



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman  
ROBERT R. CUNNINGHAM  
KENDALL P. BATES

ELLEN D. GORDON  
Executive Secretary  
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WILLIAM E. POLLETTA  
FRANKLIN P. PARKER  
SUMNER H. BABCOCK

ZBA 92-44  
Petition of Lawrence J. Branagan  
17 Stonecleve Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 27, 1992 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) of the Town Hall, 525 Washington Street, Wellesley, on the petition of LAWRENCE J. BRANAGAN requesting a Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the reconstruction, structural change and change in use to his pre-existing nonconforming dwelling at 17 STONECLEVE ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. Said change will consist of incorporating a pre-existing nonconforming porch, approximately 6 feet by 32.3 feet, with less than the required front setback, into the interior structure of the dwelling, thereby changing the use of the area from exterior to interior living space.

On August 10, 1992, the petitioner requested a hearing before this Board, and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Lawrence Branagan, who said that on June 8, 1992, his home was the direct target of a lightning bolt, which was devastating. In the process of rebuilding the house, he is also planning for the future. In this regard, he would like to enlarge the living space on the first floor. The summer porch on the right side has not proven to be useful as the house is on Morses Pond, and most of the activity centers at the rear of the house from which the pond can be viewed. The porch would be enclosed to contain a bathroom and a study. The Wetlands Committee has approved the plans.

No other person present had any comment on the petition.

#### Statement of Facts

The subject property is located at 17 Stonecleve Road, in a Single Residence District, on an 8,220 square foot lot, with a minimum front yard setback of 4.55 feet.

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On June 8, 1992, the one and one-half story dwelling was hit by lightning and suffered severe damage to the roof and second floor. In the process of rebuilding, the petitioner is requesting a finding that the incorporation of a pre-existing nonconforming porch, approximately 6 feet by 32.3 feet, with a minimum front yard setback of 9.95 feet, into the interior structure of the dwelling to be used as interior living space will not be substantially more detrimental to the neighborhood than the existing nonconforming structure and use. All construction will be done on the original foundation, and the nonconformance of the structure will not be increased in any way.

A Plot Plan dated August 1, 1992, drawn by Alexander Crucoli, Registered Professional Land Surveyor; construction drawings and elevations; and photographs were submitted.

On July 28, 1992, the Wetlands Protection Committee issued a Negative Determination of Applicability with Conditions regarding the proposed reconstruction.

On August 11, 1992, the Planning Board reviewed the request and voted to offer no opposition to the requested favorable Finding.

#### Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject dwelling does not conform to the Zoning Bylaw as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that the proposed incorporation of the subject nonconforming porch into the interior structure of the dwelling will not increase the nonconformance of the porch in regard to the front setback.

This Authority unanimously finds that said incorporation of the porch to be used as interior living space, in accordance with the Plot Plan and construction drawings submitted and noted in the foregoing Statement of Facts, and in accordance with all of the conditions of the Negative Determination of Applicability hereby incorporated into this Decision, will not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

The Inspector of Buildings is hereby authorized to issue a Building Permit for construction upon his receipt and approval of a building application and detailed construction plans.

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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.

cc: Planning Board  
Inspector of Buildings  
Wetlands Protection Committee  
edg



Kendall P. Bates, Acting Chairman



Robert R. Cunningham



Franklin P. Parker

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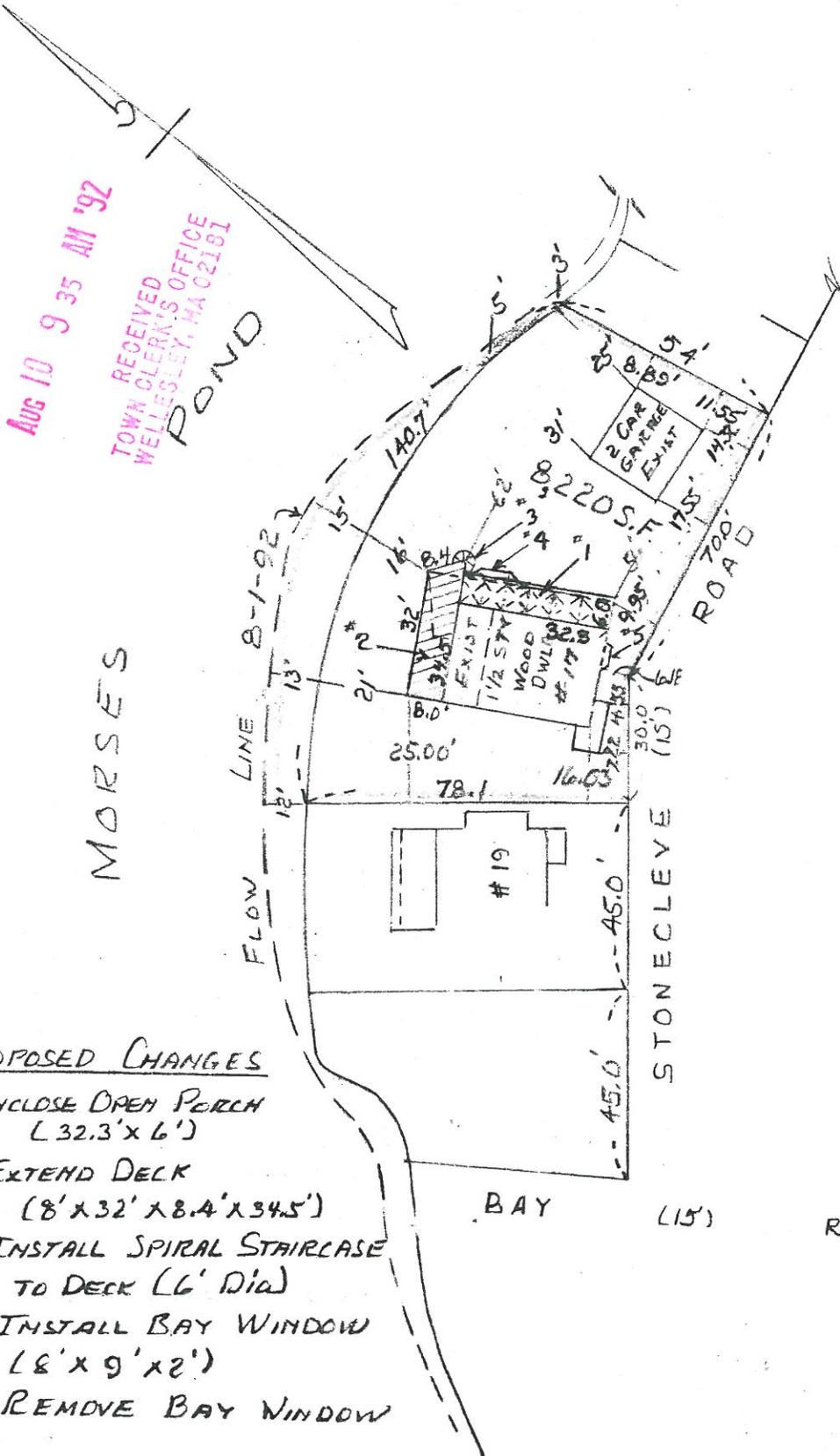
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PLAN OF LAND  
IN  
WELLESLEY — MASS  
Scale: 1" = 40' AUGUST 1, 1992.

SURVEYOR Alex Crucoli  
ACRES — ENGINEERS SURVEYORS, INC.  
57 Winthrop Road  
Chelsea, Mass. 02150

Belonging To  
LAWRENCE J. BRANAGAN

Alexander Crucoli



PROPOSED CHANGES

- 1) ENCLOSE OPEN PORCH (32.3' x 6')
- 2) EXTEND DECK (8' x 32' x 8.4' x 34.5')
- 3) INSTALL SPIRAL STAIRCASE TO DECK (6' Dia)
- 4) INSTALL BAY WINDOW (8' x 9' x 2')
- 5) REMOVE BAY WINDOW