

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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2003 DEC 17 A 9:04

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ZBA 2003-94

Petition of Edward and Maura Shoulkin
17 Montvale 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 EDWARD AND MAURA SHOULKIN 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 right and left side yard setbacks, at 17 MONTVALE 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 an existing nonconforming one-story addition and construction of a two-story 21.5 foot by 22 foot addition with less than the required left side yard setback.
2. Raising the roof above an 8.5 foot by 26.5 foot front right portion of the dwelling to construct a second story addition with the same dimensions and 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 was Edward Shoulkin, who was accompanied by his architect, Elise Stone.

The Board noted that the Planning Board had no objection to the granting of the request.

The Board asked if the small garage would remain. Mr. Shoulkin said that it would. The garage is used for storage and not to house the car. The Board asked what the distance would be between the deck and the garage. The architectural plan shows the stairs coming off the deck at 90 degrees, but the plot plan shows the stairs going straight back into the yard. Mr. Shoulkin said the steps would be built moving toward the side. The three steps would not block entrance to the garage. The distance between the closest point of the structure and the garage would be 6.7 feet.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 17 Montvale Road, in a 10,000 square foot Single Residence District, on a 7,320 square foot lot, and has a minimum left side yard setback of 9.1 feet and a minimum right side yard setback of 14.9 feet.

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The petitioners are requesting a Special Permit/Finding that the following construction shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure:

1. Demolition of an existing nonconforming one-story addition and construction of a 21.5 foot by 22 foot two-story addition with a minimum left side yard setback of 12.1 feet.
2. Raising the roof above an 8.5 foot by 26.5 foot front right portion of the dwelling, with a minimum right side yard setback of 14.9 feet, to construct a second story addition with the same dimensions and setback.

A plot plan dated October 28, 2003, stamped by Wade T. Putnam, Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated November 1, 2003, drawn by Elise Braceras Stone; and photographs were submitted.

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

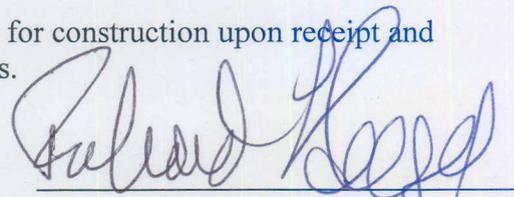
It is the finding of this Authority that the demolition of the existing nonconforming addition and construction of the 21.5 foot by 22 foot two-story addition with a minimum left side yard setback of 12.1 feet; and the 8.5 foot by 26.5 foot second story addition, with a minimum right side yard setback of 14.9 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure as neither the two-story addition nor the second story addition shall intensify the existing nonconformance, nor shall either 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 21.5 foot by 22 foot addition and the 8.5 foot by 26.5 foot second story addition in accordance with the submitted plot plan and construction drawings.

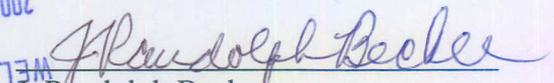
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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.

Cc: Planning Board
Inspector of Buildings
edg


Richard L. Seegel, Chairman

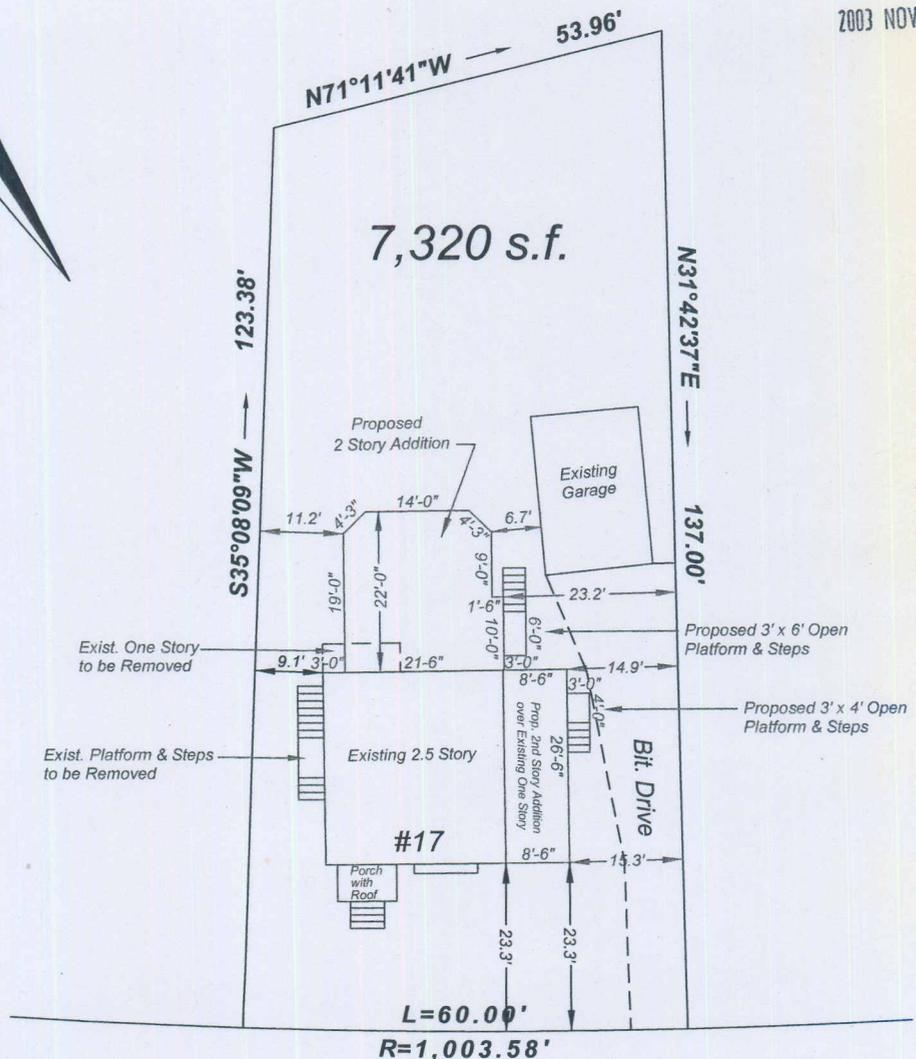
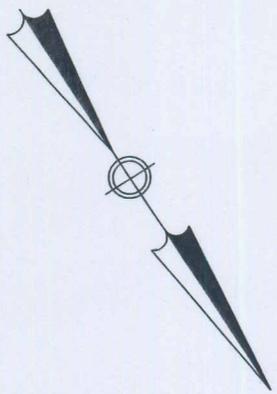

Robert A. Bastille


Randolph Becker

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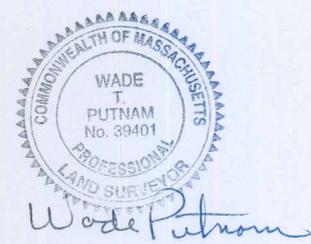
Montvale (Public - 40' Wide) Road

Existing Garage: 316 s.f.
Existing House: 963 s.f.
Total: 1,279 s.f. (17.5%)

Existing Garage: 316 s.f.
Proposed House: 1,368 s.f.
Total: 1,684 s.f. (23.0%)

Existing Lot Coverage: 17.5%
Proposed Lot Coverage: 23.0%

Deed: Book 10,600, Page 142
Plan: Book 914, Page 321, Dated: January 1902

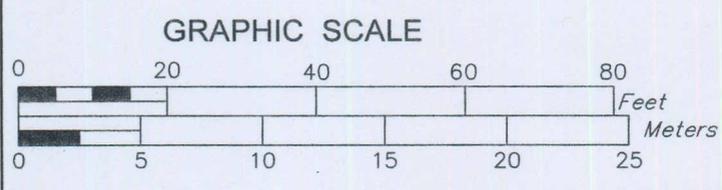


Plan of Land

IN Wellesley, Massachusetts

AT 17 Montvale Road

Owned by: Edward Shoulkin & Maura Shoulkin



To obtain meters, multiply feet by 0.3048

Scale: 1 inch = 20.00 feet

Wade T. Putnam
12 Nutting Road
Phone (617) 924-7877

October 28, 2003

Professional Land Surveyor
Waltham, Mass. 02451-3113
Email: rah55@comcast.net