

**ZONING BOARD OF APPEALS**

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

RICHARD L. SEEGEL, CHAIRMAN  
CYNTHIA S. HIBBARD  
DAVID G. SHEFFIELDLENORE R. MAHONEY  
EXECUTIVE SECRETARY  
TELEPHONE  
(781) 431-1019 EXT. 2208  
web: [www.wellesleyma.gov](http://www.wellesleyma.gov)J. RANDOLPH BECKER, VICE CHAIRMAN  
ROBERT W. LEVY  
DAVID L. GRISSINO

ZBA 2009-09  
Petition of Ted & Roz Gutelius  
86 Abbott Road

---

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, March 5, 2009 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of TED & ROZ GUTELIUS requesting extension of a Special Permit, ZBA 2007-29, that was granted on May 14, 2007, pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw for construction of a 6.7 foot by 33.5 foot two-story addition with less than required rear yard and side yard setbacks, in a 20,000 square foot Single Residence District, at 86 ABBOTT ROAD.

On February 17, 2009 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 Ted Gutelius (the "Petitioner"), who said that he and his wife own the property. He said that the Special Permit that was granted in 2007 allowed for an addition over an existing first floor enclosed room that encroaches on a side yard setback.

The Board asked if the intent is to do the same construction. Mr. Gutelius said that they are currently reviewing the plans but will probably go ahead with the approved plans.

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 86 Abbott Road, in a 20,000 square foot Single Residence District, with a minimum side yard setback of 8 feet and a minimum rear yard setback of 16.6 feet.

The Petitioner is requesting an extension of a previously approved Special Permit, 2007-29, granted by the Zoning Board of Appeals on May 14, 2007 and recorded in the Norfolk Registry of Deeds on June 4, 2007. There are no changes requested.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject Special Permit was granted by the Zoning Board of Appeals on May 14, 2007, pursuant to Section XVII and Section XXV of the Zoning Bylaw and was recorded with the Norfolk Registry of Deeds on June 4, 2007, Book 24861, Page 489.

Therefore, an extension of the Special Permit, ZBA 2007-29 is granted, as voted unanimously by this Authority at the Public Hearing, subject to the following condition:

- Extension of the Special Permit shall be measured one year from the date time stamped on 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

---

Cynthia S. Hibbard

---

David G. Sheffield

cc: Planning Board  
Inspector of Buildings  
lrm