



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
Telephone
431-1019 X208

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ZBA 96-22

Petition of Cynthia Pratt and Linda M. Vaccaro
14 Riverdale Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 18, 1996 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 CYNTHIA PRATT AND LINDA M. VACCARO requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a two-story addition approximately 25 feet by 26.6 feet, with less than the required right side yard, at the rear of their nonconforming dwelling with less than the required front and right side yard setbacks at 14 RIVERDALE ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On April 1, 1996, 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 were Cynthia Pratt and Linda Vaccaro. Ms. Vaccaro said that the purpose of the addition was to house her elderly parents who would be living with them. The addition will contain two bedrooms, and will be less nonconforming than the existing house.

The Board stated that, in such situations, it is always concerned that no additional kitchen facilities be installed. Ms. Vaccaro said that the ground floor of the addition will include an expansion of the existing kitchen, but no separate kitchen will be added. The additional ground floor space will include a family room for her parents.

Brad Watts, 10 Riverdale Road, requested an opportunity to view the plans. He had no objection to the proposed construction.

Statement of Facts

The subject property is located at 14 Riverdale Road, in a Single Residence District, on a 10,445 square foot lot. The nonconforming dwelling has a minimum front clearance of 20.5 feet and a minimum right side yard clearance of 12.8 feet.

The petitioners are requesting a Special Permit/Finding that the proposed construction of a two story addition approximately 25 feet by 28.6 feet, which will have a minimum right side yard clearance of 14.4 feet, shall not be substantially more detrimental to the neighborhood than the

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existing nonconforming structure.

A Plot Plan dated March 21, 1996, drawn by James J. Abely, Professional Land Surveyor; Floor Plans and Elevations (A1-A6) dated 3/22/96, drawn by C.N.; and photographs were submitted.

The Planning Direction suggested that consideration be given to maintaining the current right side yard setback of 15.4 feet.

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 unanimous finding of this Authority, as voted at the Public Hearing, that the proposed two-story addition will not be substantially more detrimental to the neighborhood than the existing nonconforming dwelling as the proposed addition will be less nonconforming than the existing dwelling and will not intensify the existing nonconformance.

Therefore, the Special Permit is granted for the construction of the two-story addition in accordance with the submitted Plot Plan and construction drawings, subject to the condition that no separate facilities of any type ever be installed for food storage and/or preparation in said addition.

The Inspector of Buildings is hereby authorized to issue a permit for the construction upon 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.



Kendall P. Bates
Kendall P. Bates, Acting Chairman



Sumner H. Babcock
Sumner H. Babcock



William E. Polletta
William E. Polletta

cc: Planning Board
Inspector of Buildings
edg

