



## ZONING BOARD OF APPEALS

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

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ZBA 97-50

Petition of Robert J. and Laura F. Plumb  
55 Wingate Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday June 19, 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 ROBERT J. AND LAURA F. PLUMB 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 one-story 21.2 foot by 31.6 foot addition, which will have less than the required front setback from NORTHGATE ROAD, at their nonconforming dwelling with less than the required front setback from NORTHGATE ROAD, and less than the required right side yard setback at 55 WINGATE ROAD, in a Single Residence District.

On June 2, 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 Russell Glenn, project architect, who was accompanied by Mr. and Mrs. Plumb. Mr. Glenn said that the house, on the corner of Wingate and Northgate Roads, is oriented to face Wingate Road. They propose to enlarge the kitchen and garage on the first floor only. They are constrained by the 30 foot setbacks from two streets, and the existence of a tributary feeding Boulder Brook, which runs across the rear yard. The current setback from Northgate Road is 28.3 feet. The addition would have a front setback of 22.9 feet.

Mr. Glenn said that the Wetlands Committee has approved the project, and the curb cut for a driveway relocation from Wingate to Northgate Road has been approved by the Selectmen. The other homes on Northgate Road are close to the 30 foot setback.

No other person present had any comment on the petition.

### Statement of Facts

The subject property is located at 55 Wingate Road, on the corner of Northgate Road, on a 13,788 square foot lot in a Single Residence District. The nonconforming dwelling has a

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minimum right side yard clearance of 19.9 feet and a minimum front yard clearance of 28.3 feet from Northgate Road. A tributary of Boulder Brook runs across the rear of the property.

The petitioners are requesting a variance to construct a one-story addition 21.2 feet by 31.6 feet which will have a minimum front yard clearance of 22.9 feet from Northgate Road.

A Plot Plan showing existing conditions dated April 24, 1997 and a Plot Plan entitled "Proposed Addition" dated May 23, 1997, both drawn by Joyce E. Hastings, Registered Professional Land Surveyor; Floor Plans and Elevations dated 5/14/97, drawn by Archdesign, Inc.; and photographs were submitted.

On June 5, 1997, the Wetlands Protection Committee issued an Order of Conditions (DEC 324-243) for the proposed activities at 55 Wingate Road.

On June 10, 1997, the Planning Board reviewed the petition and voted to oppose the granting of the variance, as it appears that the addition could be designed to come no closer to the street line than the existing house.

#### 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 because of the topography of the lot and the existence of the Boulder Brook tributary 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 relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

Therefore, the requested variance is granted, as voted unanimously by this Authority at the Public Hearing, for the one-story addition subject to construction in accordance with the submitted "Proposed Addition" Plot Plan, construction drawings, and further subject to all conditions imposed in the Order of Conditions issued by the Wetlands Protection Committee.

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.

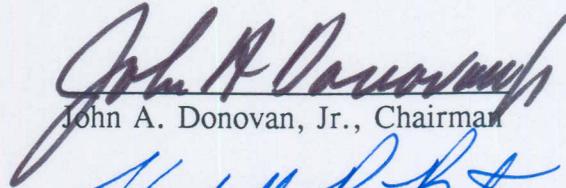
If the rights authorized by this variance are not exercised within one year of the date of grant of said variance, they shall lapse and may be re-established only after notice and a new hearing pursuant to Section XXIV-D of the Zoning Bylaw.

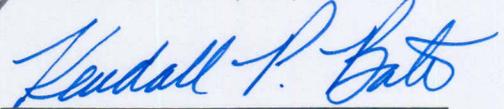
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APPEALS FROM THIS DECISION,  
IF ANY, SHALL BE MADE PURSUANT  
TO GENERAL LAWS, CHAPTER 40A,  
SECTION 17, AND SHALL BE FILED  
WITHIN 20 DAYS AFTER THE DATE  
OF FILING OF THIS DECISION IN  
THE OFFICE OF THE TOWN CLERK.

cc: Planning Board  
Wetlands Protection Committee  
Inspector of Buildings  
edg

  
John A. Donovan, Jr., Chairman

  
Kendall P. Bates

  
William E. Polletta

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NORTHGATE ROAD



WINGATE ROAD

I CERTIFY THAT THE BUILDINGS ON THIS  
PROPERTY ARE LOCATED AS SHOWN ABOVE



*Joyce Hastings*  
REGISTERED LAND SURVEYOR

APRIL 24, 1997  
DATE

PLOT PLAN OF LAND  
IN

WELLESLEY MASS.

SCALE : 1" = 40' APRIL 24, 1997

GLM ENGINEERING CONSULTANTS INC.  
1750 WASHINGTON STREET  
HOLLISTON, MASS. 429-1100

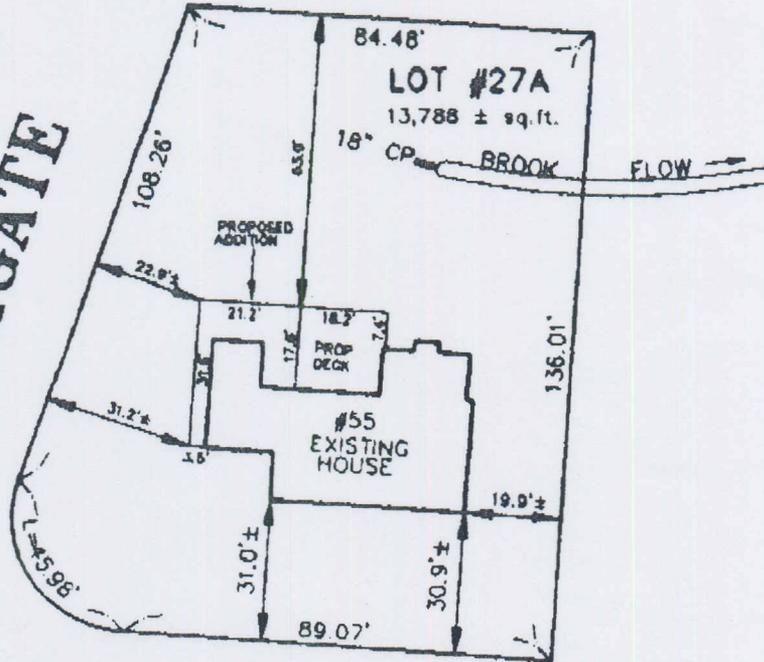
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NORTHGATE ROAD



WINGATE ROAD

"PROPOSED ADDITION"

PLOT	PLAN	OF	LAND
IN			
WELLESLEY		MASS.	

SCALE : 1" = 40'      MAY 23, 1997

GLM ENGINEERING CONSULTANTS INC.  
1750 WASHINGTON STREET  
MULLISTON, MASS. 429-1100  
JOB #9202 "G"

I CERTIFY THAT THE BUILDINGS ON THIS PROPERTY ARE LOCATED AS SHOWN ABOVE



*Joe E. Hastings*  
REGISTERED LAND SURVEYOR

MAY 23, 1997  
DATE