

55 Fiske Rd

TOWN OF WELLESLEY



MASSACHUSETTS

A.L

30269

ZONING BOARD OF APPEALS

MAR 13 1 45 PM '97

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02181-5992

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ZBA 97-12

Petition of Henry E. and Maureen M. Abelson
55 Fiske Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 27, 1997 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 HENRY E. AND MAUREEN M. ABELSON requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the following additions to their nonconforming dwelling with less than the required left and right side yard setbacks at 55 FISKE ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure:

1. A one-story addition approximately 33 feet by 16 feet which will have less than the required left side yard setback.
2. A 16 foot by 16 foot second story addition above the proposed one-story addition which will have less than the required left side yard setback.
3. A 5.6 foot by 2 foot exterior chimney which will have less than the required left side yard setback.

On February 10, 1997, 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 Henry Abelson, who said that they would like to build a two-story addition consisting of a family room on the first floor, and expansion of an existing bedroom on the second floor.

The Board noted that the Planning Board had recommended against the granting of the petition, as it represents a substantial encroachment on the side yard which would be more detrimental than the existing house.

Mr. Abelson said that the proposed addition is less nonconforming than the existing garage.

Mildred and Peter Hansen, 59 Fiske Road, the left side abutters, expressed support for the petition.

Statement of Facts

The subject property is located at 55 Fiske Road, on a 15,000 square foot lot, in a Single Residence District, and has a minimum right side yard clearance of 19.3 feet and a minimum left side yard clearance of 9.2 feet. The existing lot coverage totals 11%.

ZBA 97-12

Petition of Henry E. and Maureen M. Abelson
55 Fiske Road

The petitioners are requesting a Special Permit/Finding to allow construction of a one-story 33 foot by 16 foot addition with a minimum left side yard clearance of 15.8 feet; a second story 16 foot by 16 foot addition above the first floor addition, which would have a minimum left side yard clearance of 18.05 feet; and a 5.6 foot by 2 foot exterior chimney which would have a minimum left side yard clearance of 13.8 feet. The total lot coverage including the additions would be 14%.

A plot plan dated January 22, 1997, drawn by Brian J. Murphy, Professional Land Surveyor; Floor Plans and Elevations (A1-A6, S1-S2, E1) dated 11/18/96, drawn by David Perry Architects; and photographs were submitted.

On February 25, 1997, the Planning Board reviewed the petition and recommended against the granting of this petition feeling that it is a substantial encroachment on a side yard which would be more detrimental than the existing encroachment.

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 first and second story additions, and the proposed chimney will not intensify the existing nonconformance nor will they create new nonconformities as all of the proposed construction will have a greater setback from the left side lot line than the existing nonconforming dwelling.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the proposed first and second story additions, and the exterior chimney, subject to construction in accordance with the submitted plot plan and construction drawings.

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.

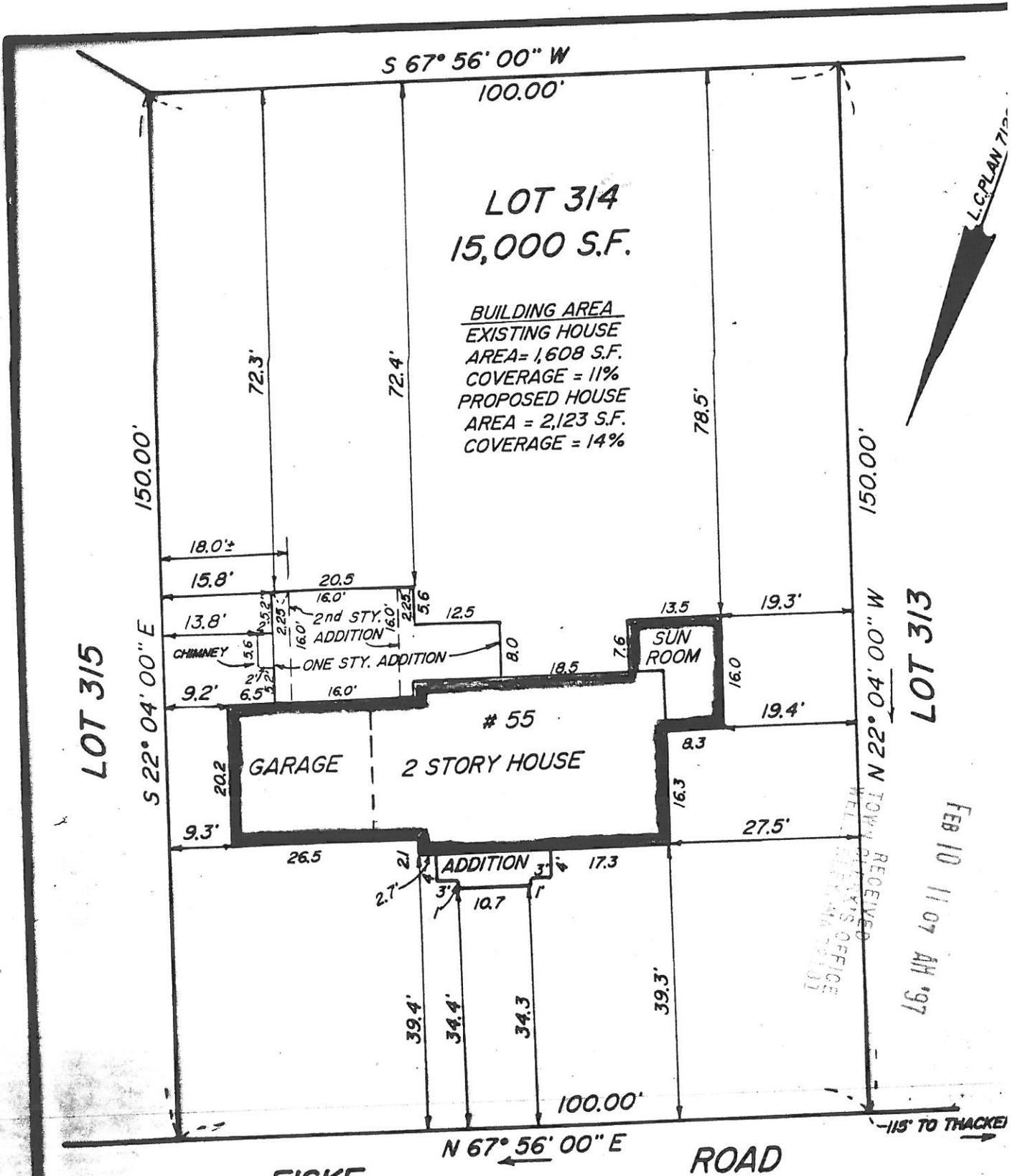
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN
THE OFFICE OF THE TOWN CLERK.

cc: Planning Board
Inspector of Buildings
edg


Kendall P. Bates, Acting Chairman


William E. Polletta


Sumner H. Babcock



FEB 10 11 07 AM '97
 RECEIVED
 WELLESLEY CITY OFFICE
 16. 115 TO THACKER

PROPERTY OWNER:
 HENRY EDWARD ABELSON &
 MAUREEN MARCHESI ABELSON

LANDCOURT CERTIFICATE OF
TITLE #44533, BK 723 PG 133

NOTE: THIS PLAN NOT FOR RECORDING



PLOT PLAN OF LAND IN WELLESLEY, MASSACHUSETTS

SCALE 1" = 20'
 JANUARY 22, 1997
FREEMAN ENGINEERING CO.
 A DIVISION OF
HAYWARD - BOYNTON & WILLIAMS, INC.
 LAND SURVEYORS CIVIL ENGINEERS
 178 NORTH MAIN ST. ATTLEBORO, MA.