



## ZONING BOARD OF APPEALS

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

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2003 DEC 11 A 9:03  
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ZBA 2003-92

Petition of Gerald and Bonni Dimatteo  
 5 Pine Ridge Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, December 11, 2003 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of GERALD AND BONNI DIMATTEO requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the following construction at their nonconforming dwelling with less than the required front and right side yard setbacks, at 5 PINE RIDGE 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. Demolition of existing nonconforming porch and construction of a two-story 18 foot by 16 foot addition with less than the required front yard setback.
2. Construction of a 12 foot by 13 foot deck with less than the required right side yard setback.

On November 17, 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 were Gerald and Bonni Dimatteo. Mr. Dimatteo said their project consists of demolition of their existing nonconforming sunporch and construction of an 18 foot by 16 foot two-story addition with a basement, which would have less than the required front setback. At the right rear corner of the house, they would like to add a 12 foot by 13 foot deck with less than the required right side yard setback.

The Board noted that the Planning Board had no objections. The Board had received copies of the Order of Conditions just prior to the hearing. The Order of Conditions would be incorporated into the decision.

The Board commented that two plot plans had been submitted, which were identical except for the notations added to one of them. Mr. Dimatteo said that Paul Finocchio, their land surveyor had done both of the plot plans, but that he had added the notations on the plot plan submitted to the Wetlands Protection Committee.

No other person present had any comment on the petition.

#### Statement of Facts

The subject property is located at 5 Pine Ridge Road, in a 10,000 square foot Single Residence District, on a 13,558 square foot lot, and has a minimum front yard clearance of 22.2 feet and a minimum right side yard clearance of 12.7 feet.

The petitioners are requesting a Special Permit/Finding that the demolition of an existing nonconforming 18 foot by 6 foot one-story sunporch, and construction of a two-story 18 foot by 16 foot addition, with a minimum front setback of 27.6 feet; and a 12 foot by 13 foot deck at the right rear corner of the dwelling, which would have a minimum right side yard setback of 16.2 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A plot plan dated October 17, 2003, stamped by Paul J. Finocchio, Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated June 14, 2003, prepared by Robert E. May, Jr., Registered Architect; and photographs were submitted.

On October 30, 2003, the Wetlands Protection Committee issued an Order of Conditions (DEP 324-445) for the project.

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.

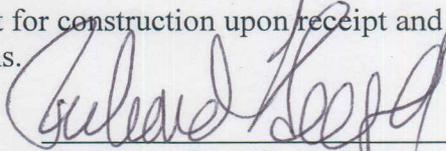
It is the finding of this Authority that demolition of the existing nonconforming sunporch and construction of the two-story 18 foot by 16 addition with less than the required front yard setback; and the 12 foot by 13 foot deck with less than the required right side yard setback, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as neither addition shall intensify the existing nonconformance nor shall either addition create new nonconformity.

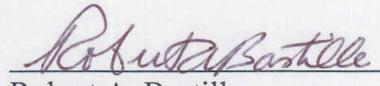
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the construction of the two-story 18 foot by 16 foot addition and the 12 foot by 14 foot deck in accordance with the submitted plot plan and construction drawings, subject to the following condition:

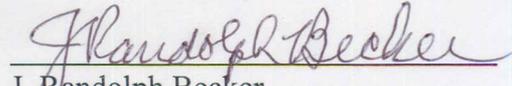
1. The Order of Conditions (DEP 324-445) is hereby incorporated into this decision).

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.

  
Richard L. Seegel, Chairman

  
Robert A. Bastille

  
J. Randolph Becker

Cc: Planning Board  
Inspector of Buildings

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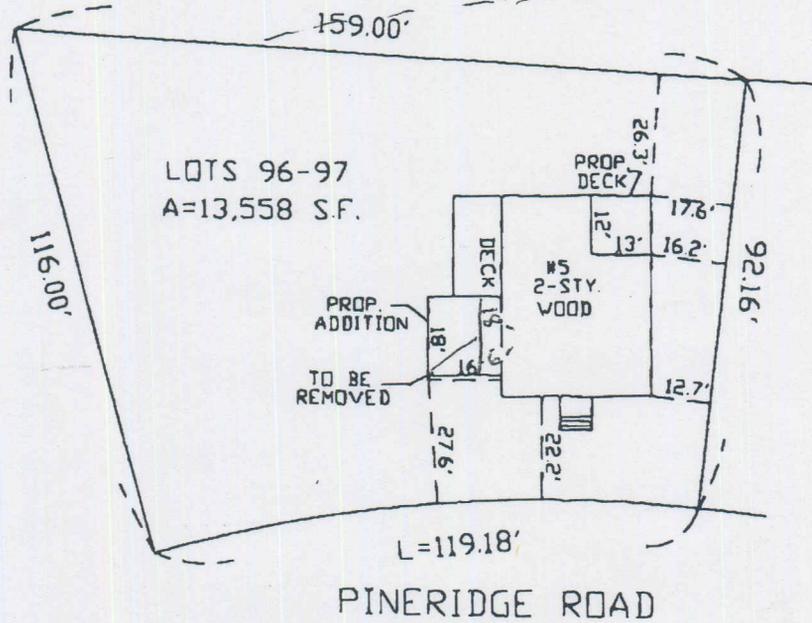
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2003 NOV 17 A 11:36

LOT COVERAGE

EXIST. 1733/13558=12.7%

PROP. 1877/13558=13.8%



NOTE:

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED FROM AN ACTUAL ON THE GROUND INSTRUMENT SURVEY.

PLOT PLAN OF LAND  
IN  
WELLESLEY, MA

PREPARED BY:  
PJF & ASSOCIATES  
11 GLEASON ST. MEDFORD, MA.  
PAUL J. FINOCCHIO-P.L.S.  
(781)395-7662

SCALE: 1" = 40'

DEED REF.:

DATE: OCT. 17, 2003

FILE No.: 5020



*[Signature]*  
PAUL J. FINOCCHIO P.L.S. No. 36115 DATE *10/17/03*

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Glen Road

LOT COVERAGE

EXIST. 1733/13558=12.7%

PROP. 1877/13558=13.8%

Concrete  
Slab 11'6" x  
20'  
BASE of OLD  
GARAGE

Cold Stream Brook

LOTS 96-97  
A=13,558 S.F.

PROP DECK

#5  
2-STY  
WOOD

PROP  
ADDITION

TO BE  
REMOVED

Proposed New  
Driveway  
22' W  
39' L (towards stream)

Present  
Driveway  
= 10' x 75'

PINERIDGE ROAD

"Front  
House"

Riverdale  
ST.

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