



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 95-28
Petition of Michael P. Forte
127 Manor Avenue

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, March 30, 1995 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of MICHAEL P. FORTE requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the raising of the ridge line of the existing roof approximately 9 feet 3 inches to accommodate a second story addition approximately 27.4 feet by 42.4 feet at their nonconforming dwelling with less than the required front and right side yard setbacks, at 127 MANOR AVENUE, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. Said addition will also have less than the required front and right side yard setbacks. There will be no change in the footprint of the dwelling.

On March 13, 1995, 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 Michael and Elizabeth Forte. Mr. Forte said that they would like approval to expand the living space in the house. He owns the property, but his son and daughter-in-law live in the house, and are expecting a baby in the fall. There is only one bedroom in the house at present. There will be no change in the footprint. The bay window in the living room will be removed and replaced with a casement window.

No other person present had any comment on the petition.

Statement of Facts

The subject nonconforming dwelling is located at 127 Manor Avenue, in a Single Residence District, on a 20,800 square foot lot of which 10,800 square feet are located in Wellesley and 10,000 square feet are located in Natick. The nonconforming dwelling has a minimum front yard clearance of 25.2 feet and a minimum right side yard clearance of 18.7 feet.

The petitioner is requesting a Special Permit/Finding to allow raising the ridge line of the roof approximately 9 feet 3 inches to accommodate a second story addition approximately 27.4 feet by 42.4 feet, which will have a minimum front yard setback of 25.2 feet and a minimum right side yard setback of 18.7 feet. The bay window at the front of the dwelling

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will be removed and replaced with a casement window. There will be no change in the footprint of the dwelling.

A Plot Plan dated February 23, 1995, drawn by Paul J. DeSimone, Registered Land Surveyor; Floor Plans and Elevations drawn by Wendell E. Wickerham, Architect; and photographs were submitted.

On March 28, 1995, the Planning Board reviewed the petition and voted to recommend approval of the request.

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 current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the Finding of this Authority that the proposed raising of the ridge line of the roof approximately 9 feet 3 inches to accommodate the second story addition will neither increase the existing nonconformity, nor will it create any additional nonconformities as there will be no change in the footprint of the structure.

Therefore, a Special Permit is granted for the second story addition subject to construction in conformance with the submitted Plot Plan and construction sketches, and further subject to the removal of the existing bay window and replacement with a casement window.

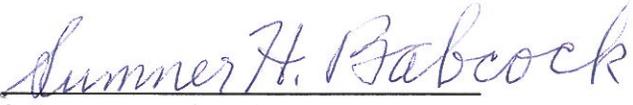
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and detailed construction plans.

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


Kendall P. Bates, Acting Chairman


Robert R. Cunningham


Sumner H. Babcock

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5

6

166.67'

60.00'

60.09'

A = 10,000 S.F. ±

PLAN NO. 447 OF 1959

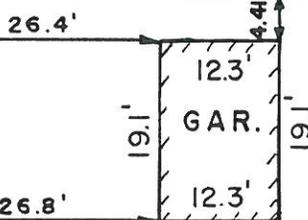
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NATICK

76.67'

WELLESLEY



LOTS 139 - 140 - 141

A = 10,800 S.F.

existing one story
to remain one
story

N/F Dwight Gary Gilliland & Karen M. Graves

Selma Tattelbaum
&
N/F Benjamin

RATIO OF BUILDING TO LOT AREA

REQUIRED: less than 25%
EXISTING: 14.7%
PROPOSED: 14.7%

NOTES:

1. BEING LOTS 139, 140 & 141 ON A PLAN BY ARTHUR P. FRENCH, C.E. DATED FEB. 1914 RECORDED IN LAND COURT PLAN 4252B ALSO LOT ON PLAN No.447 of 1959
2. THIS PLOT PLAN WAS MADE FROM AN INSTRUMENT SURVEY.
3. THIS PLOT PLAN IS TO ACCOMPANY AN APPLICATION FOR A VARIANCE TO ADD TO THE EXISTING STRUCTURE.
4. NATICK PORTION OF LOT IS NOT DRAWN TO SCALE.

I HEREBY CERTIFY THAT THE EXISTING BUILDINGS SHOWN ON THIS PLAN IS LOCATED ON THE GROUND AS SHOWN THEREON.

Paul J. DeSimone



CERTIFIED PLOT PLAN
WELLESLEY, MA.

SCALE: 1" = 20'

FEBRUARY 23, 1995

OWNER: MICHAEL FORTE

CAMERON BROTHERS, INC.

485 PLEASANT ST. - MALDEN, MA.

MANOR AVENUE

Proposed landing
and stairs

29.9'

40.7'

chimney

43.9' CORNER BOARD

41.9' ROOF OVERHANG

35'

5'

bay window
to be removed

25.2' CB

23.2' RO

90'

90'

6.6'

19.4'

one story

6.6'

18.7' CB

120'

27.4' (1st & 2nd)

nd. STORY
PROPOSED

42.4' (1st & 2nd)

EXISTING
1 STORY

42.4' (1st & 2nd)

2' RF OVHG.
(TO BE REMOVED)

120'

NO. 127

27.4' (1st & 2nd)

18.7' CB

16.7' RO

25.2' CB

23.2' RO

25.2' CB

23.2' RO