

**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.govJ. RANDOLPH BECKER, VICE CHAIRMAN
ROBERT W. LEVY
DAVID L. GRISSINO

ZBA 2009-55
Petition of Judith Adams
15 Radcliffe Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 6, 2009 at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of JUDITH ADAMS requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a 23.3 foot by 26 foot two-story addition with a basement that will meet all setback requirements, on an existing nonconforming structure, in a 20,000 square foot Single Residence District, at 15 RADCLIFFE ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On July 20, 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 Judith Adams (the "Petitioner"). Also present was Douglas Storey, Two Storey Building.

Ms. Adams said that the proposal is for construction of an addition at the rear of the house. She said that the existing house does not meet side yard setbacks.

Ms. Adams said that she has spoken with all of her neighbors. She said that a neighbor submitted a letter of support to the Board.

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 15 Radcliffe Road, in a 20,000 square foot Single Residence District, with a minimum left side yard setback of 19.7 feet and a minimum right side yard setback of 19.4 feet.

The Petitioner is requesting a Special Permit/Finding that construction of a 23.3 foot by 26 foot two-story addition with a basement that will meet all setback requirements, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 7/13/09, stamped by Joseph R. Sullivan, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 7/1/09, prepared by Two Storey Building, and photographs were submitted.

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 23.3 foot by 26 foot two-story addition with a basement 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 23.3 foot by 26 foot two-story addition with a basement, 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.

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

ZBA 2009-55
Petition of Judith Adams
15 Radcliffe Road

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

Robert W. Levy

David L. Grissino

cc: Planning Board
Inspector of Buildings
lrm