



ZONING BOARD OF APPEALS

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

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ZBA 2016-47
 Petition of Bowdie & Susanne Austin
 6 Cottage Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 14, 2016, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Bowdie & Susanne Austen 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 that will meet all setback requirements, on an existing nonconforming structure with less than required front yard setbacks, in a 10,000 square foot Single Residence District, at 6 Cottage Street, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On June 28, 2016, 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 Michael Collins, Architect, representing Bowdie and Susanne Austin, the Petitioner.

Mr. Collins said that the request is for a special permit/finding. He said that the existing structure is nonconforming at the front of the house with a three foot overhang that extends two feet into the setback. He said that it is 28 feet to the front corner of the existing structure.

Mr. Collins said that the proposal is for a one story addition with multiple roof lines, a covered porch and steps that will comply with all setback requirements. He said that lot coverage will increase to 18.3 percent, which is well under the 20 percent that is allowed. He said that there will be no use or height change and no additional nonconformities. He said that the addition will be no more detrimental to the neighborhood because the scale, rooflines and position make it difficult to view from Cottage Street. He said that the only elevation that will be visible is from St. Andrew's and Washington Street.

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 6 Cottage Street, in a 10,000 square foot Single Residence District, with a minimum front yard setback of 28 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 that will meet all setback

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requirements, on an existing nonconforming structure with less than required front yard setbacks, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 6/21/16, stamped by Daniel A. Driscoll, Professional Land Surveyor, Existing & Proposed Floor Plans and Elevation Drawings, dated 5/6/16, prepared by D. Michael Collins Architects, and photographs were submitted.

On July 11, 2016, the Planning Department Staff reviewed the petition and recommended that the special permit be approved.

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 that will meet all setback requirements, on an existing nonconforming structure with less than required front yard setbacks, in a 10,000 square foot Single Residence District, 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 that will meet all setback requirements, on an existing nonconforming structure with less than required front yard setbacks, 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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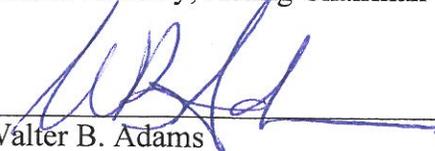
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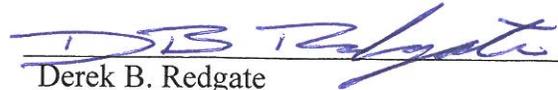
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



Robert W. Levy, Acting Chairman



Walter B. Adams



Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm

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N/F JACKOWITZ

CONCRETE
BOUND W/
DRILL HOLE
FOUND

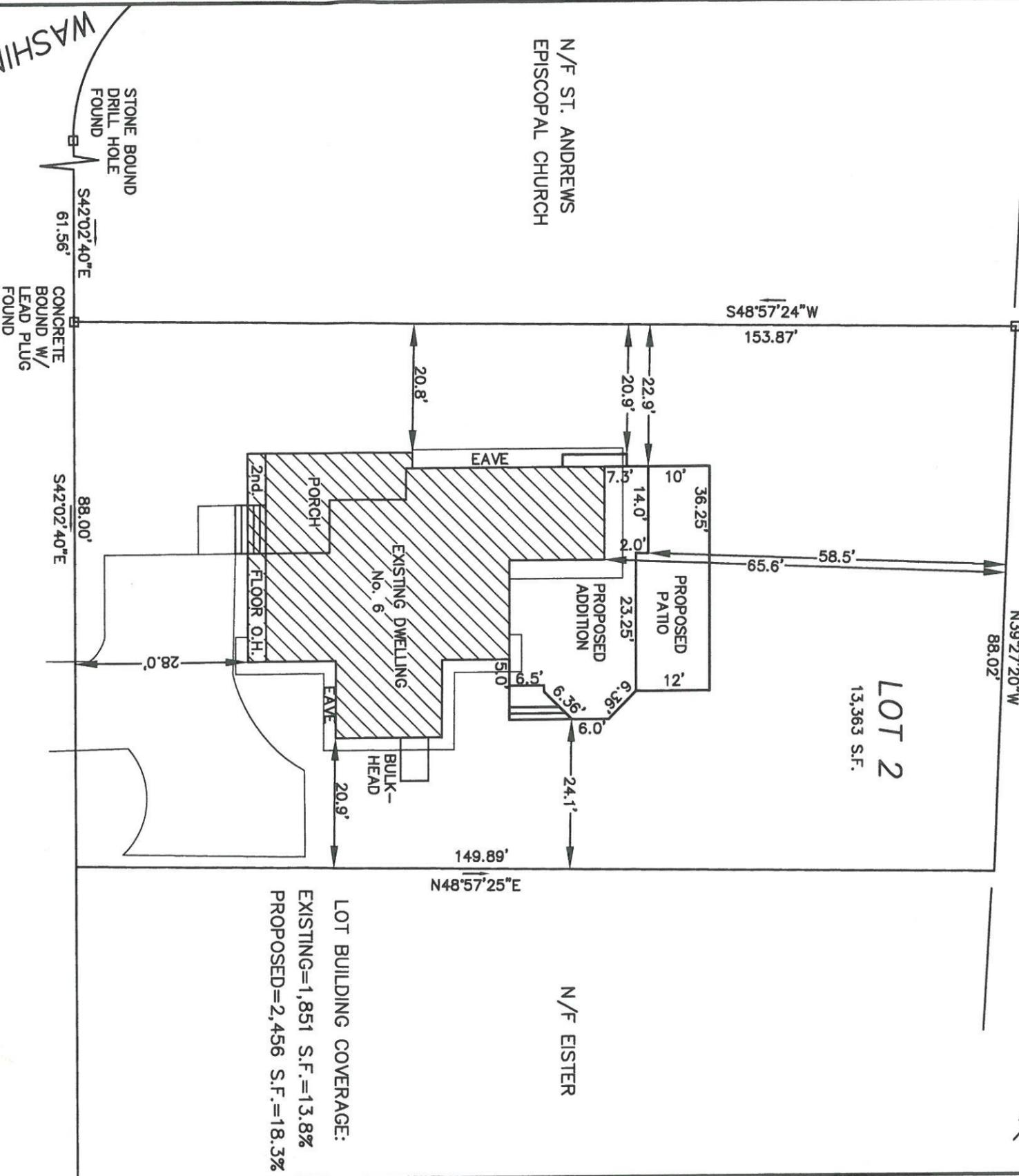
N39°27'20"W
88.02'

LOT 2
13,363 S.F.

S48°57'24"W
153.87'

N/F ST. ANDREWS
EPISCOPAL CHURCH

N/F EISTER



LOT BUILDING COVERAGE:
EXISTING=1,851 S.F.=13.8%
PROPOSED=2,456 S.F.=18.3%

COTTAGE STREET

WASHINGTON STREET



Daniel A. O'Driscoll
6/21/2016

CERTIFIED PLOT PLAN

6 COTTAGE STREET

WELLESLEY, MASSACHUSETTS

SCALE: 1"=20'

JUNE 21, 2016

O'DRISCOLL

LAND SURVEYING Co.

LAND SURVEYING GPS MAPPING LAND CONSULTING
46 COTTAGE STREET MEDWAY, MASSACHUSETTS 02053 (508) 533-3314

PREPARED FOR: WILLIAM B. AUSTIN
DEED REFERENCE: NORFOLK COUNTY REGISTRY OF DEEDS
DEED BOOK 18682 PAGE 213
PLAN REFERENCE: PLAN No. 1105 OF 1981
ZONING DISTRICT: SINGLE RES. 10 (WITH HISTORIC DISTRICT OVERLAY)

I CERTIFY THAT THE DWELLING IS LOCATED ON
THE LOT AS SHOWN ON THIS PLAN.
I FURTHER CERTIFY THAT THE DWELLING DOES
NOT LIE WITHIN A SPECIAL FLOOD HAZARD ZONE.

Daniel A. O'Driscoll 6/21/2016
PROFESSIONAL LAND SURVEYOR DATE

FILE No. 1203