



## ZONING BOARD OF APPEALS

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

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ZBA 2013-38  
Petition of Julie Bryan  
54 Fuller Brook Road

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Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 6, 2013, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of JULIE BRYAN requesting modification of Variances and a Special Permit/Finding pursuant to the provisions of Section XVII, Section XIX, Section XXIV-D and Section XXV of the Zoning Bylaw for demolition and reconstruction of portions of an existing structure with less than required left side yard and right side yard setbacks, and that construction of a two-story addition that will meet all setback requirements, at 54 FULLER BROOK ROAD, on a 13,690 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.

On May 20, 2013, 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 Julie Bryan (the "Petitioner").

Ms. Bryan said that the request is to remove an existing nonconforming one story addition at the back of house and add a new two story addition with a basement. She said that the new addition will be conforming to setback requirements. She said that the only change to the existing nonconforming garage will be to change the roofline to match the house.

Ms. Bryan said that she spoke with the abutting neighbors. She submitted a letter of support from the neighbors.

The Board said that the lot is 13,690 square feet in a 20,000 square foot Single Residence District.

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 54 Fuller Brook Road, on a 13,690 square foot lot in a district in which the minimum lot size is 20,000 square feet, with a minimum left side yard setback of 14.5 feet and a minimum right side yard setback of 18.4 feet.

2013 JUN 20 P 1:30  
TOWN OF WELLESLEY MA 02482

The Petitioner is requesting modification of Variances and a Special Permit/Finding pursuant to the provisions of Section XVII, Section XIX, Section XXIV-D and Section XXV of the Zoning Bylaw for demolition and reconstruction of portions of an existing structure with less than required left side yard and right side yard setbacks, and that construction of a two-story addition that will meet all setback requirements shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 5/15/13, stamped by Robert F. Drake, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevations Drawings, dated 5/13/13, prepared by Williamson Building Works, LLC, and photographs were submitted.

On June 4, 2013, 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. 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, to the extent this Special Permit is modifying existing Variances that it will be deemed a modification of existing Variances as well as a Special Permit.

It is the opinion of this Authority that demolition and reconstruction of portions of an existing structure with less than required left side yard and right side yard setbacks, and that construction of a two-story addition that will meet all setback requirements 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 demolition and reconstruction of portions of an existing structure with less than required left side yard and right side yard setbacks, and construction of a two-story addition that will meet all 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.

2013 JUN 10 P 5:31  
CITY OF MA 01482  
OFFICE

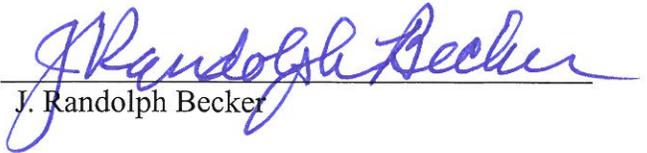
ZBA 2013-38  
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54 Fuller Brook Road

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2013 JUN 20 P 2:54  
TOWN CLERK'S OFFICE  
WILLESTLEY MA 02482

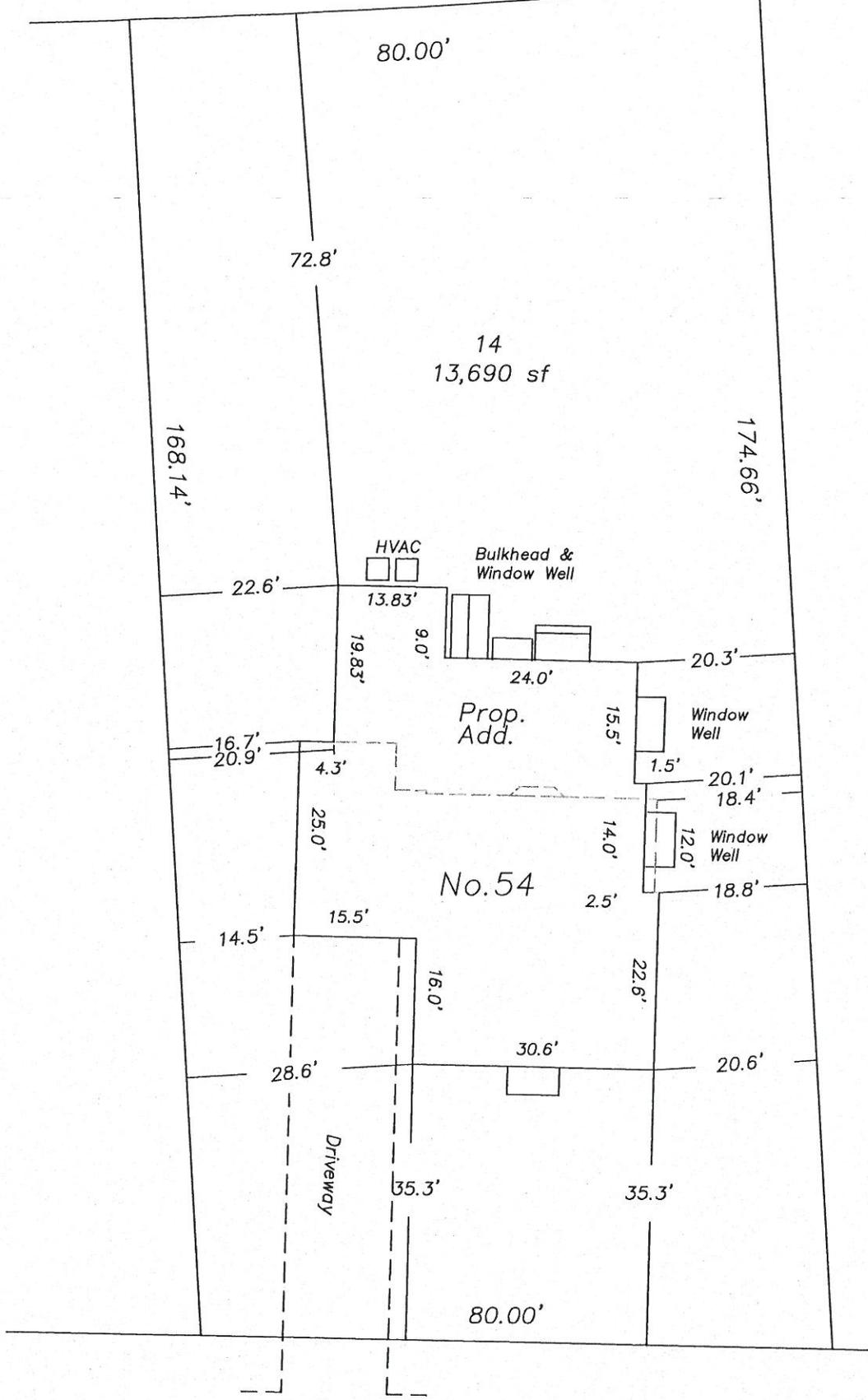
APPEALS FROM THIS DECISION,  
IF ANY, SHALL BE MADE PURSUANT  
TO GENERAL LAWS, CHAPTER 40A,  
SECTION 17, AND SHALL BE FILED  
WITHIN 20 DAYS AFTER THE DATE  
OF FILING OF THIS DECISION IN THE  
OFFICE OF THE TOWN CLERK.

  
Richard L. Seegel, Chairman

  
J. Randolph Becker

  
Derek B. Redgate

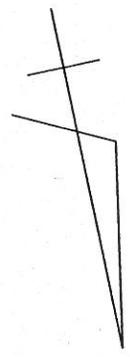
cc: Planning Board  
Inspector of Buildings  
lrm



14  
13,690 sf

No. 54

FULLER BROOK ROAD



RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02482  
2013 MAY 20 P 2:31



*[Handwritten signature]*

CERTIFIED PLOT PLAN  
IN  
**No. 54 Fuller Brook Road**  
**WELLESLEY MASS.**  
Applicant: Julie & Shawn Bryan  
SCALE 1"=20' MAY 15, 2013

**Drake Associates Inc.**  
Civil Engineers Land Surveyors  
25 Wellesley Avenue Wellesley Mass.  
508 877-0848  
FAX 781 416-1865

Exist Lot Coverage 1,444sf 10.6%  
Prop. Lot Coverage 2,190sf 16.0%  
Ass Map 79 Lot 11  
Zoning SRD20