



## ZONING BOARD OF APPEALS

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

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ZBA 2016-04  
 Petition of Dan & Kristen Curtin  
 11 Cornell Road

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Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, January 7, 2016, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Dan & Kristen Curtin requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a portico over an existing landing and construction of a two-story structure that will meet all setback requirements, on an existing nonconforming structure with less than required left side yard setbacks, in a 20,000 square foot Single Residence District, at 11 Cornell Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On December 21, 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 Kristen Curtin and Howard Frutkoff, Designer.

Mr. Frutkoff said that the request is for a special permit. He said that the existing house is nonconforming on the left side of the garage at 19.5 feet. He said that the proposed addition will be at the back of the house. He said that it will not be close to the nonconforming section of the house. He said that the proposed addition will meet all setbacks. The Board said that the addition will be fully compliant.

The Board said that the only current nonconformity is the corner of the garage. The Board said that this type of project is what it likes to see where the addition will be put in a conforming place.

A Board member asked about the arrow to the existing sunroom. He confirmed that the existing sunroom is in the hatched area and is what will be removed. He said that the addition will be in that same area and extend. A Board member said that it is shown on the plot plan at 22.83 feet by 15 feet.

The Board asked about Total Living Area plus Garage (TLAG) calculations. Mr. Frutkoff said that the calculations are on the plans. The Board said that proposed TLAG will be 3,568 square feet and the TLAG threshold for the 20,000 square foot Single Residence District is 5,900 square feet.

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 11 Cornell Road, in a 20,000 square foot Single Residence District, with a minimum left side yard setback of 19.5 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 portico over an existing landing and construction of a two-story structure that will meet all setback requirements, on an existing nonconforming structure with less than required left side yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 8/20/15, revised 12/3/15, stamped by Michael A. Trowbridge, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 12/9/15, prepared by Homefolks Design, and photographs were submitted.

On January 5, 2016, 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 construction of a portico over an existing landing and construction of a two-story structure that will meet all setback requirements, on an existing nonconforming structure with less than required left side 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 portico over an existing landing and construction of a two-story structure that will meet all setback requirements, on an existing nonconforming structure with less than required left side 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.

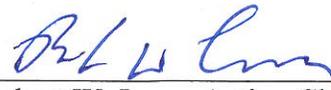
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Petition of Dan & Kristen Curtin  
11 Cornell Road

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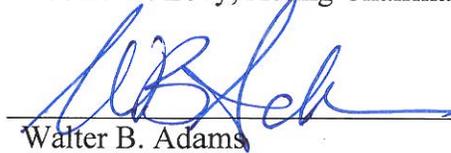
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APPEALS FROM THIS DECISION,  
IF ANY, SHALL BE MADE PURSUANT  
TO GENERAL LAWS, CHAPTER 40A,  
SECTION 17, AND SHALL BE FILED  
WITHIN 20 DAYS AFTER THE DATE  
OF FILING OF THIS DECISION IN THE  
OFFICE OF THE TOWN CLERK.



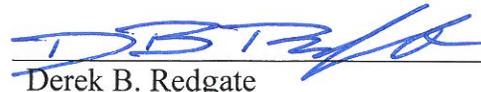
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Robert W. Levy, Acting Chairman



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Walter B. Adams



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Derek B. Redgate

cc: Planning Board  
Inspector of Buildings  
lrm

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2015 DEC 23 P 12:10

NOTE:  
ORIGINAL PLAT MATH DOES NOT CLOSE. PERIMETER SHOWN FOR LOT BASED ON  
HOLDING TO EXISTING BOUND FOUND AND SHOWN ON ORIGINAL PLAN AND FORCE  
CLOSURE ON LOT.

Lot Coverage:  
EXISTING COVERAGE 1906 SF=6.2 %  
PROPOSED COVERAGE 2190 SF=7.15 %

OWNER:  
KRISTEN & DANIEL CURTIN  
11 CORNELL ROAD  
WELLESLEY, MA 02482

ZONE:SR-20  
LOT SUBJECT TO TABLE 1 SETBACKS AS HOUSE  
WAS CONSTRUCTED IN 1962 AND LOT WAS  
SHOWN ON PLAN RECORDED IN BK:207,PLAN  
NUMBER 901 OF 1959.

SETBACK REQUIREMENTS:30- FEET FRONT,  
20- FEET SIDE AND REAR.  
ASSESSORS MAP:103 PARCEL:28

THIS LOT DOES NOT FALL WITHIN THE 100 YEAR FLOOD HAZARD ZONE  
PER FIRM FLOOD MAP 250255 DATED JULY 17,2012.

32

30,607 SF  
(PER PLAN)

PROPOSED 22.83'D X 15.0'W  
ADDITION  
EXISTING SUNROOM TO BE  
REMOVED

PROPOSED  
BULKHEAD

EXISTING DWELLING  
# 11

GARAGE

DOORS

EXISTING DRIVEWAY

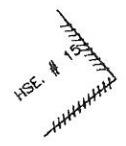
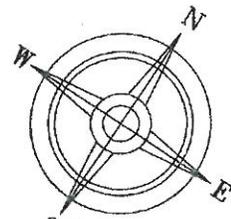
PORTICO TO BE  
CONSTRUCTED OVER  
4' X 8' EXISTING  
LANDING.

9'-8" X 4' EDGE OF COLUMNS.  
SEE ARCHITECT PLAN

R=120.00'

A=80.00'

CORNELL ROAD



**PROPOSED PLOT PLAN**  
11 CORNELL ROAD

hutchins  
**TROWBRIDGE associates,inc.**  
Engineers-Surveyors-Land Planners  
200 Chauncy Street, Mansfield  
(508) 339-2713

<b>WELLESLEY</b>		SCALE: 1"=20'	REV. 12-16-15
DATE: DEC. 7,2015	APPROVED BY: MAT	JOB NUMBER: 15-030 CO & PL	