



## ZONING BOARD OF APPEALS

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

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2002 NOV 22 A 8:16  
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ZBA 2002-101  
 Petition of Louis and Luciana Corticelli  
 23 Kingsbury Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 7, 2002 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of LOUIS AND LUCIANA CORTICELLI requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the raising of the ridge line of the roof above the first floor of their nonconforming dwelling with less than the required front and right side yard setbacks at 23 KINGSBURY STREET, in a General Residence District, to allow construction of a 41 foot by 33.2 foot second story addition with less than the required front and right side yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. There will be no change in the footprint.

On October 17, 2002, 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 John Staniunas, project architect. Mr. and Mrs. Corticelli were also present. Mr. Staniunas said that the one and on-half story house, built in the 1860's, has been owned by the Corticellis for 40 years. Due to the clipped ceilings, there is very little headroom in the second floor bedrooms. The bedroom ceilings now range from 4 foot at the kneewall to 6 foot 9 inches in the center.

The Corticellis would like to raise the roof 6 feet to raise the ceilings to a 7 foot 6 inch height to comply with building code, add windows complying with code and headroom for a staircase. There would be no change in the footprint. The additional height would be in keeping with other neighborhood homes. The house, attached to 25 Kingsbury Street, is a legal two-family dwelling in a General Residence District.

The Board asked who occupied 23 Kingsbury Street. Mr. Staniunas said the Corticellis live in 25, and their daughter and her family occupy 23.

The Board expressed concern with the additional bulk, but agreed that the style was similar to others in the neighborhood. Mr. Staniunas added that every attempt would be made to preserve the trees.

No other person present had any comment on the petition.

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Statement of Facts

The subject property is located at 23 Kingsbury Street, which is attached at the rear to a second dwelling numbered 25 Kingsbury Street, in a General Residence District, on a 17,390 square foot lot. The subject dwelling has a minimum front setback of 11.8 feet, a minimum right side yard setback of 14.8 feet. The combined percentage of lot coverage of the two structures is 20.7 %, which is greater than the allowed 20% for a 17,390 square foot lot.

The petitioners are requesting a Special Permit/Finding that the raising of the roof 6 feet above the entire one and one-half story house to accommodate a 41 foot by 33.2 foot second story addition with the same minimum front and right clearances shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. There will be no change in the footprint.

A Plot Plan dated October 6, 2002, stamped by Robert F. Drake, Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated 9/25/02, drawn by John C. Staniunas, Architect; and photographs were submitted.

On October 22, 2002, the Planning Board reviewed the petition and had no objection to granting of the Special Permit.

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 stated in the foregoing Statement of Facts.

It is the finding of this Authority that construction of the proposed 41 foot by 33.2 foot second story addition shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as the existing nonconformance will not be intensified, nor will new nonconformity be created.

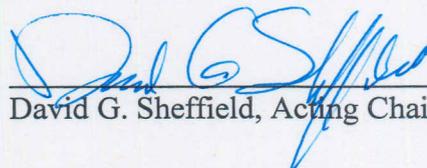
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, to construct the second story addition in accordance with the submitted plot plan and construction drawings.

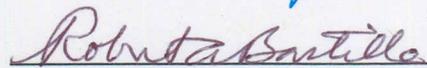
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

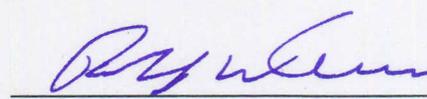
APPEALS FROM THIS DECISION,  
IF ANY, SHALL BE MADE PURSUANT  
TO GENERAL LAWS, CHAPTER 40A,  
SECTION 17, AND SHALL BE FILED  
WITHIN 20 DAYS AFTER THE DATE  
OF FILING OF THIS DECISION IN  
THE OFFICE OF THE TOWN CLERK.

Cc: Planning Board  
Inspector of Buildings  
edg

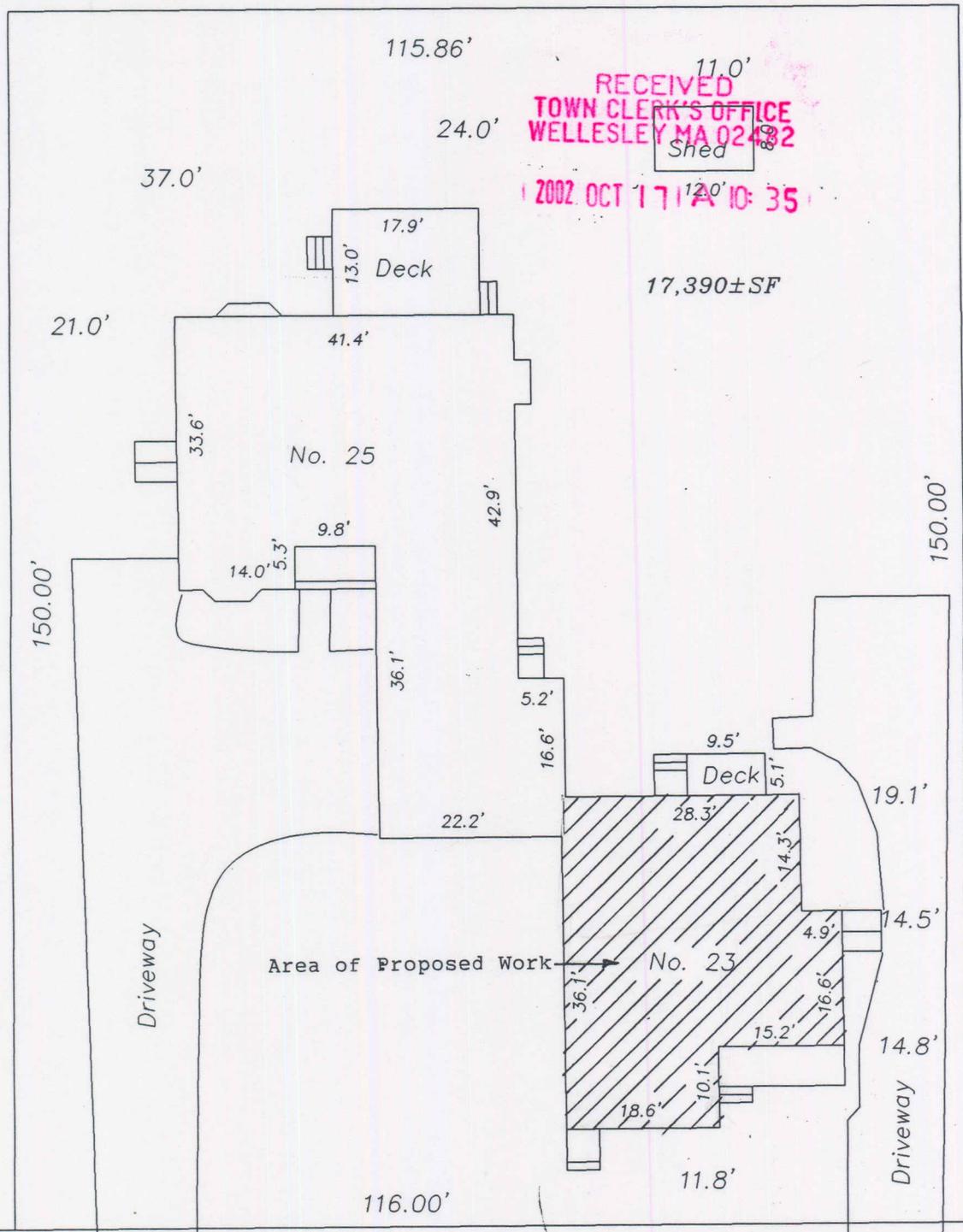
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David G. Sheffield, Acting Chairman

  
Robert A. Bastille

  
Robert W. Levy

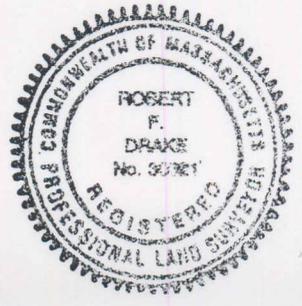
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LOT COVERAGE 20.7 %

KINGSBURY STREET

I HEREBY CERTIFY THAT THE CONDITIONS ON THE GROUND ARE THE SAME AS SHOWN HEREON. I FURTHER CERTIFY THAT THE BUILDING(S) ARE LOCATED AS SHOWN HEREON



CERTIFIED PLOT PLAN  
 IN  
 No. 23 Kingsbury Street  
 WELLESLEY MASS.

SCALE 1" = 20 FEET

Drake Associates Inc.  
 Civil Engineers Land Surveyors  
 770 Grove Street Framingham, Mass.  
 (508) 877-0848  
 FAX (508) 877-6350

SIGNED: [Signature]  
 DATE: Oct 6, 2002