

TOWN OF WELLESLEY



MASSACHUSETTS

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WELLESLEY MA 02482

ZONING BOARD OF APPEALS

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

2002 AUG 15 A 11:58

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ZBA 2002-66
Petition of Timothy and Shannon Scarlett
11 Pine Tree Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 25, 2002 at 7:30 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of TIMOTHY AND SHANNON SCARLETT requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a two-story 18 foot by 16 foot addition and a one-story 2.5 foot by 9 foot cantilevered bay window, both of which will have less than the required left side yard setback, at their nonconforming dwelling with less than the required left side yard setback at 11 PINE TREE ROAD, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On July 8, 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 Shannon Scarlett, who said they have lived in their house for seven years and need more space for their two children. The proposed addition will come directly off of the back of the house, set back 2.5 feet farther than the existing house from the left side line. They had considered shifting the addition to the right to make it conform, but in doing so, the addition would have blocked one of the windows in a bedroom in which that is the only window, making it unusable.

The Board noted that the Planning Board had no objections.

The Board asked if the Scarletts had discussed the project with their northern abutter. Mrs. Scarlett said they had, and their neighbor had no objections. The fence will remain to screen the first floor. Their abutter's garage is between their house and the rear line, which also provides a screen. The upper level of the addition will have smaller windows so as not to be intrusive.

The Board asked what the height of the existing ridgeline was compared to the ridgeline of the addition. Mrs. Scarlett said that both ridgelines have a height of 29 feet.

The Board asked if the garage was to be used as a garage or for storage because, according to code, it can be used only for storage. Mrs. Scarlett said it has been used only for storage and will continue to be used only for storage.

No other person present had any comment on the petition.

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Statement of Facts

The subject property is located at 11 Pine Tree Road, in a 10,000 square foot Single Residence District, on a 9,000 square foot lot, and has a minimum left side yard setback of 13.1 feet.

The petitioners are requesting a Special Permit/Finding that construction of a two-story 18 foot by 16 foot addition with a minimum left side yard setback of 15.8 feet and a 2.5 foot by 9 foot cantilevered bay window with a minimum left side yard setback of 13.4 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A plot plan dated June 4, 2002, revised June 20, 2002, stamped by Stephen P. Des Roche, Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated 6/20/02, drawn by Shannon T. Scarlett, Registered Architect; and photographs were submitted.

On July 16, 2002, the Planning Board reviewed the petition and had no objections to the granting of the request.

Decision

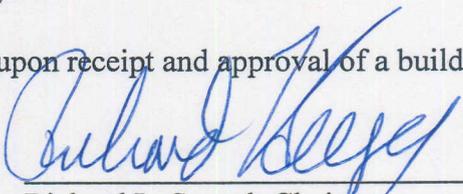
This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

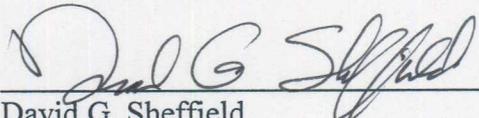
It is the finding of this Authority that the construction of both the two-story addition and the cantilevered bay window shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as neither the addition nor the bay window shall intensify the existing nonconformance, nor shall either create new nonconformance as both the addition and bay window are less nonconforming than the existing nonconforming structure.

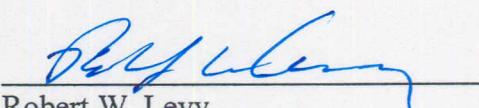
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of the two-story 18 foot by 16 foot addition and the 2.5 foot by 9 foot bay window in accordance with the submitted plot plan and construction drawings.

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

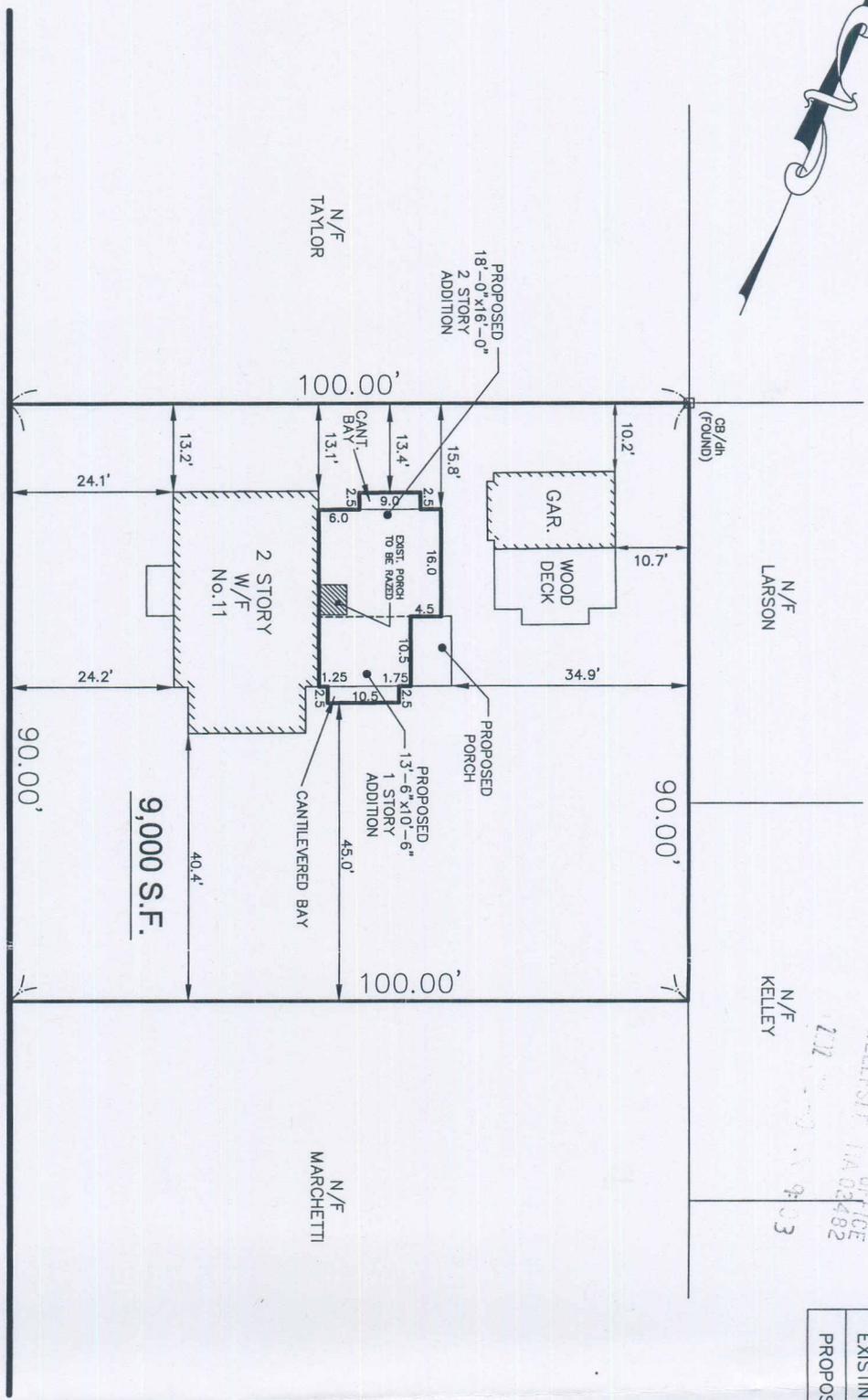
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN
THE OFFICE OF THE TOWN CLERK.


Richard L. Seegel, Chairman


David G. Sheffield


Robert W. Levy

Cc: Planning Board
Inspector of Buildings
edg



PINE TREE ROAD
(40.00' ~ WIDE)

LOT AREA	STRUCTURES COVER	% LOT COVER	% OPEN SPACE
EXISTING 9,000 S.F.	1,192 S.F.	13%	87%
PROPOSED 9,000 S.F.	1,734 S.F.	19%	81%

LOT COVERAGE TABLE

TOWN OF WELLESLEY OFFICE
 2002 JUN 20 9:03
 111 WELLESLEY ST. WELLESLEY, MA 02482

PLAN OF LAND
 SHOWING
PROPOSED ADDITIONS
 AT
11 PINE TREE ROAD
 IN
WELLESLEY, MASS.

PREPARED BY:
NEPONSET VALLEY SURVEY ASSOC., INC.
 95 WHITE STREET
 QUINCY, MASS.
 JUNE 4, 2002
 REVISÉD JUNE 20, 2002
 SCALE 1" = 20'



STEPHEN P. DESROCHE PLS No. 27699

