



## ZONING BOARD OF APPEALS

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

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ZBA 2012-77  
 Petition of Margaret Flitsch  
 47 Pleasant Street

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 WELLESLEY MA 02482  
 2012 NOV 15 A 10:48

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 1, 2012, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of MARGARET FLITSCH requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a one-story addition with basement, attic, porch and deck with a footprint of 1,086 square feet that will meet setback requirements, on an existing nonconforming structure with less than required front yard setbacks, in a 10,000 square foot Single Residence District, at 47 PLEASANT STREET, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On October 15, 2012, 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 Margaret Flitsch, (the "Petitioner"). Also present were Tom Egan, Matthew Rider, Evolve Residential, and David Raymond, General Contractor.

Ms. Flitsch said that she came before the Board in June and was approved to move the garage to the back of the property in order to fix the foundation and then move it back once that is fixed. She said that she recently received approval to renovate the attic space in the existing house. She said that the request before the Board is for a Special Permit for the addition.

A Board member asked to enter into the record the fact that Ms. Flitsch is employed by the Town at the Sprague School, which is where his wife works. He said that he thought that there would be no conflict of interest for him to sit on this case.

The Board confirmed that the only nonconformity is the front yard setback on the existing house.

The Board said that the Total Living Area plus Garage (TLAG) exceeds the threshold for a 15,000 square foot Single Residence District. The Board said that the project is exempt from Large House Review (LHR) because the Board will review it as a Special Permit request.

The Board said that at the time it approved the Special Permit to move the garage, it anticipated construction of the addition. The Board said that a lot of the TLAG is due to the slope of the lot and the exposed foundation.

The Board said that the project was well done. The Board said that these properties are very deep. The Board said that even though the extension of the house will go back to the mid- point of the garage, it will not really fill up the lot or encroach on the neighbors.

The Board said that the texture of the gables and the ins and outs that the architects have achieved will help reduce the scale.

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 47 Pleasant Street, in a 10,000 square foot Single Residence District, with a minimum front yard setback of 22.6 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a one-story addition with basement, attic, porch and deck with a footprint of 1,086 square feet that will meet setback requirements, on an existing nonconforming structure with less than required front yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 9/27/12, stamped by John R. Hamel, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevations Drawings, dated 7/16/12 and Proposed Elevation Height Above Grade Plans, dated 10/12/12, prepared by Evolve Residential, and photographs were submitted.

On October 26, 2012, the Planning Board Staff 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. The subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that construction of a one-story addition with basement, attic, porch and deck with a footprint of 1,086 square feet that will meet setback requirements, on an existing nonconforming structure with less than required front yard setbacks, 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, as voted unanimously by this Authority at the Public Hearing, for construction of a one-story addition with basement, attic, porch and deck with a footprint of 1,086 square feet that will meet setback requirements, 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 constructions 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.

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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 G. Sheffield

  
\_\_\_\_\_  
Robert W. Levy

cc: Planning Board  
Inspector of Buildings  
lrm

N/F  
EAST WIND  
DEVELOPMENT CORP.

S.BOUND  
(FOUND)

N/F  
WONG

C.BOUND  
(FOUND)

N/F  
JIN

**SITE PLAN**

47 PLEASANT STREET

**WELLESLEY, MASSACHUSETTS**

1 INCH = 20 FEET SEPTEMBER 27, 2012

SNELLING & HAMEL ASSOCIATES, INC.  
PROFESSIONAL LAND SURVEYORS & ENGINEERS  
10 LEWIS STREET P.O. BOX 102  
LINCOLN, MASSACHUSETTS 01773  
(781) 259-0071

**OWNERS OF RECORD:**

MARGARET P. FLITSCH,  
MARGARET C. FLITSCH,  
&  
MARY E. FRITSCH  
BK.25878 PG.547

PLAN 1119 OF 1963

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WELLESLEY MA 02462  
2012 OCT 15 A 10:56

N/F  
GOTGART

N/F  
LEARY

**NOTES:**

- ZONING DISTRICT: SINGLE RESIDENCE - 10
- EXISTING LOT COVERAGE = 10.8%
- PROPOSED LOT COVERAGE = 17.7%
- EXISTING BUILDING COVERAGE = 1,690± SQ. FT.
- PROPOSED BUILDING COVERAGE = 2,776± SQ. FT.

**PLAN REFERENCES:**

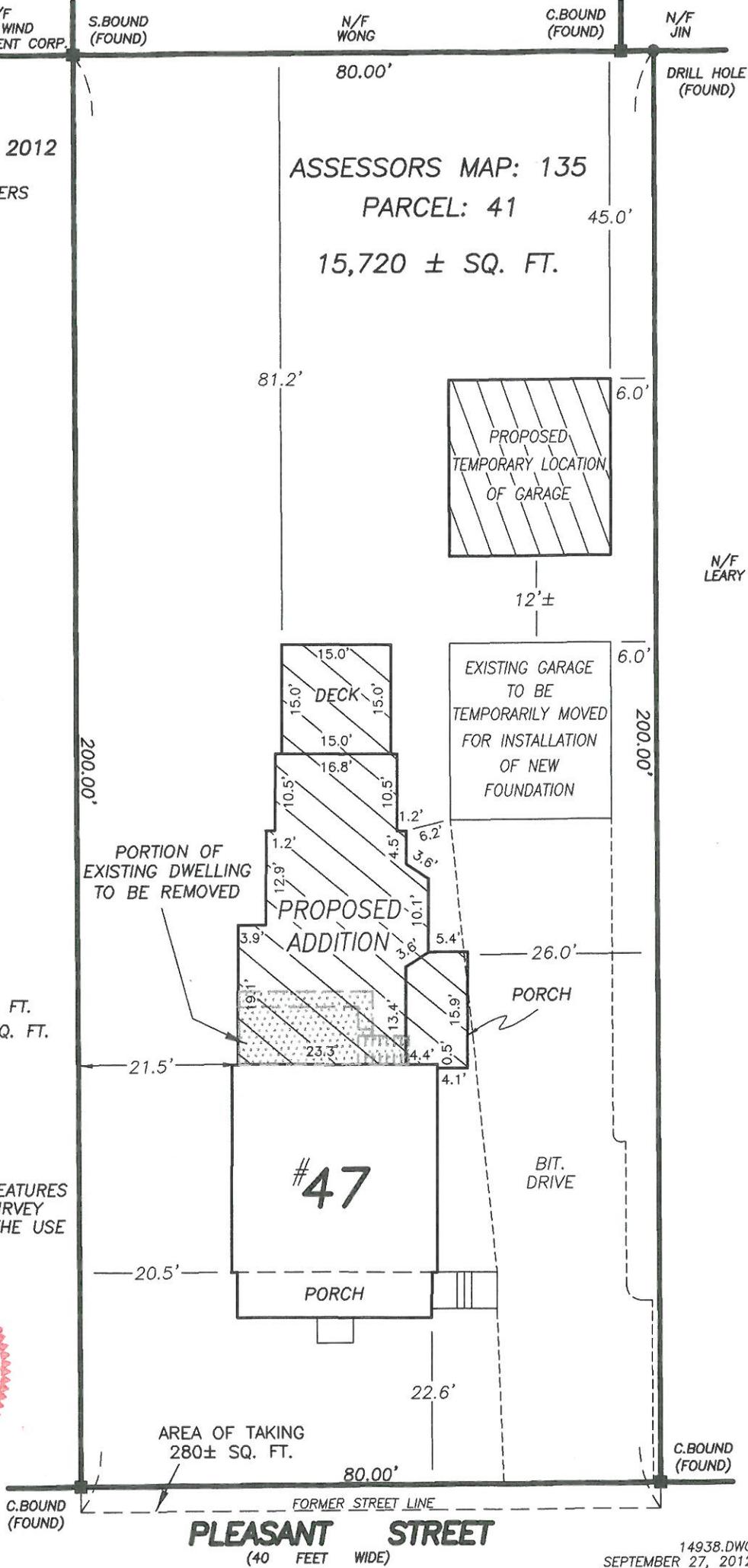
- PLAN NUMBER 1119 OF 1963
- PLAN NUMBER 292 OF 1946

HEREBY STATE THAT THE LOCATION OF THE FEATURES SHOWN HEREON IS THE RESULT OF A FIELD SURVEY PERFORMED AS OF DECEMBER 3, 2010, WITH THE USE OF A TOPCON TOTAL STATION.

*[Signature]*  
JOHN R. HAMEL  
PROFESSIONAL  
LAND SURVEYOR



DATE: 9-27-12



**PLEASANT STREET**  
(40 FEET WIDE)