

**ZONING BOARD OF APPEALS**

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

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ZBA 2009-11
Petition of Marjorie Suisman, Trustee
4 Great Plain Avenue

Modification of Special Permit, ZBA 2009-11

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 11, 2009 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of MARJORIE SUISMAN, TRUSTEE requesting modification of Special Permit ZBA 2009-11, which granted a one year extension of Special Permit ZBA 2007-25 pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw. The modifications include a change in the proposed overall height of the structure from 28.5 feet to 29.5 feet, construction of a 16 foot wide dormer at the rear elevation that will increase the height of the garage by 4 feet, and a two foot expansion of the first floor rear of the house to square off a two foot second story overhang, at 4 GREAT PLAIN AVENUE.

On May 26, 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 David Himmelberger, Esq., who said that he was representing Marjorie Suisman, (the "Petitioner"). He said that there is a Purchase & Sale Agreement pending on the property at 4 Great Plain Avenue.

Mr. Himmelberger said the request before the Board is for minor modifications to increase the first floor ceiling height by one foot, which will raise the overall height of the house by one foot to 29.5 feet, and to raise the garage roof pitch from seven to ten foot to allow for a 16 foot wide shed dormer at the rear, which will increase the height of the garage by four feet. He said that there is also a proposal to square off the first floor of the house. He said that the rear of the previously approved house was a garrison style. He said that squaring off the first floor will make it flush with the second floor, which will make for a more traditional colonial style house.

Mr. Himmelberger said that the plot plan that was submitted with the request for an extension, ZBA 2009-11, correctly sited the proposed porch.

Mr. Himmelberger said that Large House Review does not apply to the current proposal because it is a nonconforming lot. He said that he submitted data to show that the proposed structure will be within the limits for Large House Review. He said that the footprint will remain the same.

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Ronald Lieuwma, 107 Wellesley Avenue, said that his property abuts 4 Great Plain Avenue. He said that there is a buffer area between the properties. He said that there are some large old growth trees that have been there since his house was built in 1844. He said that his concerns were about the natural buffer.

Statement of Facts

The subject property is located at 4 Great Plain Avenue, on a 19,545 square foot lot in a district in which the minimum lot size is 30,000 square feet.

The Petitioner is requesting modification of Special Permit ZBA 2009-11, which granted a one year extension of Special Permit ZBA 2007-25. The modifications include a change in the proposed overall height of the structure from 28.5 feet to 29.5 feet, construction of a 16 foot wide dormer at the rear elevation that will increase the height of the garage by 4 feet, and a two foot expansion of the first floor rear of the house to square off a two foot second story overhang.

A Plot Plan dated 2/24/09, stamped by Frank Iebba, Professional Land Surveyor, modified Proposed Floor Plans and Elevation drawings, and TLAG Calculations were submitted.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject Special Permit, ZBA 2007-25, was originally granted by the Zoning Board of Appeals on May 14, 2007 and was recorded with the Norfolk Registry of the Land Court on June 15, 2007, Document # 1,131,451. Extension of the Special Permit was granted under ZBA 2009-11, on March 19, 2009 and was recorded with the Norfolk Registry District of the Land Court on April 10, 2009, Document #1172190.

Therefore, modification of the Special Permit, ZBA 2009-11 is granted, as voted unanimously by this Authority at the Public Hearing.

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.

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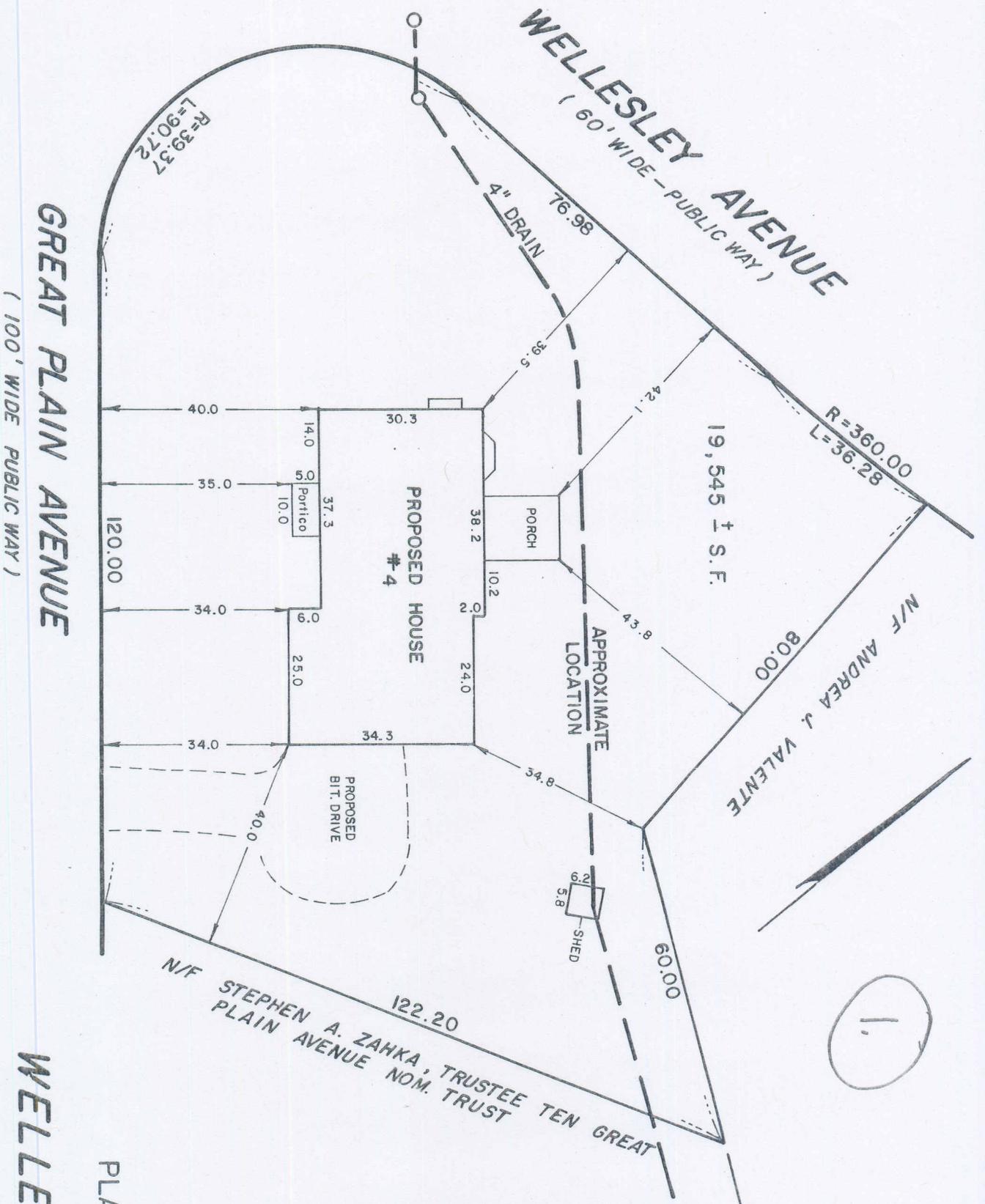
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.

J. Randolph Becker, Acting, Chairman

David L. Grissino

Robert W. Levy

cc: Planning Board
Inspector of Buildings
lrm



PLAN OF LAND
IN

WELLESLEY, MASS.

SCALE: 1" = 20'
ESSEX ENGINEERING & SURVEY, INC.
617-797-7342

FEBRUARY 24, 2009
NEWTON, MASS.

OWNER:
DONALD D. ELWELL &
MARJORIE SUISMAN
TRUSTEE JILLIAN E. DONOGHUE
2005 IRR. TRUST

ASSESSORS REFERENCE:
MAP 77, PARCEL 33

BUILDING ZONE: SRD-30
LOT COVERAGE = 11.6%
(2,268 ± S.F.)

NOTES:
500' RULE DOES NOT APPLY AS THERE IS ONLY ONE OTHER HOUSE (#10) WITHIN 500' ON GREAT PLAIN AVE.
LOT WAS ESTABLISHED IN 1953
DRAIN AS SHOWN ON TOWN PLANS AND LOCATION MUST BE VERIFIED IN FIELD AND MOVED IF NECESSARY