

**ZONING BOARD OF APPEALS**

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

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ROBERT W. LEVY  
DAVID L. GRISSINO

ZBA 2010-96  
Petition of David Johnson  
12 Arnold Road

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Pursuant to due notice, the Special Permit Granting authority held a Public Hearing on Thursday, December 2, 2010 on the petition of DAVID JOHNSON requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a 14 foot by 17 foot second story addition that will meet all setback requirements, on an 18,362 square foot lot in a district in which the minimum lot size is 20,000 square feet, at 12 ARNOLD ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Property Owner: William M. & Sharon L. Gray

On November 15, 2010, 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 Johnson, Architect (the "Petitioner"), who said that he was representing the homeowner, Sharon Gray. He said that the project entails construction of an addition on top of an existing family room within the perimeter of the existing room below. He said that they will be extending a master bedroom on the second floor. He said that they pulled the front and the rear in two feet to bring the scale down.

Mr. Johnson said that the proposed addition will meet all setback requirements. He said that the only nonconformity is the lot size.

The Board discussed the bay window. The Board said that the geometry is counter-productive to the addition. Mr. Johnson said that there is currently a low flat roof there. He said that the bay window and brackets are existing.

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 12 Arnold Road, on an 18,362 square foot lot in a district in which the minimum lot size is 20,000 square feet.

The Petitioner is requesting a Special Permit/Finding that construction of a 14 foot by 17 foot second story addition that will meet all setback requirements, on an 18,362 square foot lot in a district in which

the minimum lot size is 20,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 9/23/10, stamped by Michael A. Pustizzi, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 10/6/10, prepared by Studio Twenty Six, and photographs were submitted.

On December 1, 2010, the Planning Board reviewed the petition and recommended that the Special Permit be granted.

### Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing.

It is the opinion of this Authority that construction of a 14 foot by 17 foot second story addition that will meet all setback requirements, on an 18,362 square foot lot in a district in which the minimum lot size is 20,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as it shall neither increase an existing nonconformity nor create a new nonconformity.

Therefore, a Special Permit is granted for construction of a 14 foot by 17 foot second story addition that will meet all setback requirements, on an 18,362 square foot lot in a district in which the minimum lot size is 20,000 square feet, 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.

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.

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J. Randolph Becker, Acting Chairman

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Robert W. Levy

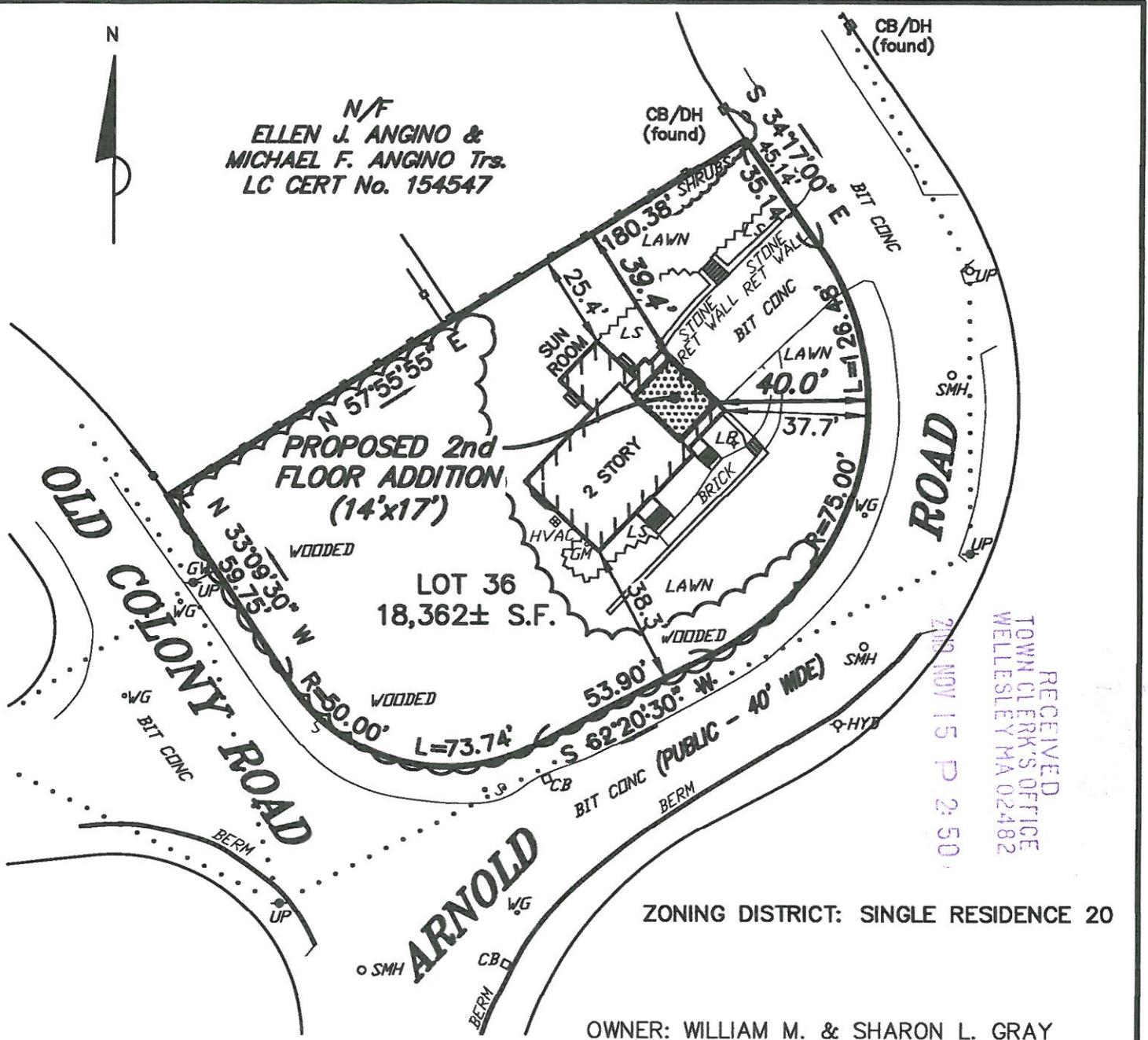
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David G. Sheffield

cc: Planning Board  
Inspector of Buildings  
lrm

N

N/F  
ELLEN J. ANGINO &  
MICHAEL F. ANGINO Trs.  
LC CERT No. 154547



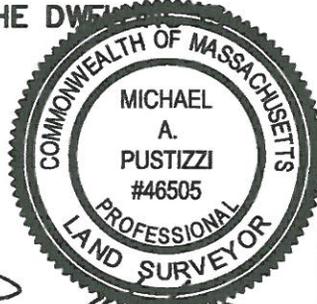
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TOWN CLERK'S OFFICE  
WELLESLEY MA 02482  
2010 NOV 15 P 2:50

ZONING DISTRICT: SINGLE RESIDENCE 20

OWNER: WILLIAM M. & SHARON L. GRAY  
LAND COURT CERTIFICATE No. 180780  
ASSESSOR'S MAP 96 PARCEL 40

EXISTING LOT COVERAGE	=	8.3%
PROPOSED LOT COVERAGE	=	8.3%
EXISTING BUILDING COVERAGE	=	1,525 S.F.
PROPOSED BUILDING COVERAGE	=	1,525 S.F.

I HEREBY CERTIFY THAT THE DWELLING IS  
LOCATED AS SHOWN.



MICHAEL PUSTIZZI, PLS DATE

**CERTIFIED PLOT PLAN**  
**#12 ARNOLD ROAD**  
 IN  
**WELLESLEY, MA**  
 (NORFOLK COUNTY)

SCALE: 1" = 40' DATE: 9/23/2010



**Precision Land Surveying, Inc.**  
 32 Turnpike Road  
 Southborough, Massachusetts 01772  
 TELE NO.: (508) 460-1789 FAX NO.: (508) 970-0096  
 3923CP1.DWG