

TOWN OF WELLESLEY



RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
JAN 15 2002

MASSACHUSETTS

ZONING BOARD OF APPEALS A 8:14

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

KENDALL P. BATES, CHAIRMAN
RICHARD L. SEEDEL, VICE CHAIRMAN
CYNTHIA S. HIBBARD

ELLEN D. GORDON
EXECUTIVE SECRETARY
TELEPHONE
(781) 431-1019 EXT. 208

ROBERT A. BASTILLE
J. RANDOLPH BECKER
ROBERT W. LEVY

ZBA 2002-11

Petition of Susan Cushner

33 Glen Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, January 31, 2002 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of SUSAN CUSHNER requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the following construction at her nonconforming dwelling with less than the required front, right and left side yard setbacks, at 33 GLEN ROAD, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure:

1. A 12.6 foot by 14 foot two-story addition with less than the required right side yard setback.
2. An 11.4 foot by 8 foot one-story addition with covered porch above with less than the required left side yard setback.
3. A 24 foot by 16 foot one-story addition with open roof deck above with less than the required left side yard setback.

On January 14, 2002, 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 John Chapman, project architect, representing Susan Cushner, who was unavoidably out of town. Mr. Chapman explained that the project involved construction of a 24 foot by 24 foot addition at the back of the house. The land drops off severely at the rear, so the addition has been stepped down in three levels. The 12 foot by 14 foot addition is a continuation of the dining area. Basically, the project is a one-story family room addition at the lowest level, with a basement below it and a roof above it.

The Board noted that the Planning Board had no objection to the granting of a Special Permit.

The Board expressed concern about the overall height in regard to the proposed change in the Zoning Bylaw. The current height limit is 36 feet from average mean grade. However, the proposed change states that the eave soffit of the main roof shall not exceed a height of 28 feet, and that the soffit height shall be measured from the lowest basement/cellar floor. The height of the eave soffit for this project appears to be substantially more than 28 feet. Mr. Chapman said it would be 36 feet to the eave soffit.

The Board explained that it could not grant relief from a bylaw that had not yet been passed. The Board and Mr. Chapman agreed to continue the hearing on the petition to April 25, 2002, by which date Town Meeting would have approved or denied the proposed change to the Zoning Bylaw.

ZBA 2002-11
Petition of Susan Cushner
33 Glen Road

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02182

2002 MAY 16 A 8:15

Public Hearing – April 25, 2002

Presenting the case at the hearing was John Chapman, project architect, who was accompanied by Susan Cushner. Mr. Chapman said that the height of the eave soffit is no longer an issue, as Town Meeting did not approve the proposed change to the Zoning Bylaw.

The Board stated that it had no further concerns regarding the construction. There are no rear abutters. The effect of the construction is diminished due to the severe slope of the property in the rear, and does not affect abutters on either side or across the street.

No other person had any comment on the petition.

Statement of Facts

The subject property is located at 33 Glen Road, in a 10,000 square foot Single Residence District, on an 8,102 square foot lot, and has a minimum left side yard clearance of 15 feet, a minimum right side yard clearance of 16.8 feet and a minimum front setback of 14.7 feet.

The petitioner is requesting a Special Permit/Finding that the construction of a 12.6 foot by 14 foot two story addition with a minimum right side yard setback of 19.6 feet; an 11.4 foot by 8 foot one-story addition with covered porch above having a minimum left side yard setback of 19 feet; and a 24 foot by 16 foot one-story addition with covered porch having a minimum left side yard setback of 16.3 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated January 10, 2002, stamped by Robert F. Drake, Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated January 9, 2002, drawn by John Chapman, Architect; and photographs were submitted.

On January 9, 2002, the Planning Board reviewed the petition and had no objection to granting the Special Permit as the proposed additions are set back farther from the side lines than the existing house.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearings. 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 three-level project shall not be substantially more detrimental to the neighborhood than the existing nonconforming dwelling as the three additions shall intensify the existing nonconformance, but shall not create additional nonconformity and shall not affect any abutters to the property.

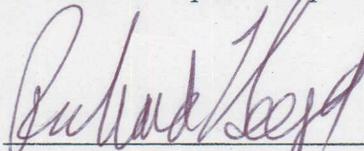
Therefore, a Special Permit is granted for the entire project, as voted unanimously at the Public Hearing on April 25, 2002, subject to construction in accordance with the submitted plot plan and construction drawings.

ZBA 2002-11
Petition of Susan Cushner
33 Glen Road

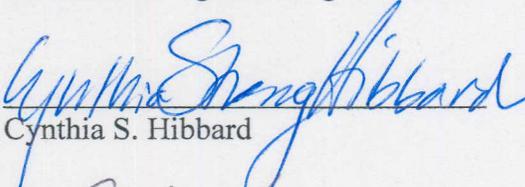
The Inspector of Building is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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.

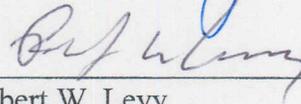
Cc: Planning Board
Inspector of Buildings
edg



Richard L. Seegel, Acting Chairman

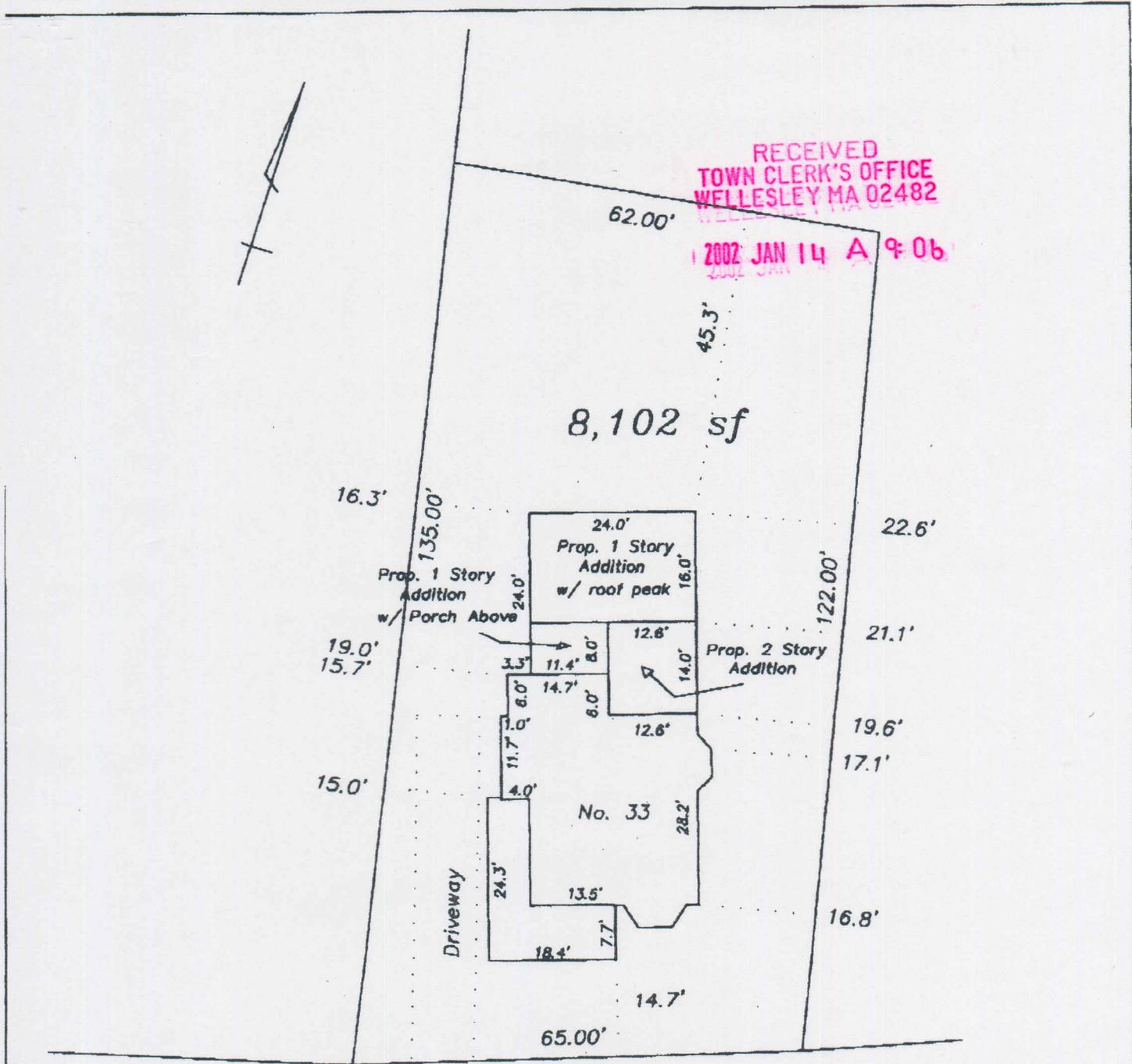


Cynthia S. Hibbard



Robert W. Levy

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2002 MAY 16 A 8:15



RECEIVED
 TOWN CLERK'S OFFICE
 WELLESLEY MA 02482
 2002 JAN 14 A 9:06

Proposed Lot Coverage 21.7%
 Total Building Footprint 1,758±sf
GLEN ROAD

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

I FURTHER CERTIFY THAT THE SITE IS NOT LOCATED IN A FEDERALLY DESIGNATED FLOOD HAZARD AREA.

[Signature]

SIGNED: _____
 DATE: JAN 10, 2002



CERTIFIED PLOT PLAN
 IN
 No. 33 Glen Road
 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