

TOWN OF WELLESLEY



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WELLESLEY MA 02482

ZONING BOARD OF APPEALS

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

2002 APR -2 A 8:51

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ROBERT A BASTILLE
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ZBA 2002-24
Petition of Joseph M. Gwinn and
Kathleen A. Meany
59 Windsor Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, March 21, 2002 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of JOSEPH M. GWINN AND KATHLEEN A. MEANY 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 20.2 foot by 17.5 foot addition with a 6 foot by 4.5 foot landing and stair, with less than the required right side yard setback, at their nonconforming dwelling with less than the required right side yard setback, at 59 WINDSOR ROAD, in a 20,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On March 4, 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 were Joseph Gwinn and Kathleen Meany. Prior to the presentation, the Board stated that it did not understand the plans and needed further clarification. It appeared that the plans on one sheet were drawn from one view and from other views on other sheets.

Mr. Gwinn explained that the addition would be placed behind the existing shed with the window. The patio and stairway would be eliminated and replaced by a one-story addition with a full basement. The addition would be used as a second living room.

The Board asked why the landing and stair could not be relocated to the rear. Mr. Gwinn said the ground falls off steeply at the rear.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 59 Windsor Road in a 20,000 square foot Single Residence District, on a 12,000 square foot lot and has a minimum right side yard clearance of 14.2 feet.

The petitioners are requesting a Special Permit/Finding that the construction of a one-story 20.2 foot by 17.5 foot addition with a minimum right side yard setback of 14.3 feet with a 6 foot by 4.5 foot landing and stair shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

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A Plot Plan dated February 4, 2002, stamped by Bruce Bradford, Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated August 23, 2001, drawn by John Chapman, Architect, and photographs were submitted.

On March 12, 2002, 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.

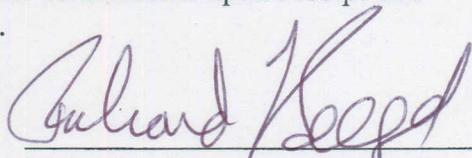
It is the finding of this Authority that the construction of the one-story 20.2 foot by 17.5 foot addition with a 6 foot by 4.5 foot landing and stair shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure as it will neither intensify the existing nonconformance, nor will it create new nonconformity.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of the one-story addition, landing and stair 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 FILED 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.

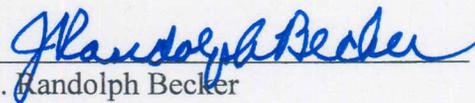
Cc: Planning Board
Inspector of Buildings
edg



Richard L. Seegel, Acting Chairman



Robert A. Bastille

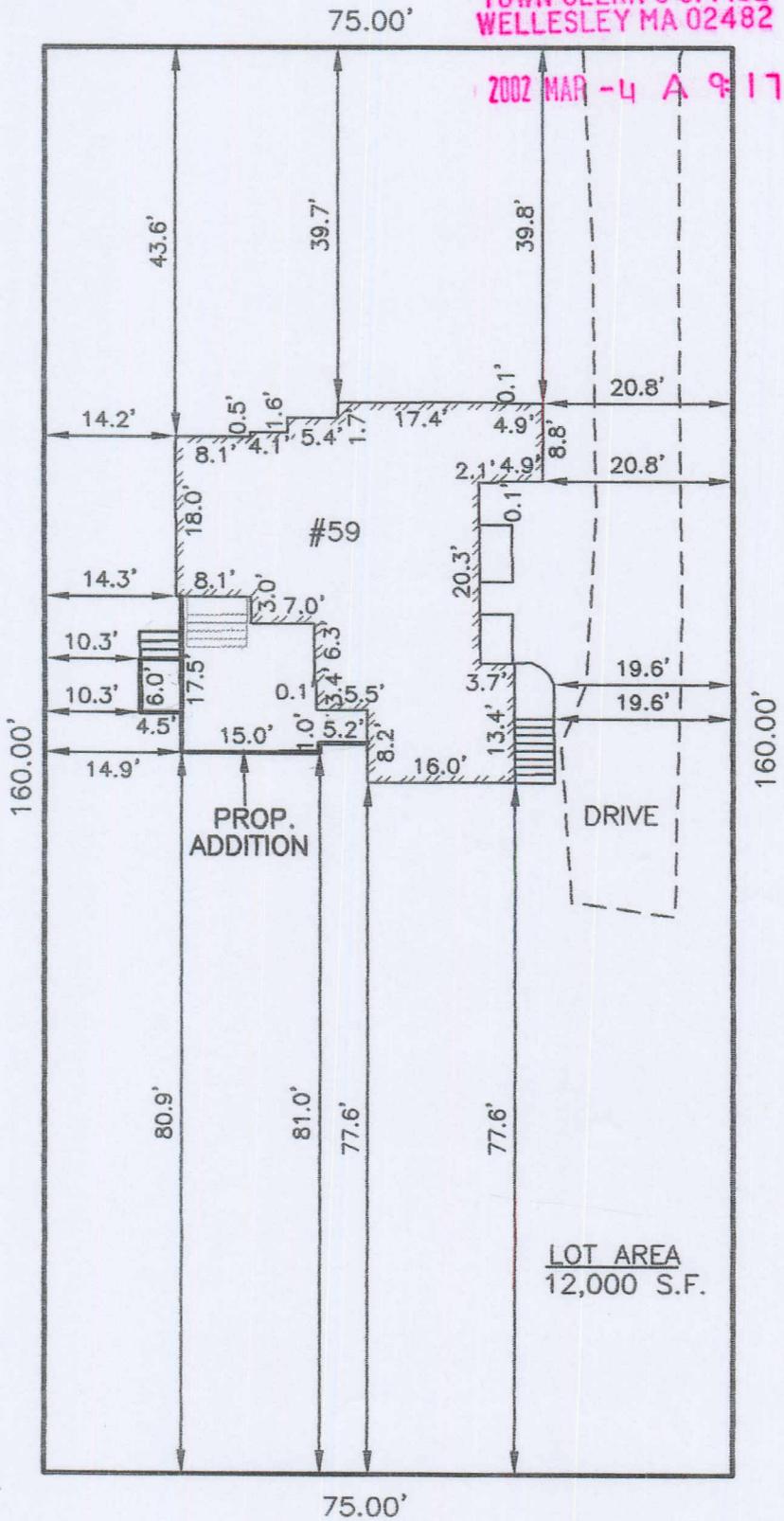


J. Randolph Becker

WINDSOR ROAD

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2002 MAR -4 A 9:17

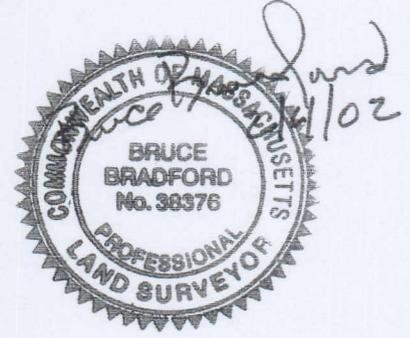


PLAN OF LAND IN WELLESLEY, MA.

59 WINDSOR ROAD
PROPOSED ADDITION

SCALE 1 IN. = 20 FT
FEBRUARY 4, 2002

LOT COVERAGE = 12.3%
STRUCTURES = 1475 S.F.



LOT AREA
12,000 S.F.

EVERETT M.
BROOKS
COMPANY
ENGINEERS & SURVEYORS

49 LEXINGTON STREET
WEST NEWTON MA 02465
(617) 527-8750

PROJECT NO. 20645