

TOWN OF WELLESLEY



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2001 NOV -6 A 8:21

ZONING BOARD OF APPEALS

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

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ROBERT A. BASTILLE  
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ZBA 2001-86  
Petition of Phoebe Compton  
59 Crest Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, October 25, 2001 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of PHOEBE COMPTON requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that raising the ridge line of the roof 4 feet above the 24.9 foot by 31.9 foot portion of the existing nonconforming dwelling to provide a full second floor with the same dimensions, at her nonconforming dwelling with less than the required left and right side yard setbacks, at 59 CREST ROAD, 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 October 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 Charles Moores, son of the petitioner, who said he has met with all of the neighbors and they are all supportive of the new plans. He has removed the third floor from the prior plans. The house is on a very small lot. The neighbors felt that the first rendition of the plans showed a house that would be too large for the lot. The present plans are much more modest.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 59 Crest Road, in a Single Residence District, on a 3,812 square foot lot, with a minimum left side yard setback of 3.3 feet and a minimum right side yard setback of 9.6 feet.

At the Public Hearing held on September 13, 2001, the petitioner had requested a Special Permit/Finding (ZBA 2001-69) to raise the ridge line of the roof 10 feet above the existing 24.9 foot by 31.9 foot portion of the nonconforming structure. The Board, as well as five of the neighbors, were of the opinion that the proposed plans would result in a structure that would be far too large for the lot, and not in keeping with the neighborhood. The petitioner was allowed to withdraw the petition without prejudice.

The petitioner is now requesting a Special Permit/Finding that the raising of the ridge line of the roof 4 feet above the existing 24.9 foot by 31.9 foot portion of the nonconforming dwelling to accommodate a second story addition with the same dimensions and setbacks shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

59 Crest Road

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A Plot Plan dated August 18, 2001, revised October 4, 2001, stamped by Daniel A. O'Driscoll, Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated October 3, 2001, drawn by Charles Moores; and photographs were submitted.

On October 16, 2001, the Planning Board reviewed the petition and opposed the granting of the Special Permit. The Board was of the opinion that the project would result in too much building mass on the very small lot and was not in keeping with the other houses in the area.

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 raising of the ridge line of the main roof 4 feet above the existing 24.9 foot by 31.9 foot portion of the nonconforming dwelling to accommodate a second story addition with the same dimensions shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure because, although the nonconformity will be intensified, there will be no new nonconformity created. Furthermore, the neighborhood is in support of the petition.

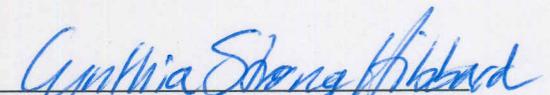
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, to construct the second story 24.9 foot by 31.9 foot addition in accordance with the submitted plot plan and construction drawings.

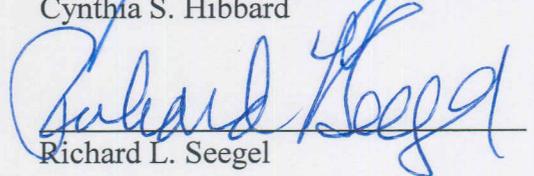
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

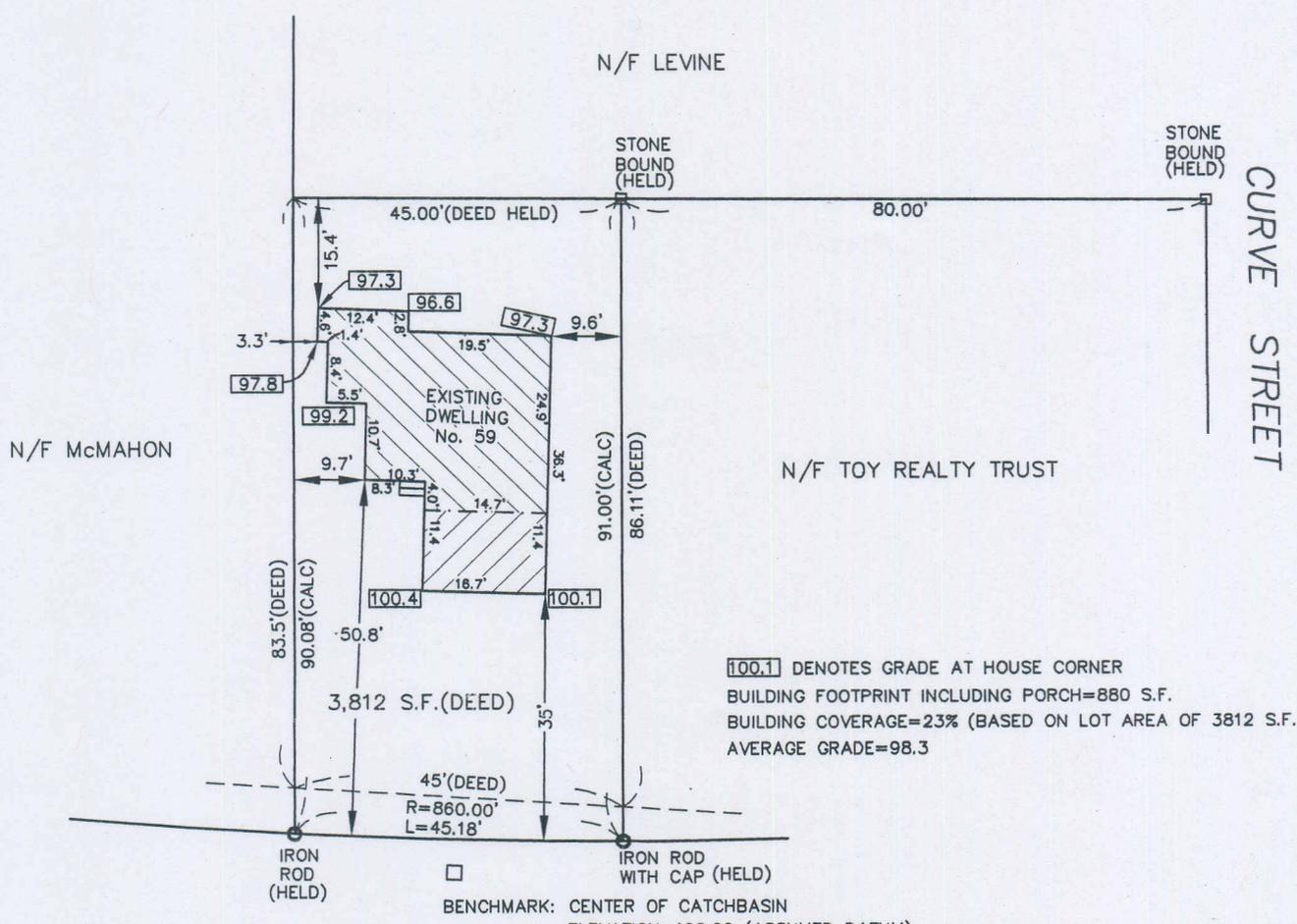
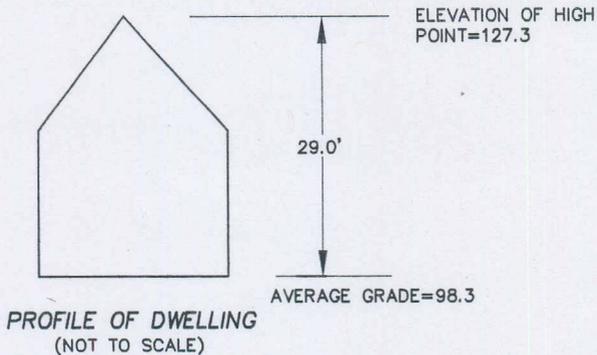
APPEALS FROM THIS DECISION,  
IF ANY, SHALL BE MADE PURSUANT  
TO GENERAL LAWS, CHAPTER 40A,  
SECTION 17, AND SHALL BE FILED  
WITHIN 20 DAYS AFTER THE DATE  
OF FILING OF THIS DECISION IN  
THE OFFICE OF THE TOWN CLERK.

Cc: Planning Board  
Inspector of Buildings  
edg

  
Kendall P. Bates, Chairman

  
Cynthia S. Hibbard

  
Richard L. Seegel



100.1 DENOTES GRADE AT HOUSE CORNER  
BUILDING FOOTPRINT INCLUDING PORCH=880 S.F.  
BUILDING COVERAGE=23% (BASED ON LOT AREA OF 3812 S.F.)  
AVERAGE GRADE=98.3

CREST ROAD  
TOWN LAYOUT FEB. 3, 1928

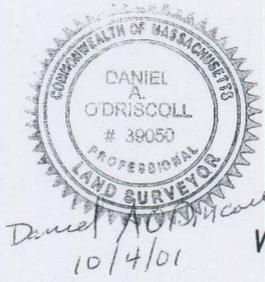
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GRADES SHOWN ARE RELATIVE TO THE BENCHMARK SHOWN ON AN ASSUMED DATUM.

ZONING REQUIREMENTS:  
SETBACKS: FRONT=30'  
SIDE=20'  
REAR=10'

MAXIMUM BUILDING HEIGHT=36' ABOVE AVERAGE GRADE  
36'+98.3=134.3=MAXIMUM ELEVATION OF BUILDING  
PROPOSED MAXIMUM BUILDING ELEVATION=127.3  
PROPOSED BUILDING HEIGHT=127.3'-98.3'=29.0'

PREPARED FOR: CHARLES MOORSE  
DEED REFERENCE: NORFOLK COUNTY REGISTRY OF DEEDS  
DEED BOOK 1180 PAGE 536  
PLAN REFERENCE: LAYOUT OF CURVE ST. FEB. 3, 1928  
ZONING DISTRICT: SINGLE RESIDENCE 10



**CERTIFIED PLOT PLAN**

59 CREST ROAD  
WELLESLEY, MASSACHUSETTS

SCALE: 1"=20'      AUGUST 18, 2001  
REV. OCT. 4, 2001

**O'DRISCOLL**  
**LAND SURVEYING Co.**

LAND SURVEYING GPS MAPPING LAND CONSULTING  
48 COTTAGE STREET MEDWAY, MASSACHUSETTS 02053 (508) 533-3314

I CERTIFY THAT THE DWELLING IS LOCATED AS SHOWN ON THIS PLAN.  
I FURTHER CERTIFY THAT THE DWELLING DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD ZONE.

*Daniel A. O'Driscoll* OCT. 4, 2001  
PROFESSIONAL LAND SURVEYOR      DATE

FILE No. 1073