



ZONING BOARD OF APPEALS

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ZBA 2008-28
Petition of William Ladd
200 Cedar Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 8 2008 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of WILLIAM LADD requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a second story addition over an existing 1,324 square foot structure with less than required front yard setback, on a 10,569 square foot corner lot in a district in which the minimum lot size is 15,000 square feet, at 200 CEDAR STREET, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On April 23, 2008 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 was William Ladd (the "Petitioner"), who said that he was representing the owner, Caroline Ladd. He said that the proposal is to add a second floor and a garage to what is now a somewhat rundown house. He said that one corner of the existing house is in the setback area.

Mr. Ladd said that the proposed house will fit in better with the neighborhood. He said that the neighbors are very supportive of the plans.

Mr. Ladd said that he spoke with the Department of Public Works and was told that the sewer is far enough under that it will not be affected by the garage. He said that they will install a manhole in the garage for cleanout purposes.

The Board said that a revised plot plan should be submitted that shows lot coverage calculations.

Mr. Ladd discussed adding windows on the northeast elevation.

There was no one present at the Public Hearing who wished to speak to the petition.

Statement of Facts

The subject property is located at 200 Cedar Street, on a 10,569 square foot corner lot in a district in which the minimum lot size is 15,000 square feet, with a minimum front yard setback of 27.1 feet.

The Petitioner is requesting a Special Permit/Finding that construction of a second story addition over an existing 1,324 square foot structure with less than required front yard setback, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan stamped by Curtis M. Johnson, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 4/9/08, drawn by Jonathan Raisz, Architect, and photographs were submitted.

On May 5, 2008, 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 although construction of a second story addition over an existing 1,324 square foot structure is increasing a nonconformity, such increase shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of a second story addition over an existing 1,324 square foot structure, subject to the following condition:

- A revised plot plan shall be submitted that shows lot coverage calculations.

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.

If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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

J. Randolph Becker

David G. Sheffield

cc: Planning Board
Inspector of Buildings
lrm