



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

DEC 7 1 35 PM '92

JOHN A. DONOVAN, JR., Chairman  
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WELLESLEY, MA 02181

ZBA 92-56

Petition of Peter D. and Cynthia A. Sykes  
23 Meadowbrook Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 19, 1992 at 8 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of PETER D. AND CYNTHIA A. SYKES requesting a Special Permit/Special Permit Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the following additions to their pre-existing nonconforming dwelling with less than the required right side yard, at 23 MEADOWBROOK ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure:

1. A two-story addition approximately 14.08 feet by 20.66 feet which conforms to all zoning requirements at the rear of their dwelling.
2. A second-story addition approximately 10 feet by 12 feet above one-half of the nonconforming garage with less than the required right side yard. Said addition conforms to all zoning requirements.

On November 2, 1992, the petitioners requested 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 Peter and Cynthia Sykes. The Board had no questions regarding the project.

No other person present had any comment on the petition.

#### Statement of Facts

The nonconforming dwelling is located at 23 Meadowbrook Road, in a Single Residence District, on a 15,846 square foot lot, and has a minimum right side yard clearance of 15.6 feet.

The petitioners are requesting a Special Permit/Special Permit Finding to allow construction of a two-story addition approximately 20.66 feet by 14.08 feet which has a conforming left side setback of more than 20 feet and a conforming right side setback of 35.1 feet.

A Special Permit/Special Permit Finding is also requested to allow construction of a second-story addition approximately 10 feet by 12 feet above one-half of the nonconforming garage with a minimum right side clearance of 15.6 feet. Said addition will have a conforming right side setback of 29.6 feet and a conforming left side setback of

ZBA 92-56  
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more than 20 feet.

A Plot Plan dated October 26, 1992, drawn by Henry E. Thomas, Jr., Registered Professional Land Surveyor; construction drawings and elevations; and photographs were submitted.

On November 16, 1992, the Wetlands Protection Committee voted to issue a Negative Determination of Applicability for the proposed construction with a request to discontinue piling waste near the brook; and a suggestion to create a 6-10 feet wide vegetation buffer strip along the bank of the brook.

On November 17, 1992, the Planning Board reviewed the petition and voted to recommend that the application be granted a Special Permit as the additions appear to conform to all zoning requirements.

#### Decision

This Authority has made a careful study of the materials submitted. The subject dwelling does not conform to the present Zoning Bylaws as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that the proposed two-story and second-story additions conform to all zoning requirements as noted in the foregoing Statement of Facts. It is the further opinion of this Authority that because the proposed construction is conforming, neither the two-story addition nor the second-story addition would intensify the existing nonconformity or result in additional ones.

Therefore, a Special Permit is granted for construction of the requested two-story and second-story additions subject to construction in accordance with the plot plan and drawings as submitted and noted in the foregoing Statement of Facts.

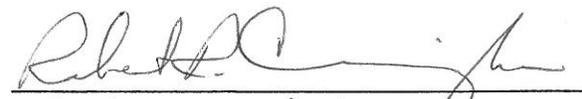
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and detailed construction plans.

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  
edg

  
John A. Donovan, Jr., Chairman

  
Kendall P. Bates

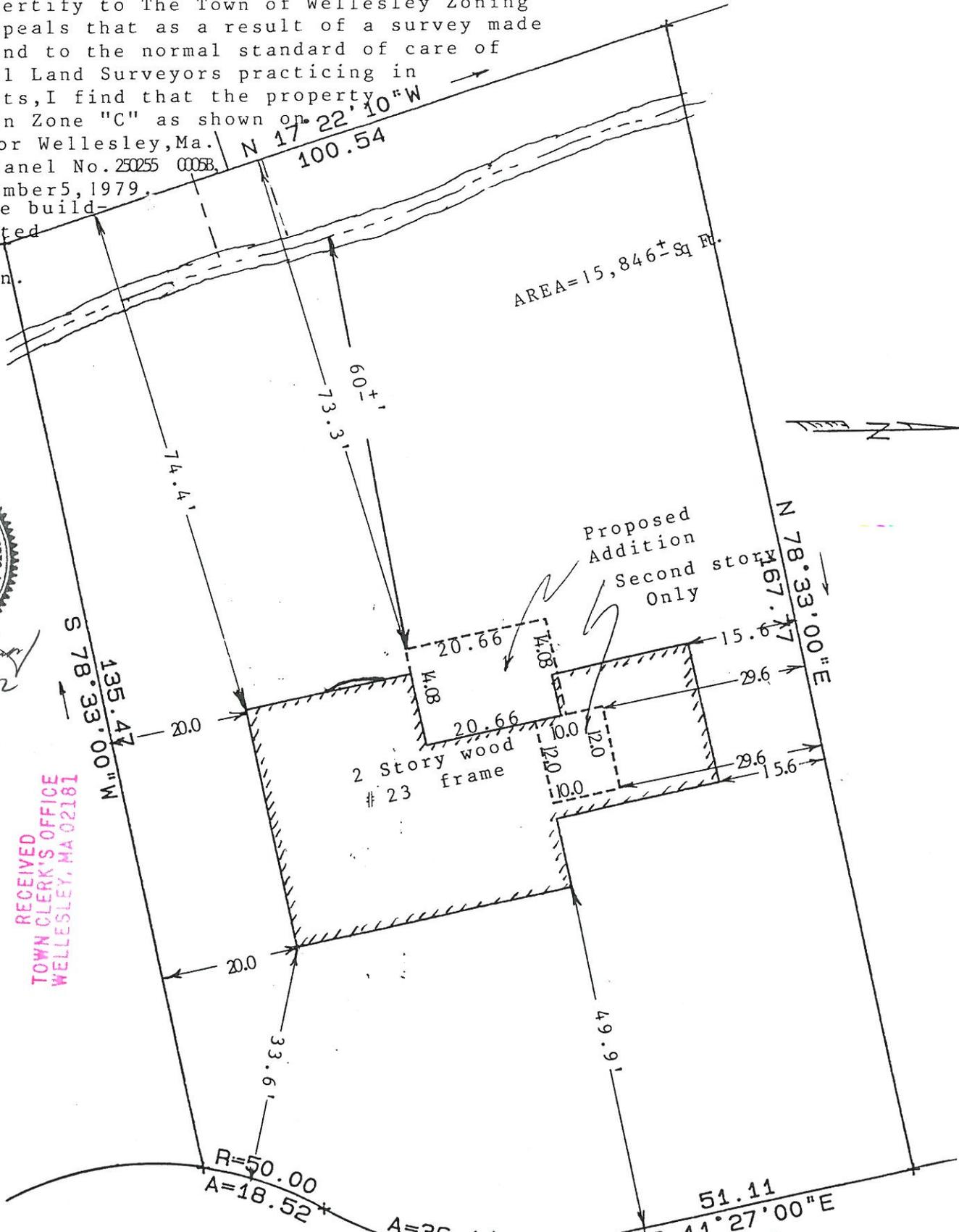
  
Robert R. Cunningham

On the basis of my knowledge, information and belief, I certify to The Town of Wellesley Zoning Board of Appeals that as a result of a survey made on the ground to the normal standard of care of Professional Land Surveyors practicing in Massachusetts, I find that the property falls within Zone "C" as shown on F.I.R.M. Map for Wellesley, Ma. Community Panel No. 250255 0005B, dated September 5, 1979, and that the building is located on the lot as shown.



*Henry E. Thomas Jr.*  
10/27/92

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WELLESLEY, MA 02181



Plan of Land in  
Wellesley, Mass.  
Record Owner: Peter D. & Cynthia A. Sykes  
23 Meadowbrook Road  
Scale: 1" = 20' Date: 26 October 1992  
Schofield Brothers Inc.  
1071 Worcester Road  
Framingham, Ma. 01701  
Tel. (508) 879-0030

MEADOWBROOK ROAD

See Assessors Map 168 Lot 51