



## ZONING BOARD OF APPEALS

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

RICHARD L. SEEGEL, CHAIRMAN  
 CYNTHIA S. HIBBARD, VICE CHAIRMAN  
 DAVID G. SHEFFIELD

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

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

2003 OCT 22 A 8:05  
 RECEIVED  
 TOWN CLERK'S OFFICE  
 WELLESLEY MA 02482

ZBA 2003-75  
 Petition of Kenneth and Sarah Tam  
 24 Cedar Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, October 9, 2003 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 KENNETH AND SARAH TAM requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a 25 foot by 21 foot two-story addition with less than the required left and right side yard setbacks, at their nonconforming dwelling with less than the required left, front and right side yard setbacks, at 24 CEDAR STREET, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On September 18, 2003, 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 Kenneth Tam, who said they were proposing to build a two-story addition at the rear of their house in order to achieve more space, including a second bathroom. Presently, they have only one bath.

The Board commented that the elevation drawings were schematic and not very informative. However, the proposed addition is less nonconforming on both sides than the existing house. Furthermore, the Planning Board had no objection to the granting of the request.

The Board asked what would happen to the existing half-bath on the first floor. Mr. Tam said it would become a pantry.

The Board asked about the easement shown on the plot plan. Mr. Tam said the easement was for a shared fence. He added that he had spoken to his neighbors, who had no objections to the addition.

No other person present had any comment on the petition.

#### Statement of Facts

The subject property is located at 24 Cedar Street, in a 10,000 square foot Single Residence District, on an 8,128 square foot lot, and has a minimum left side yard setback of 7 feet, a minimum front yard setback of 20 feet and a minimum right side yard setback of 12 feet.

ZBA 2003-75  
Petition of Kenneth and Sarah Tam  
24 Cedar Street

The petitioners are requesting a Special Permit/Finding that the construction of a two-story 25 foot by 21 foot addition, with a minimum left side yard setback of 8 feet and a minimum right side yard setback of 17 feet at the right rear corner, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 8/15/03, stamped by Albert Romano, Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated August 18, 2003, designed by Kenneth and Sarah Tam; and photographs were submitted.

The Planning Board reviewed the petition and had no objection to the granting of the request.

Decision

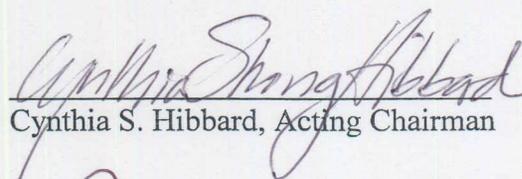
This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

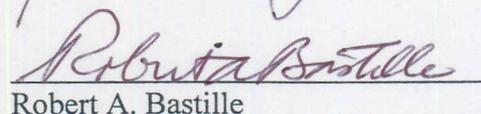
It is the finding of this Authority that the construction of the two-story 25 foot by 21 foot addition, with a minimum left side clearance of 8 feet and a minimum right side clearance of 17 feet at the right rear corner, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure as the proposed addition shall neither intensify the existing nonconformance, nor shall it create new nonconformity, as it shall be less nonconforming on both the right and left sides than the existing nonconforming structure.

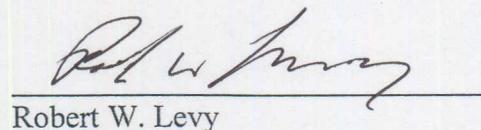
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the construction of the two-story addition in accordance with the submitted plot plan and construction drawings.

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.

  
Cynthia S. Hibbard, Acting Chairman

  
Robert A. Bastille

  
Robert W. Levy

Cc: Planning Board  
Inspector of Buildings  
edg

2003 OCT 22 A 8:05  
RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02482

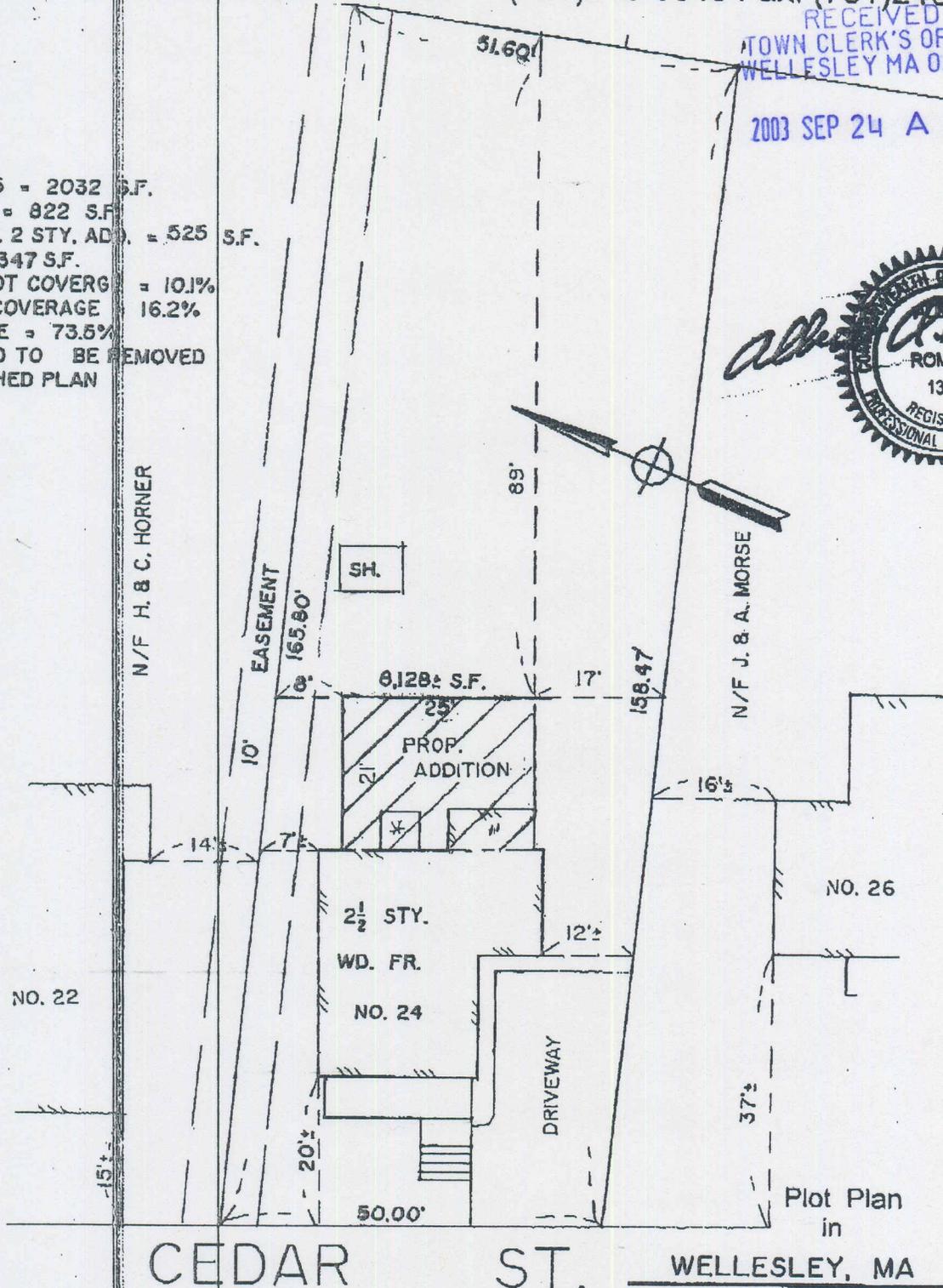
# GLORAL ASSOCIATES

Registered Land Surveyor Registered Professional Engineer  
9 Broadway Wakefield, MA 01880 T:(781)246-9345 Fax: (781)246-4333

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02482

2003 SEP 24 A 8:17

8128 X .25 = 2032 S.F.  
EX. HOUSE = 822 S.F.  
/// PROP. 2 STY. ADD. = 525 S.F.  
TOTAL = 1347 S.F.  
EXISTING LOT COVERAGE = 10.1%  
PROP LOT COVERAGE 16.2%  
OPEN SPACE = 73.5%  
\* BULKHEAD TO BE REMOVED  
SEE ATTACHED PLAN



CEDAR ST.

WELLESLEY, MA

Prepared For  
**KENNETH & SARAH TAM**

Scale 1" = 20' Date 8/15/03

REVISED 8-22-03