



ZONING BOARD OF APPEALS

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

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ZBA 2004-95
 Petition of William and Patricia Farnsworth
 40 Sheridan Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, December 9, 2004 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of WILLIAM AND PATRICIA FARNSWORTH, requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of the existing 12.2 foot by 13.7 foot nonconforming porch with less than required left side yard setback, construction of a 15.3 foot by 27.8 foot two story addition with attic, with less than required left side yard setback, construction of a 9 foot by 11.8 foot deck with less than required left side yard setback, at 40 SHERIDAN ROAD, on an 11,865 square foot lot in a district in which the minimum lot size is 15,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming dwelling.

On November 23, 2004, 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 William Farnsworth, who said that they are looking to remove an existing nonconforming porch and deck and add a basement and second floor addition at the back of the house, which would include a family room, convert the kitchen to a mudroom, and add on a bedroom, bathroom and closet. The plan is to build out to the current nonconformity, and no further.

The Board noted that the front of the house is not indicated on the plans.

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

Mr. Farnsworth said that he had spoken with the neighbors and they have all given their approval to the project.

The Board asked if the porch was part of the original house. Mr. Farnsworth said that he did not know. He said that he grew up in the neighborhood and knows that the porch has been there for at least 30 years.

Statement of Facts

The subject property is located at 40 Sheridan Road, with a minimum left side yard setback of 15.5 feet, on an 11,865 square foot lot, in a district in which the minimum lot size is 15,000 square feet.

The petitioners are requesting a Special Permit/Finding that demolition of an existing 12.2 foot by 13.7 foot nonconforming porch with a minimum left side yard setback of 15.5 feet, construction of a 15.3 foot

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by 27.8 foot two story addition with a minimum left side yard setback of 15.5 feet, construction of a 9 foot by 11.8 foot deck with a minimum left side yard setback of 15.5 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 11/15/04, stamped by Frank DeFalco, Registered Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 11/17/04, drawn by David Grissino, and photographs were submitted.

On November 30, 2004, the Planning Board reviewed the petition and had no objection to granting the request.

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Decision

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

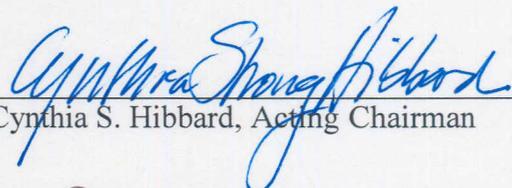
It is the finding of this Authority that demolition of an existing 12.2 foot by 13.7 foot nonconforming porch with a minimum left side yard setback of 15.5 feet, construction of a 15.3 foot by 27.8 foot two story addition with a minimum left side yard setback of 15.5 feet, construction of a 9 foot by 11.8 foot deck with a minimum left side yard setback of 15.5 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as it will neither intensify the existing nonconformity nor create a new nonconformity.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for demolition of the existing porch, construction of a 15.3 foot by 27.8 foot two story addition, construction of a 9 foot by 11.8 foot deck, subject to the following condition:

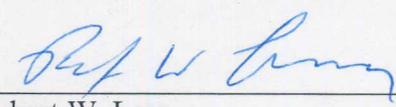
1. Submittal of construction plans showing either a north arrow or location of streets.

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
lrm

Town of Wellesley

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Plan Orientation From 2004 NOV 23 A 10:43
Norfolk District Registry of Deeds
Plan 650 of 1939

Property Belonging To:
William & Patricia Farnsworth
No. 40 Sheridan Road
Wellesley, MA

See: Norfolk Deeds
Deed Book 12649, Page 16
and Plan 650 of 1939
shown as Lot 19



BUILDING LOCATION SURVEY

The boundary information depicted is the result of an instrument survey.

This lot is NOT located in a "Flood Hazard" area as indicated on F.E.M.A. National Flood Insurance Program Maps specific to the Town of Wellesley.

Existing Lot and structure location comply with all Wellesley Zoning By-Laws.

The Applicant proposes to place a 440 sqft attached addition behind the existing No. 40 Sheridan Road structure.

Lot Area approximates: 11,865 sqft
Existing "coverage" including existing porch, chimney & deck: 1,238 sqft.
Proposed "coverage" including deck, bulk-head, tool-shed and addition approximates: 1,490 sqft.

Existing "coverage": 10%
Proposed "coverage": 12.5%

No streams or wetlands were observed on this property.

EXHIBIT A

SCALE 1" = 30'

Plan Title: BUILDING LOCATION		Located in the CITY of: WELLESLEY	
Plan No. 03-28-01 Plan Date: 11-15-2004 Field: Frank D. DeFalco John A. Farnsworth Drawn/Calc: John Farnsworth Check: Frank D. DeFalco	DEFALCO ENGINEERING INCORPORATED		03-28
Sheet 1 of 2	35 Pine Hill Road Lancaster, MA 01523 (978) 365-5577 (voice) (978) 365-2102 (fax)		

Nov. 15, 2004

See: Norfolk Deeds ...
 Deed Book 12649, Page 16
 and Plan 650 of 1939
 shown as Lot 19

William & Patricia Farnsworth
 No. 40 Sheridan Road
 Wellesley, MA

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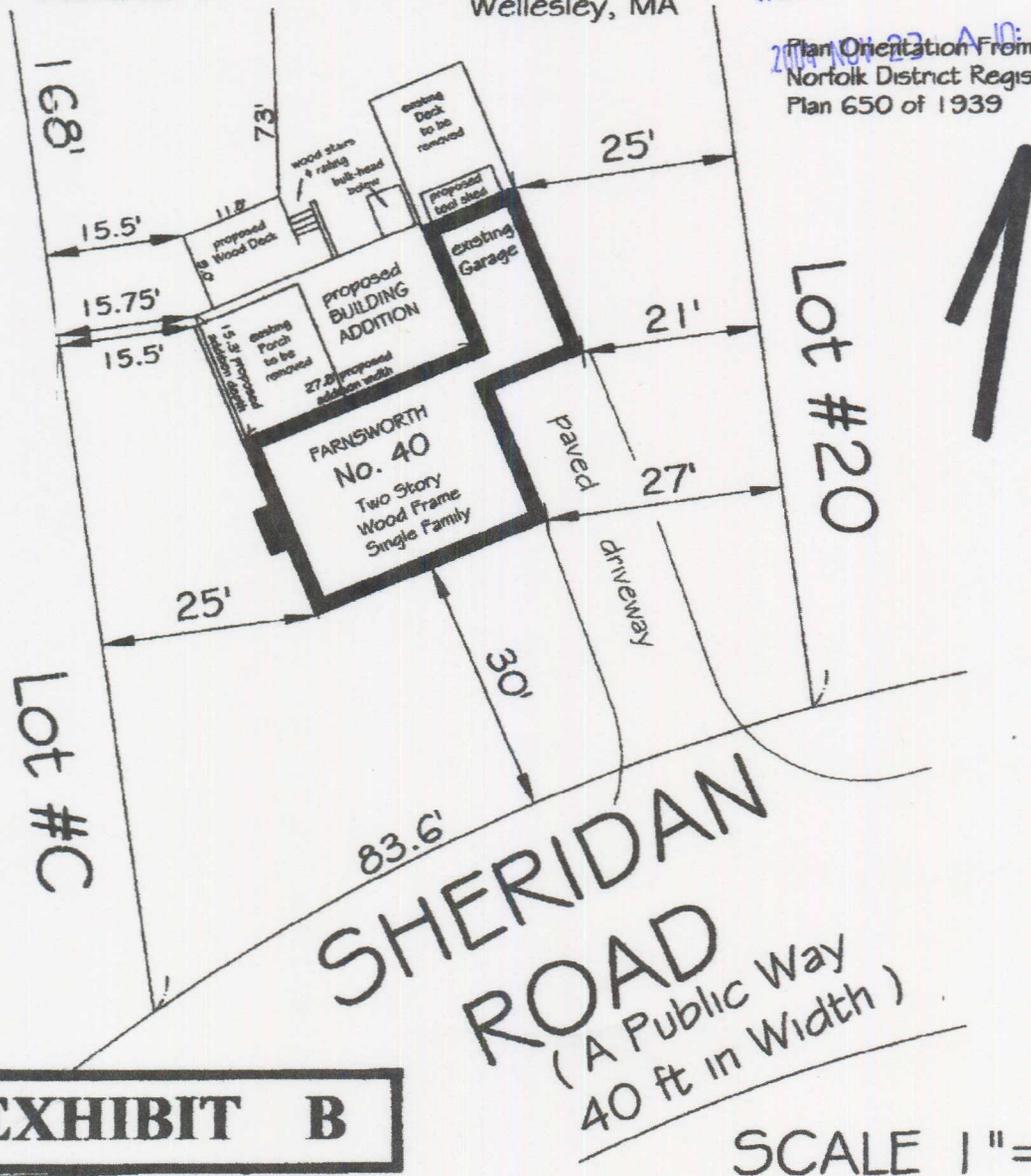


EXHIBIT B

SCALE 1" = 20'

Plan Title: BUILDING LOCATION		Located in the CITY of: WELLESLEY	
Plan No. 03-28-01 Plan Date: 11-15-2004 Field: Frank D. DeFalco John A. Farnsworth Drawn/Calc: John Farnsworth Check: Frank D. DeFalco	DEFALCO ENGINEERING INCORPORATED 35 Pine Hill Road Lancaster, MA 01523 (978) 365-5577 (voice) (978) 365-2102 (fax)	 Frank D. DeFalco, Ph.D. MA PE No. 20189 MA PLS No. 18382	03-28 Plan Prepared For: William & Patricia Farnsworth 40 Sheridan Road Wellesley, MA 02481
Sheet 2 of 2			