

**ZONING BOARD OF APPEALS**

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

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1998 MAY -8 A 8:03

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ROBERT A. BASTILLE  
CYNTHIA S. HIBBARD

ZBA 98-32

Petition of Michael S. and Cynthia G. Sims  
25 Cottage Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 30, 1998 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 MICHAEL S. AND CYNTHIA G. SIMMS requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the proposed 4.2 foot by 7.4 foot one-story infill addition, with less than the required right side yard setback, at their nonconforming dwelling with less than the required right side yard setback, at 25 COTTAGE STREET, in a Single Residence District and an Historic District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming dwelling.

On April 7, 1998, 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 Michael and Cynthia Sims. Mr. Sims said that they have received Historic Commission approval. The small infill addition will provide space for a laundry room and access to the basement.

No other person present had any comment on the petition.

Statement of Facts

The subject dwelling is located at 25 Cottage Street, in a Single Residence and an Historic District, on a 12,800 square foot lot, and has a minimum right side yard clearance of 6 feet.

The petitioners are requesting a Special Permit/Finding that the construction of a one-story 4.2 foot by 7.4 foot infill addition, with a minimum right side yard clearance of 6 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated February 26, 1998, drawn by Bruce Bradford, Professional Land Surveyor; Existing Elevations (A-1) dated 8/1/97, revised 9/11/97; Proposed Addition/Rear Elevation (A-1R) dated 7/1/97, revised 7/7/97, revised 9/11/97; Floor Plans (A-2) dated 4/25/97, revised 9/11/97; and Framing Plans/Sections (A-3) dated 8/25/97; all drawn by John C. Staniunas Associates; and photographs were submitted.

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The Historic District Commission held a Public Hearing on the project on August 12, 1997, and granted approval on August 17, 1997.

On April 14, 1998, the Planning Board reviewed the petition and had no objection to the granting of the request.

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.

This Authority finds that the construction of the one-story 4.2 foot by 7.4 foot infill addition with less than the required right side yard setback, will not be substantially more detrimental to the neighborhood as it will neither increase the nonconformance nor create additional nonconformance.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the proposed infill addition, 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 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

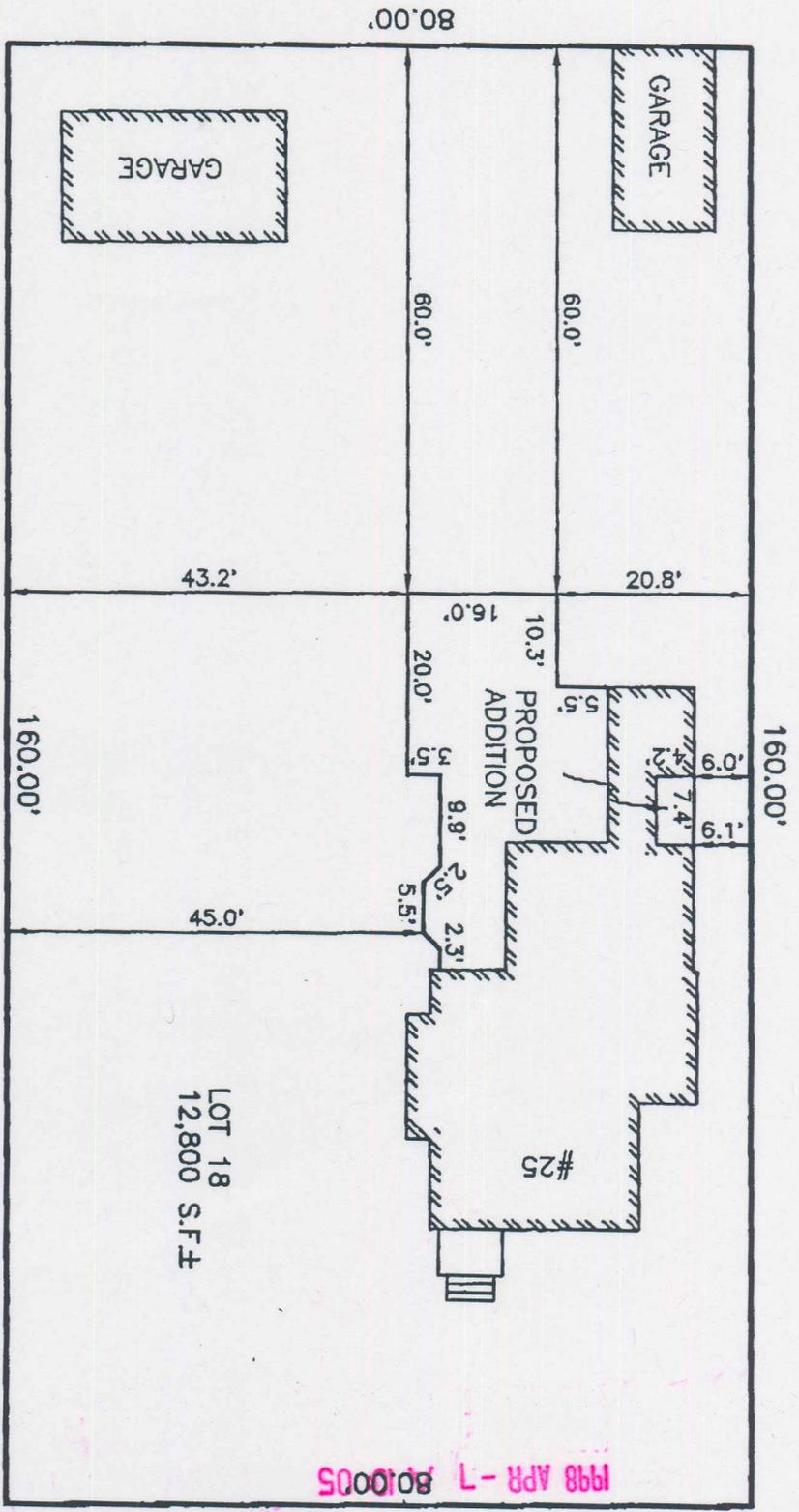
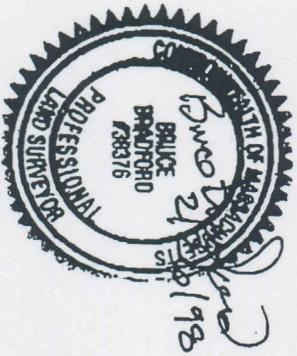
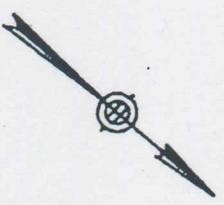
Kendall P. Bates, Acting Chairman

William E. Polletta

Robert A. Bastille

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1998 MAY - 8 A 8:03

LOT COVERAGE 19.7%  
PROJECT NO. 18839  
PREPARED BY:  
AMERICAN SURVEY COMPANY  
OF BOSTON, INC.  
1264 MAIN STREET  
WALTHAM MA 02154  
(781) 893-6477



LOT 18  
12,800 S.F.±

RECEIVED  
TOWN CLERK'S OFFICE  
COTTAGE STREET  
1998 APR - 7 801005

PLAN OF LAND IN  
WELLESLEY, MA  
25 COTTAGE STREET  
SHOWING PROPOSED ADDITIONS  
SCALE 1 IN. = 20 FT  
FEBRUARY 26, 1998