

TOWN OF WELLESLEY



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WELLESLEY MA 02482

ZONING BOARD OF APPEALS SEP 13 A 9:00

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

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ZBA 2002-80
Petition of Hilary Mankin-Kufe
179 Grove Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 29, 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 HILARY MANKIN-KUFE requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the demolition of a portion of her existing nonconforming deck and construction of a one-story 6.8 foot by 18.1 foot addition with less than the required rear yard setback, at her nonconforming dwelling with less than the required rear yard setback at 179 GROVE STREET, in a 40,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On August 9, 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 were Verne Porter, Registered Land Surveyor, and William Foley, project contractor. The petitioner was not present, nor had she sent any letter to the Board of Appeals authorizing Mr. Porter and Mr. Foley to represent her. The Board decided to hear the petition and that the decision would contain a condition that authorization be submitted to the Board prior to the issuance of a Building Permit.

Mr. Porter said the proposal is to build a one-story addition to be constructed in the location of the existing deck. The addition, which will be a "fill-in", will include reconstruction of the remaining portion of the deck. The addition is blocked from view by the abutters. The percentage of lot coverage will be reduced due to the elimination of a small triangle of the deck. The setback of the addition is 15.4 feet, while the existing house has a setback of 3.9 foot from the rear yard lot line.

Mr. Foley said the house, which had been built in the early 1900's, was used as the infirmary by Dana Hall. The elevator shaft was blocked off, and is now used as a pantry. The Kufes have been restoring the house from the top to the bottom.

The Board noted that the Planning Board had no objections.

No other person present had any comment on the petition.

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Statement of Facts

The subject structure is located at 179 Grove Street, in a 40,000 square foot Single Residence District, on a 15,170 square foot lot, and has a minimum rear yard clearance of 3.9 feet.

The petitioner is requesting a Special Permit/Finding that the demolition of the existing nonconforming deck and construction of a one-story 6.8 foot by 18.1 foot addition with a minimum rear yard clearance of 15.4 feet shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

An Existing Conditions Plot Plan dated April 29, 2002, and a Proposed Addition Plan dated August 8, 2002, both stamped by Verne T. Porter, Jr., Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated 8/8/02 (final revision), drawn by CM&D; and photographs were submitted.

A letter dated September 3, 2002, was received from Hilary Mankin-Kufe authorizing William Foley and Verne Porter to represent her at the Public Hearing held on August 29, 2002.

On August 13, 2002, the Planning Board reviewed the petition and had no objecting to the 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 noted in the foregoing Statement of Facts.

It is the finding of this Authority that the demolition of a portion of the existing nonconforming porch and construction of the one-story 6.8 foot by 18.1 foot addition 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 as it will be far less nonconforming than the existing nonconforming structure.

It is the finding of this Authority that the existing nonconforming 24.02% percentage of lot coverage on a lot on which the maximum allowed lot coverage is 20%, shall also be reduced to 23.94%, which is greater than allowed, but less than the existing percentage of lot coverage, and therefore shall not be substantially more detrimental to the neighborhood.

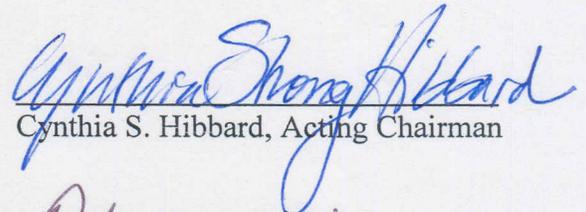
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of the one-story addition in accordance with the Proposed Addition Plan and the last revision of the submitted construction drawings.

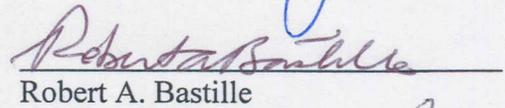
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

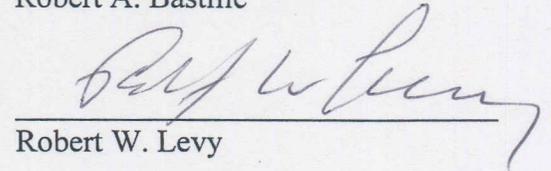
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APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN
THE OFFICE OF THE TOWN CLERK.

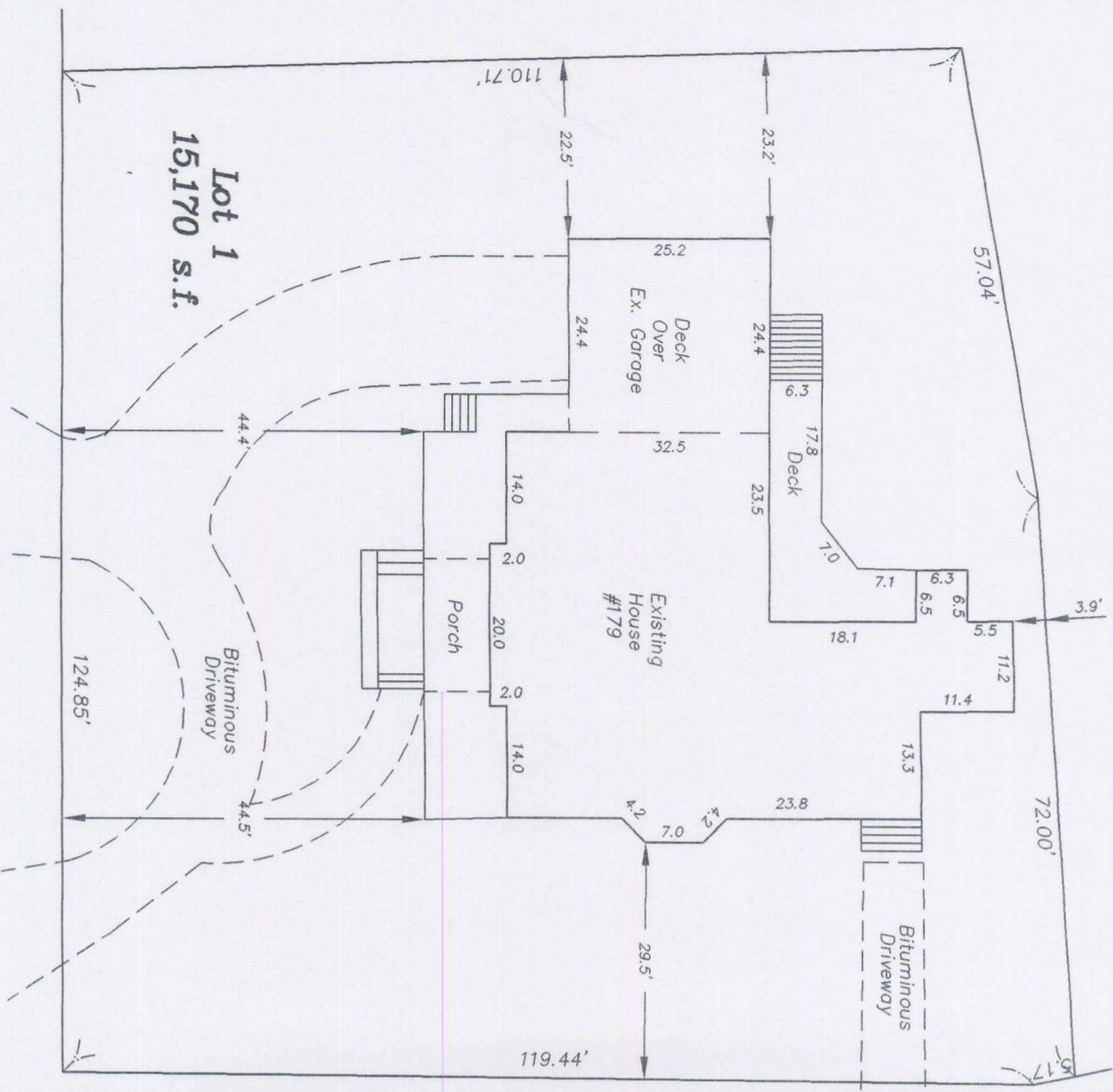
Cc: Planning Board
Inspector of Buildings
edg


Cynthia S. Hibbard, Acting Chairman


Robert A. Bastille


Robert W. Levy

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Grove Street

Benvenue Street

Revised: August 8, 2002

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2002 AUG -9 A 11: 12



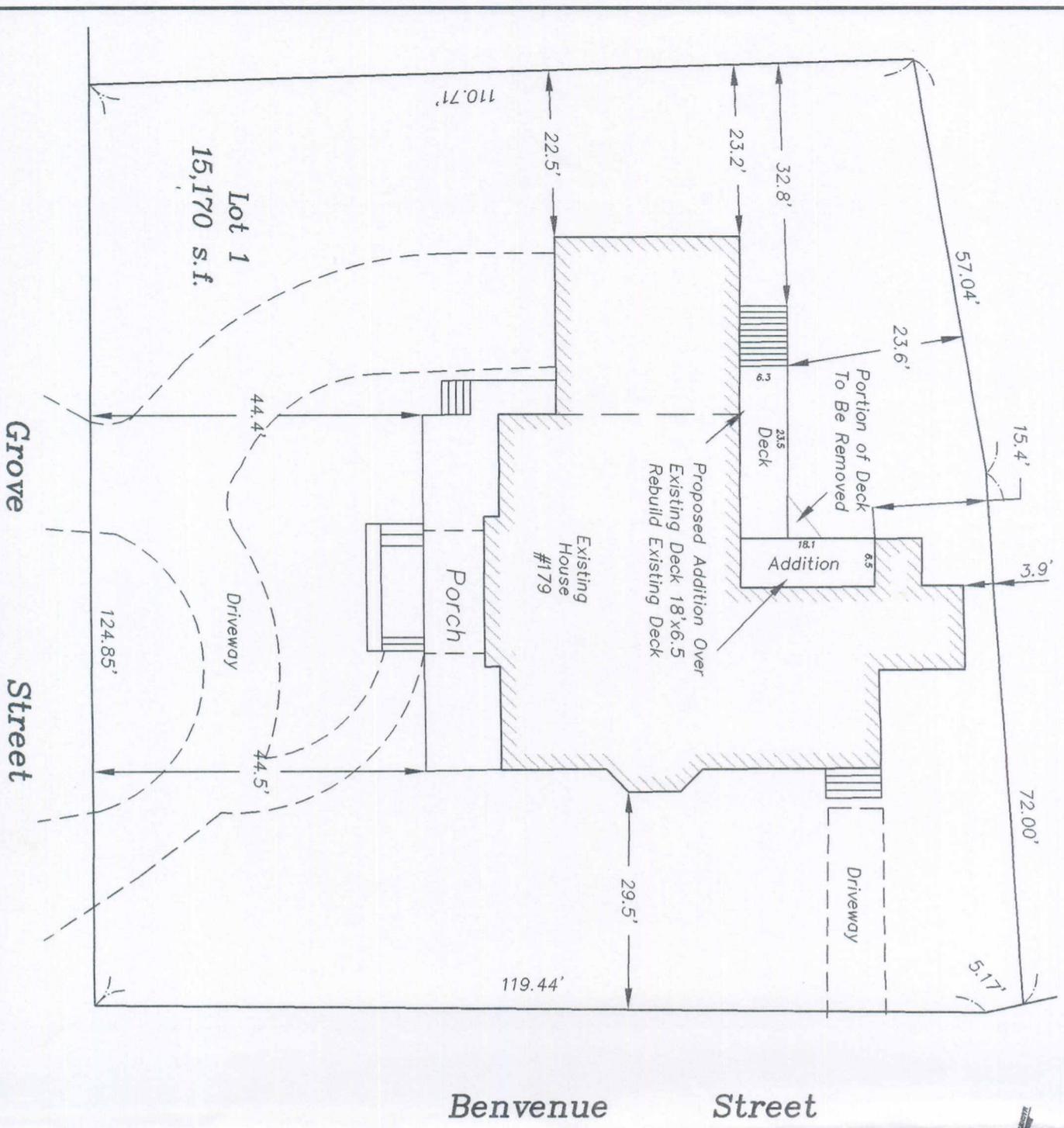
Existing Coverage=24.02%



Existing Conditions Plot Plan
179 Grove Street
Wellesley, Massachusetts

Scale: 1"=20' April 29, 2002

Verne T. Porter Jr., PLS
354 Elliot Street, Newton, Ma. 02464



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 2002 AUG -9 A 11: 12

Existing Coverage=24.02%
 Proposed Coverage=23.94%



Proposed Addition Plan
 179 Grove Street
 Wellesley, Massachusetts

Scale: 1"=20' August 8, 2002
 Verne T. Porter Jr., PLS
 354 Elliot Street, Newton, Ma. 02464