



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

May 9 8 18 AM '95

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

ELLEN D. GORDON  
Executive Secretary  
Telephone  
431-1019 X208

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SUMNER H. BABCOCK

ZBA 95-32

Petition of Charles J. and Elizabeth C. Connolly  
2 Intervale Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, April 27, 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 CHARLES J. AND ELIZABETH C. CONNOLLY requesting a variance from the terms of Section XIX and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to allow construction of a two-story addition approximately 15.6 feet by 24 feet at their nonconforming dwelling with less than the required front setback from INTERVALE ROAD, at 2 INTERVALE ROAD, in a Single Residence District. Said addition will also have less than the required front setback from INTERVALE ROAD.

On April 10, 1995, the petitioners 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 Charles Connolly, who said that they would like to add a bedroom and a family room. The house is small, and with two children, they need more space. The nonconformity will not be increased, as the addition will be set back farther than the existing house.

The Board noted that the Planning Board had recommended that the ridge line of the addition be the same height as that of the house. Mr. Connolly explained that the ridge line of the addition was slightly higher because the addition had been set back about a foot.

Paul Powers, 12 Intervale Road, expressed support for the petition, and said that the neighbors at 10 and 14 Intervale Road were also in favor of the granting of the request.

#### Statement of Facts

The subject nonconforming dwelling is located at 2 Intervale Road, on a 4,903 square foot lot, in a Single Residence District, and has a minimum front yard clearance of 17.2 feet. The property is a corner lot with frontage on both Intervale and Riverdale Roads.

The petitioners are requesting a variance to construct a two-story addition approximately 15.6 feet by 24 feet at the right side of the dwelling. The addition will have a minimum front yard clearance of 18.1 feet.

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A Plot Plan dated April 3, 1995, drawn by George N. Giunta, Registered Land Surveyor; Floor Plans and Elevations drawn by Charles Connolly; and pictures were submitted.

On April 24, 1995, the Planning Board reviewed the petition and voted to offer no objection to the granting of the request on the condition that the line of the house at the rear be maintained with that of the existing dwelling, and the ridge line of the addition be the same as that on the existing dwelling.

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 opinion of this Authority that the proposed two-story addition conforms to the present lines of the house and does not alter the relationship of the house to the front lot line.

It is the opinion of this Authority that, because of the shape of the lot, the location of the lot with frontage on two streets, and the siting of the house on the lot, a literal enforcement of the provisions of Section XIX of the Zoning Bylaw would involve a substantial hardship to the petitioners, and that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

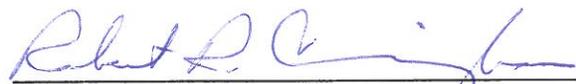
Therefore, the requested variance is granted to construct the two-story addition, subject to construction in accordance with the submitted plot plan and construction sketches.

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.

If the rights authorized by this variance are not exercised within one year of the date of grant of said variance, they shall lapse, and may be re-established only after notice and a new hearing pursuant to Section XXIV-D of the Zoning Bylaw.

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

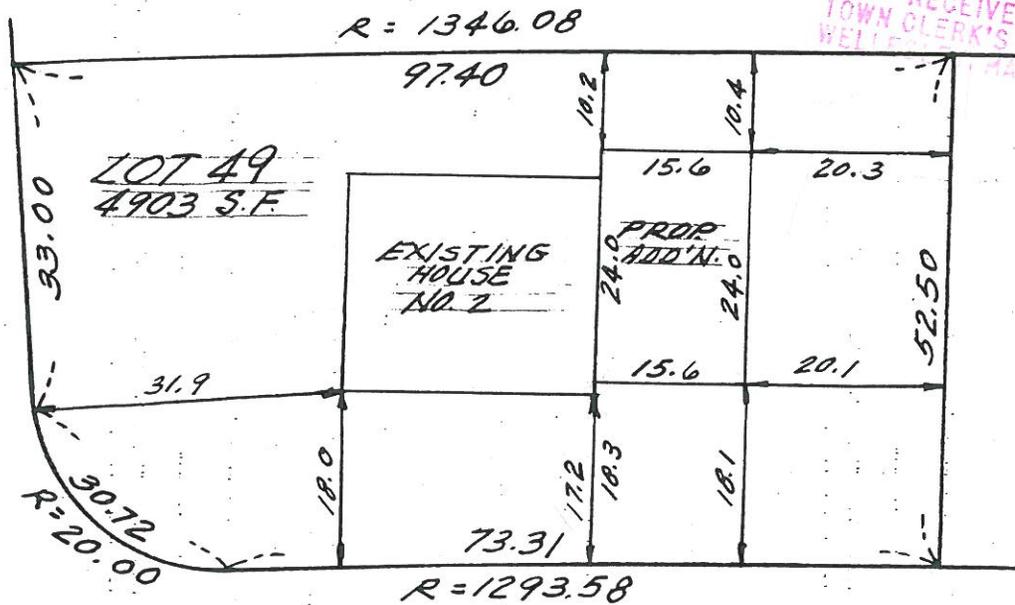
  
Robert R. Cunningham, Acting Chairman

  
Kendall P. Bates

  
William E. Polletta

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9 09 AM '95

RIVERDALE ROAD



APR 10 8 26 AM '95

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INTERVALE ROAD

PLOT PLAN OF LAND IN WELLESLEY - MASS.

APRIL 3, 1995

SCALE 1" = 20'

NEEDHAM SURVEY ASSOCIATES, INC. 281 CHESTNUT ST. NEEDHAM, MA.

