



ZONING BOARD OF APPEALS

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

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ZBA 2015-84
 Petition of Laura D'Ambrosio
 16 Hill Top Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 5, 2015, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Laura D'Ambrosio requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a deck with less than required left side yard setbacks and construction of a second story addition over an existing structure with less than required right side yard setbacks, on an existing nonconforming structure with less than required front yard, left side yard and right side yard setbacks, on a 6,000 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, at 16 Hill Top Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On October 20, 2015, 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 Laura D'Ambrosio, the Petitioner and Bill Boehm, Architect.

Mr. Boehm said that they will be doing a full renovation of the home. He said that most of the work will be interior except for an addition over the existing one-story at the back to create a master bath. He said that they will also enlarge the deck at the back. He said that the house is nonconforming with less than required side yard and front yard setbacks. He said that the request is for a special permit for the small addition and deck. He said that lot coverage will increase from 23.3 percent to just below 25 percent.

A Board member asked if the Architect had considered the possibility of putting a gabled roof on the rear addition as opposed to a shed roof. He said that it is purely an aesthetic issue and a personal preference. Mr. Boehm said that because it is a gambrel, he would have preferred a lower continuation of the center pitch. He said that he may have looked at various roof forms when he laid it out but did not think seriously about a gabled roof there.

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 16 Hill Top Road, on a 6,000 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, with a minimum front yard setback of 24.5 feet, a minimum left side yard setback of 14 feet and a minimum right side yard setback of 9.3 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 deck with less than required left side yard setbacks and construction of a second story addition over an existing structure with less than required right side yard setbacks, on an existing nonconforming structure with less than required front yard, left side yard and right side yard setbacks, on a 6,000 square foot lot in a Single Residence 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 3/16/15, revised 10/29/15, stamped by George C. Collins, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 9/16/15, revised 10/29/15, prepared by Boehm Architecture, and photographs were submitted.

On November 5, 2015, the Planning Board reviewed the petition and recommended that the Board approve the special permit.

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 although construction of a deck with less than required left side yard setbacks and construction of a second story addition over an existing structure with less than required right side yard setbacks, on an existing nonconforming structure with less than required front yard, left side yard and right side yard setbacks, on a 6,000 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet 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 deck with less than required left side yard setbacks and construction of a second story addition over an existing structure with less than required right side yard setbacks, on an existing nonconforming structure with less than required front yard, left side yard and right side yard setbacks, on a 6,000 square foot lot in a Single Residence 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.

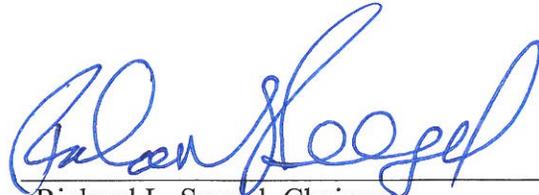
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

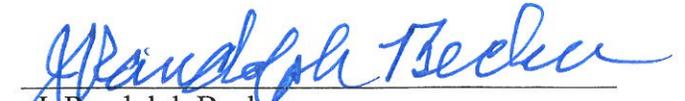
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WILMINGTON, MA 02093
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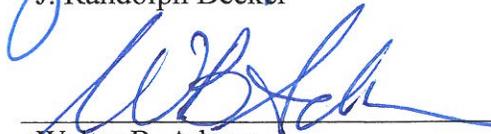
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16 Hill Top Road

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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.


Richard L. Seegel, Chairman


J. Randolph Becker

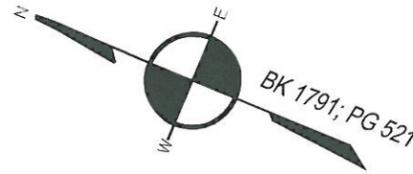

Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrm

EXISTING
 LOT COVERAGE: 23.3 %
 OPEN SPACE: 58.9 %

PROPOSED
 LOT COVERAGE: 24.98 %
 OPEN SPACE: 56.7 %

HILL TOP (40.0' WIDE) ROAD



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 2015 OCT 30 A 9:09

No. 18 HILL TOP RD
 N/F
 TODD E. HIMSTEAD
 LINDSEY B. HIMSTEAD
 BK 11561; PG 600

No. 14 HILL TOP RD
 N/F
 ERIC M. SAWICKI
 CAOURTNEY A. SAWICKI
 BK 30183; PG 493

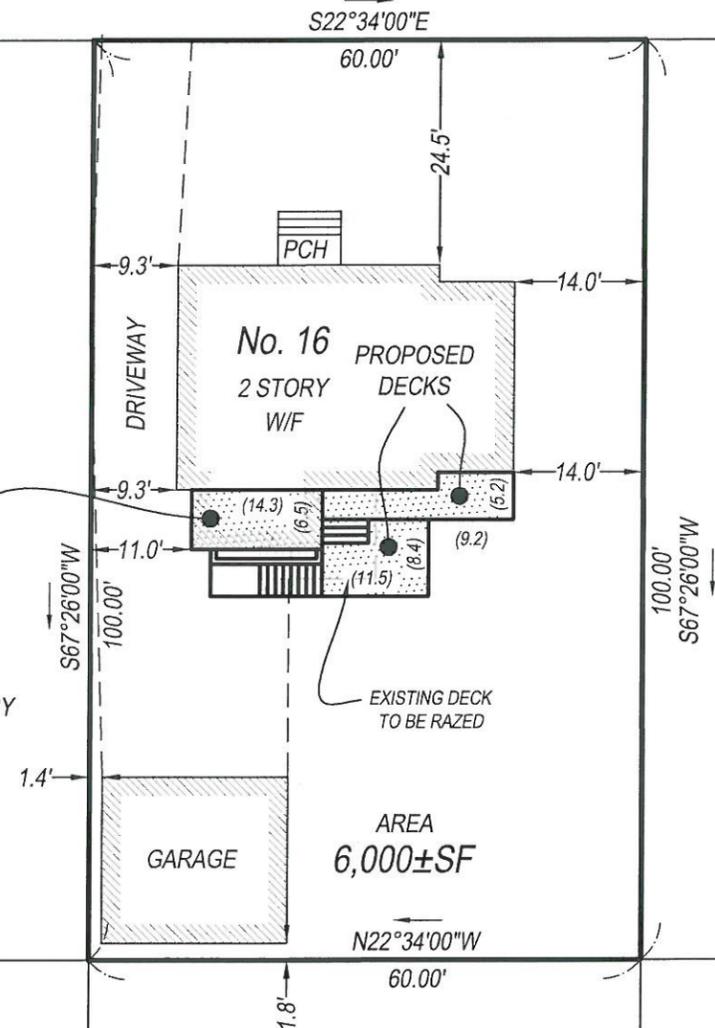
PROPOSED
 2ND STORY ADDITION
 TO BE CONSTRUCTED
 ABOVE EXISTING 1 STORY

EXISTING DECK
 TO BE RAZED

No. 21 PINE TREE RD
 N/F
 ARSHAG MERGUERIAN
 BARBARA J. MERGUERIAN
 BK 16366; PG 367

No. 15 PINE TREE RD
 N/F
 NORA HUSSEY-BRENNAN
 BK 13386; PG 283

No. 13 PINE TREE RD
 N/F
 ROBERT D. HELLWEG, JR.
 BK 10458; PG 356



REFERENCES:
 DEED: BK 32515; PG 353
 PLAN: BK 1791; PG 521
 BK 2634; PG 558
 BK 3026; PG 378
 BK 3806; PG 532
 BK 4709; PG 89
 BK 4911; PG 390



FIELD BOOK	PAGE	INSP. BY	DRAFT. BY	CHECKED BY
M22	35	MO/PF	RAP	GCC

I CERTIFY THAT THIS PLAN WAS MADE FROM AN INSTRUMENT SURVEY ON THE GROUND ON THE DATE OF JANUARY 13, 2015 AND ALL STRUCTURES ARE LOCATED AS SHOWN HEREON.

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) MAPS, THE MAJOR IMPROVEMENTS ON THIS PROPERTY FALL IN AN AREA DESIGNATED AS ZONE "X" (AREA DETERMINED TO BE OUTSIDE 0.2 % ANNUAL CHANCE FLOODPLAIN).
 COMMUNITY-PANEL #25021C0016E
 EFFECTIVE DATE: JULY 17, 2012

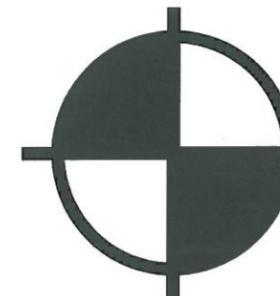
PREPARED FOR:
 LAURA D'AMBRISIO
 16 HILL TOP ROAD
 WELLESLEY, MA 02482

NOTES:
 PARCEL ID: 110-33
 ZONING: SRD

CERTIFIED PLOT PLAN

SHOWING PROPOSED CONDITIONS AT
16 HILL TOP ROAD
WELLESLEY, MA

SCALE: 1 INCH = 20 FEET DATE: OCTOBER 29, 2015



BOSTON
SURVEY, INC.

UNIT C-4 SHIPWAY PLACE
 CHARLESTOWN, MA 02129
 (617)242-1313