



## ZONING BOARD OF APPEALS

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

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ZBA 2014-35  
 Petition of Lee Carpenter  
 72 Dover Road

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Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 8, 2014, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of ALMA LEE CARPENTER requesting modification of Special Permit ZBA 2013-81, that was granted on December 19, 2013, pursuant to the provisions of Section XVII and Section XXV to modify the dormer roof framing on the second floor of an existing nonconforming structure with less than required left side yard setbacks, on an 8,233 square foot lot in a district in which the minimum lot size is 10,000 square feet, at 72 DOVER ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On April 22, 2014, 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 were Lee Carpenter, (the "Petitioner"), Lynn Osborne, Architect, and Steve Conti, Contractor.

Ms. Osborne said that the proposed changes have nothing to do with the addition that was previously approved by the Board. She said that construction will be as planned except for the addition of the bulkhead that the Building Department has required as an exit. She said that the main issues are that during demolition they encountered severe termite damage and quirky roof framing. She said that there was a lot of undersized roof framing. She said that will have to reframe the roof and the stairs to bring them up to code. She said that the request is for a special permit for a modification that would allow them to gain more room at the front and allow for more third floor attic storage space. She said that the volume of the dormers has changed. She said that the idea is to keep the original look, scale and quaintness. She said that the two bay windows with flat roofs will be increased to two stories.

Mr. Conti said that there was two feet of water in the basement and garage in September. He said that, in accordance with their Order of Conditions, they put in extensive drainage controls. He said that they worked with the town fix the storm drains under the road, which has taken care of the problem. He said that the tanks that the Applicant installed have the capacity to store 5,000 gallons of water.

The Board asked if there will be a change to the door that faces the neighbor. Ms. Osborne said that they will continue the roof out over the door 2.5 feet. She said that there will be nothing on the ground. Mr. Conti said that it will not extend further toward the neighbor. He said that the neighbor looked at the plan and does support the change.

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 72 Dover Road, on an 8,233 square foot lot in a district in which the minimum lot size is 10,000 square feet, with a minimum left side yard setback of 6.2 feet for the dwelling and a minimum front yard setback of 23.7 feet for the garage.

The Petitioner is requesting modification of Special Permit ZBA 2013-81, that was granted on December 19, 2013, pursuant to the provisions of Section XVII and Section XXV to modify the dormer roof framing on the second floor of an existing nonconforming structure with less than required left side yard setbacks, on an 8,233 square foot lot in a district in which the minimum lot size is 10,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 8/19/13, stamped by Bruce Bradford, Professional Land Surveyor, Floor Plans, dated 12/3/13, revised 3/28/14, Elevation Drawing A4, dated 3/27/14, Elevation Drawing A5, dated 3/27/14, revised 3/28/14, and Elevation Drawing A6, dated 3/28/14, prepared by Osborn Studio + were submitted.

On May 1, 2014, 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 modification of Special Permit ZBA 2013-81, that was granted on December 19, 2013, pursuant to the provisions of Section XVII and Section XXV to modify the dormer roof framing on the second floor of an existing nonconforming structure with less than required left side yard setbacks, on an 8,233 square foot lot in a district in which the minimum lot size is 10,000 square feet, 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 modification of Special Permit ZBA 2013-81, that was granted on December 19, 2013, pursuant to the provisions of Section XVII and Section XXV to modify the dormer roof framing on the second floor of an existing nonconforming structure with less than required left side yard setbacks, on an 8,233 square foot lot in a district in which the minimum lot size is 10,000 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 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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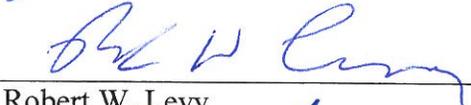
ZBA 2014-35  
Petition of Alma Lee Carpenter  
72 Dover Road

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2014 MAY 22 P 3:51

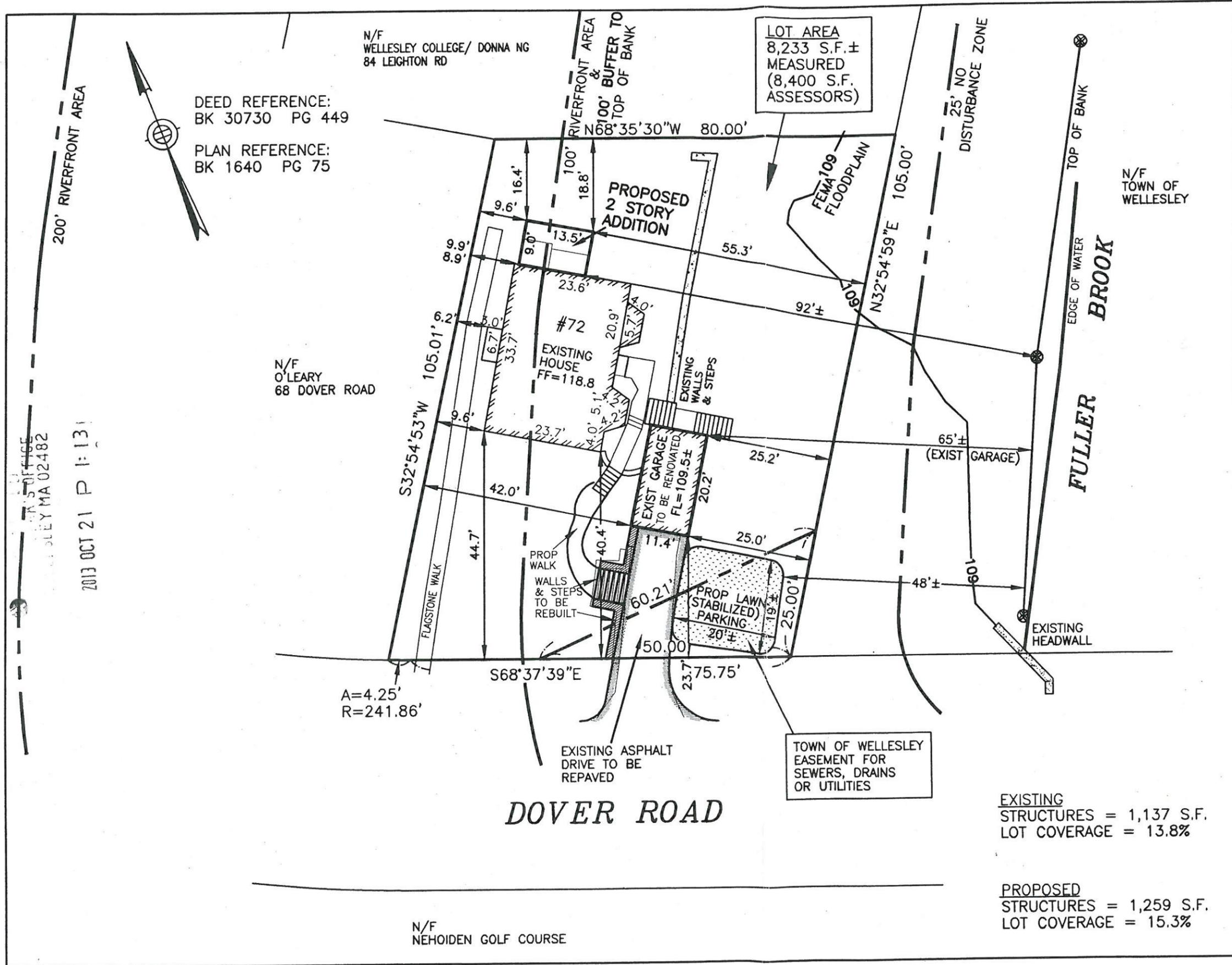
APPEALS FROM THIS DECISION,  
IF ANY, SHALL BE MADE PURSUANT  
TO GENERAL LAWS, CHAPTER 40A,  
SECTION 17, AND SHALL BE FILED  
WITHIN 20 DAYS AFTER THE DATE  
OF FILING OF THIS DECISION IN THE  
OFFICE OF THE TOWN CLERK.

  
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J. Randolph Becker, Acting Chairman

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

  
\_\_\_\_\_  
Walter B. Adams

cc: Planning Board  
Inspector of Buildings  
lrm



LOT AREA  
8,233 S.F. ±  
MEASURED  
(8,400 S.F.  
ASSESSORS)

DEED REFERENCE:  
BK 30730 PG 449  
PLAN REFERENCE:  
BK 1640 PG 75

ESTABLISHED 1916  
**EMB**  
EVERETT M. BROOKS CO.  
SURVEYORS & ENGINEERS  
49 LEXINGTON STREET  
WEST NEWTON, MA 02465  
(617) 527-8750  
(617) 332-1578 FAX  
info@everettbrooks.com



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2013 APR 22 P 1:31

PLAN OF LAND IN  
WELLESLEY, MA

72 DOVER ROAD  
PROPOSED ADDITIONS

PREPARED FOR:  
ALMA CARPENTER  
72 DOVER ROAD  
WELLESLEY, MA

SCALE: 1 IN. = 20 FT.  
DATE: AUGUST 19, 2013  
DRAWN: ES  
CHECK: BB

REVISIONS:

9/17/13	REVISED ADDITION	ES
10/15/13	VARIOUS REVISIONS	ES

PROJECT NO. 24123

EXISTING  
STRUCTURES = 1,137 S.F.  
LOT COVERAGE = 13.8%

PROPOSED  
STRUCTURES = 1,259 S.F.  
LOT COVERAGE = 15.3%