front yard setback of 23 feet and a minimum right side yard setback of 15 feet.

The petitioner is requesting a Special Permit/Finding that the construction of a one-story 14 foot by 10 foot addition with a minimum right side yard setback of 15 feet 3 inches and a 6 foot by 16 foot deck with a minimum right side yard setback of 15.1 feet shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

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A Plot Plan dated June 4, 2001, stamped by Dennis B. O'Brien, Professional Land Surveyor; Floor Plans and Elevations dated June, 2001, drawn by Design Aide; and photographs were submitted.

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On June 19, 2001, the Planning Board reviewed the petition and had no objection to the granting of the request.

Decision

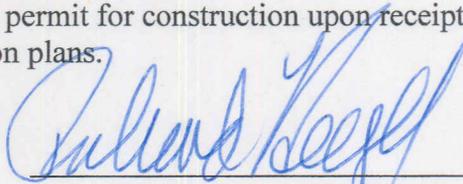
This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

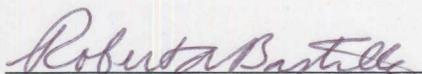
It is the finding of this Authority that the proposed one-story addition and deck, both of which have less than the required right side yard setback, shall not be substantially more detrimental to the neighborhood as the addition and deck shall intensify the existing nonconformance but neither will create additional nonconformity.

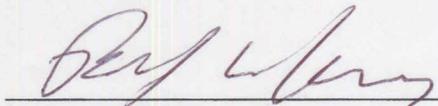
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of the one-story addition and deck in accordance with the submitted plot plan and construction drawings.

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

  
Richard L. Seegel, Acting Chairman

  
Robert A. Bastille

  
Robert W. Levy

Cc: Planning Board  
Inspector of Buildings  
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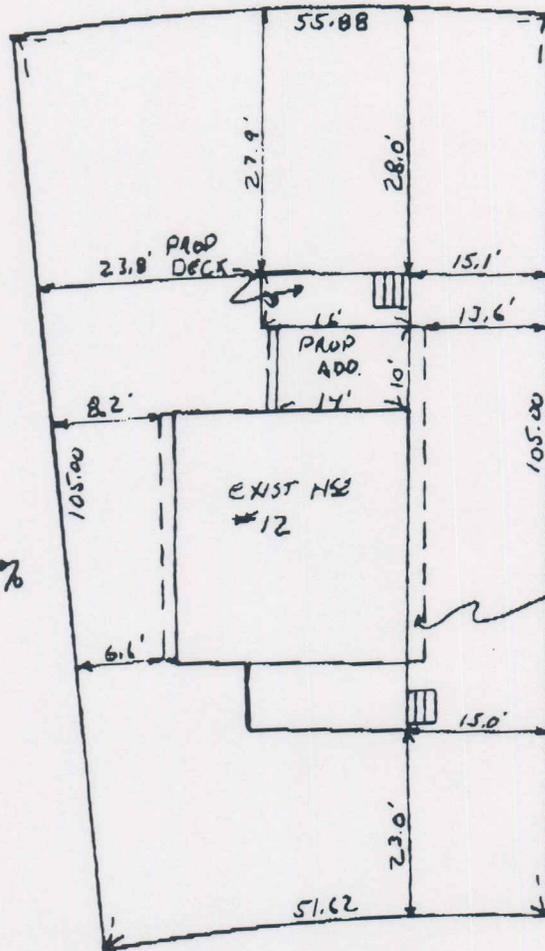
LOT SIZE 5640 SF  
EXIST HSE 903 SF  
PROP ADD 140 SF  
PROP DECK 96 SF

EXIST LOT COVERAGE

$$\frac{903}{5640} \times 100 = 16\%$$

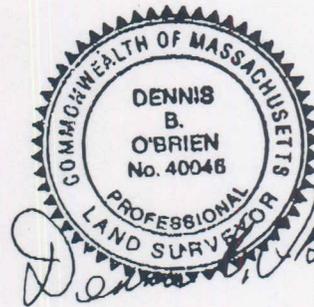
PROP. LOT COVERAGE

$$\frac{903 + 140 + 96}{5640} \times 100 = 20.2\%$$



INTERVALE ROAD

19" OVERHUNG TYP



### PLOT PLAN

SCALE 1" = 20'  
12 INTERVALE ROAD  
WELLESLEY MA.

DENNIS OBRIEN P.L.S.  
11 CONCORD STREET  
FRANKLIN MA.