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WELLESLEY, MA 02181**ZONING BOARD OF APPEALS**

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

MAY 26 A 9:12

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ZBA 97-99

Petition of Colman and Ann P. Walsh  
67 Brook Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 20, 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 COLMAN AND ANN P. WALSH 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 side yard setback at 67 BROOK STREET, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure:

1. A 5 foot by 38.3 foot porch expansion with less than the required left side yard setback.
2. Raising the ridge line of the entire roof 2 feet above the existing dwelling to accommodate a 25.8 foot by 38.3 foot second story addition with less than the required left side yard setback.
3. A one-story 25.7 foot by 12.5 foot addition with less than the required left side yard setback.

On November 3, 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 Colman Walsh, who said that he would like to construct the porch expansion to improve the symmetry of the house, and the second floor addition and one-story family room to provided needed space.

The Board asked if Mr. Walsh would be the builder, and he replied that he would be building the additions himself.

The Board agreed that the additions would be an improvement, and would not encroach any closer to the left side line than the existing house. The Board noted that the Planning Board had no objection to the request.

Constance Sullivan, 8 Sterling Road, asked to view the plans. After reviewing the plans, Ms. Sullivan stated that she had no problem with the petition.

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Statement of Facts

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The subject property is located at 67 Brook Street, in a Single Residence District, on an 11,106 square foot lot, and has a minimum left side yard setback of 7.5 feet from the left rear corner of the dwelling.

The petitioner is requesting a Special Permit/Finding that the following additions will not be substantially more detrimental to the neighborhood than the existing nonconforming dwelling:

1. A 5 foot by 38.3 foot porch expansion which will have a minimum left side yard clearance of 8.7 feet.
2. Raising the ridge line of the existing roof 2 feet to accommodate a 25.8 foot by 38.3 foot second story addition which will have a minimum left side yard clearance of 7.5 feet.
3. A one-story 25.7 foot by 12.5 foot addition which will have a minimum left side yard clearance of 19.1 feet.

A Plot Plan dated October 16, 1997, drawn by David E. Lukens, Registered Professional Land Surveyor; Floor Plans and Elevations dated 10/10/97; and photographs were submitted.

On November 18, 1997, the Planning Board reviewed the petition and had no objection to the granting of a Special Permit for all three additions.

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 none of the proposed additions will intensify the existing nonconformance nor will they create new nonconformities as no addition will encroach any closer on 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, to construct the porch expansion, the second story addition and the one-story addition subject to construction in accordance with the submitted plot plan and construction drawings.

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The Inspector of Buildings is hereby authorized to issue a permit for 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  
Kendall P. Bates, Acting Chairman



William E. Polletta  
William E. Polletta



Robert A. Bastille  
Robert A. Bastille

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PAUL L. & PATRICIA H. COSTELLO  
12 STERLING RD.

CONSTANCE D. SULLIVAN  
8 STERLING RD.

RAYMOND A. & MARY CLAIRE KULWIEC  
4 TEMPLE RD.

ZONING = SRD

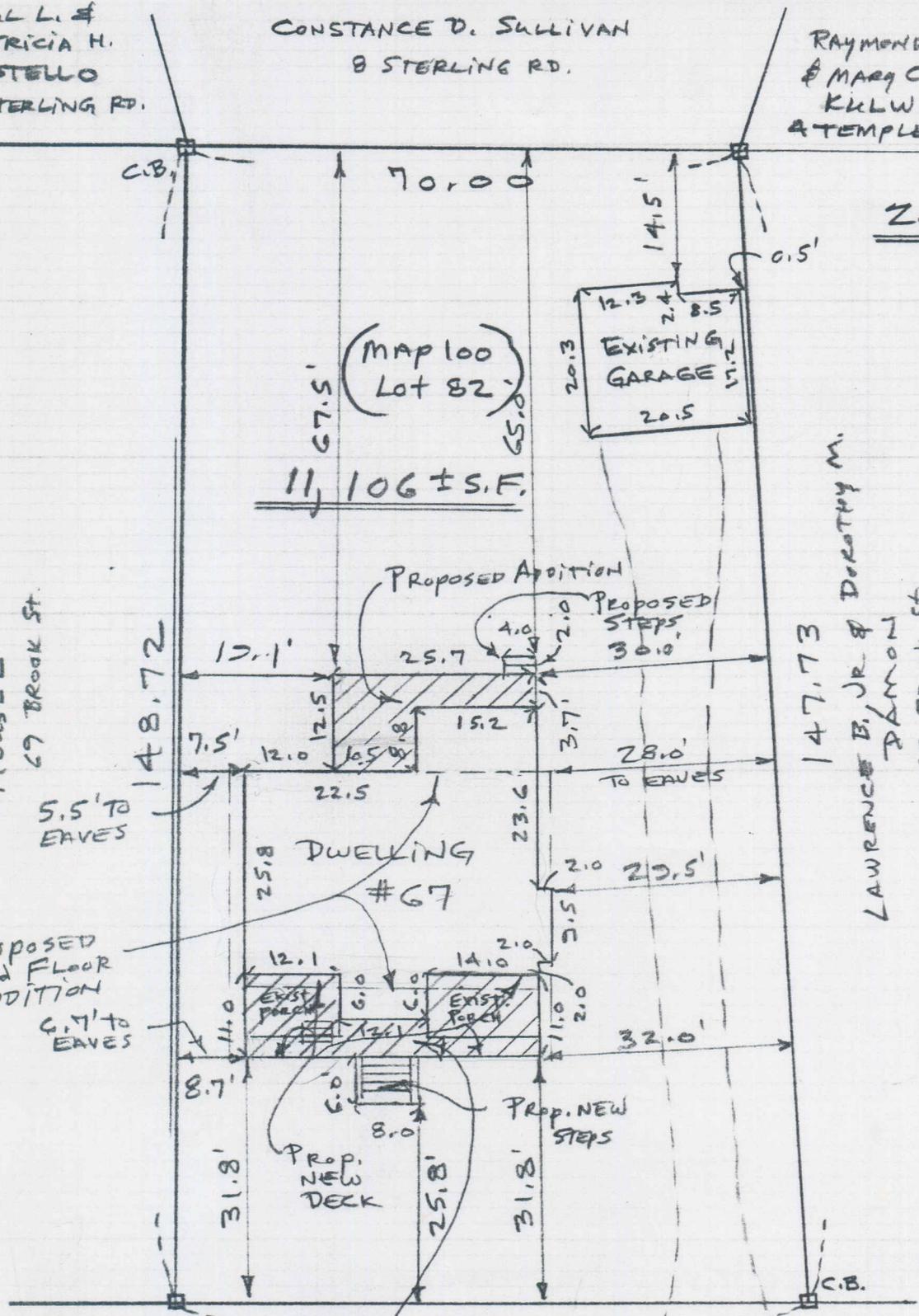
(MAP 100 Lot 82)  
11,106 ± S.F.

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MARK S. & ANNE MARIE  
HOUSEL  
69 BROOK ST.

LAWRENCE B. JR. & DEBORAH M.  
RAMON  
63 BROOK ST.

Proposed 2nd Floor Addition  
6.7' to EAVES



EXISTING PORCHES TO BE REMOVED AND NEW DECK TO BE ADDED  
BROOK STREET (Public-46' wide)

EXISTING Lot COVERAGE = 16.4%  
Proposed Lot COVERAGE = 15.8%

PLOT PLAN IN WELLESLEY, MASS.  
1" = 20' OCT. 16, 1997

COMMONWEALTH OF MASSACHUSETTS  
DAVID E. LUKENS  
No. 30752  
REGISTERED PROFESSIONAL LAND SURVEYOR  
David E. Lukens  
10/16/97

LANDMARK ENGINEERING OF NEW ENGLAND, INC.  
P.O. Box 415 NORFOLK, MA 02056

RECORD OWNER: MARY M. VALENCIA, TRS.  
67 BROOK STREET REALTY TR.

DEED REF: BK. 9698 - Pg. 705