



ZONING BOARD OF APPEALS

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

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ZBA 98-45

Petition of William L. and Barbara H. McMahon
6 Morton Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 25, 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 WILLIAM L. AND BARBARA H. McMAHON requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a 3.2 foot by 9.4 foot one-story infill addition, with less than the required left side yard setback, at their nonconforming dwelling with less than the required front, right and left side yard setbacks at 6 MORTON STREET, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On June 8, 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 was William McMahon, who said that they have a pre-existing nonconforming garage, which will obstruct any view of the infill addition, which is to be located in the space between the garage and a proposed conforming addition. The infill addition will be used as a mudroom.

The Board commented that the Planning Board had no objection to the petition.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 6 Morton Street, in a Single Residence District, on a 10,034 square foot lot, and has a minimum front yard clearance of 27.2 feet, a minimum right side yard clearance of 15.7 feet and a minimum left side yard clearance of 5.3 feet.

The petitioners are requesting a Special Permit/Finding that the construction of a 3.2 foot by 9.4 foot one-story infill addition, with a minimum left side yard clearance of 17.3 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

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JUL -2 A 8:00

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A Plot Plan dated May 18, 1998, drawn by Joyce E. Hastings, Registered Professional Land Surveyor; Floor Plans and Elevations dated May 4, 1998, drawn by Archdesign, Inc.; and photographs were submitted.

On June 23, 1998, the Planning Board reviewed the petition and voted to offer 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.

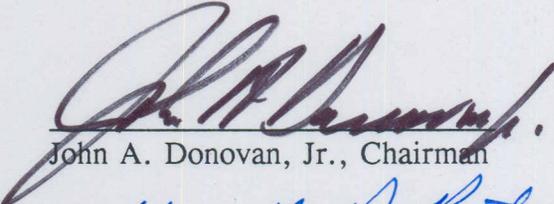
It is the finding of this Authority that the proposed one-story infill addition will not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as the addition will neither intensify the existing nonconformance, nor will it create new nonconformity.

Therefore, a Special Permit is hereby granted, as voted unanimously by this Authority at the Public Hearing, for construction of the infill addition, subject to construction in accordance with the submitted plot plan and construction drawings.

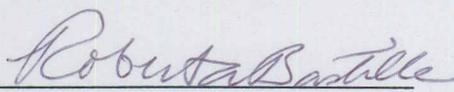
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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


John A. Donovan, Jr., Chairman


Kendall P. Bates

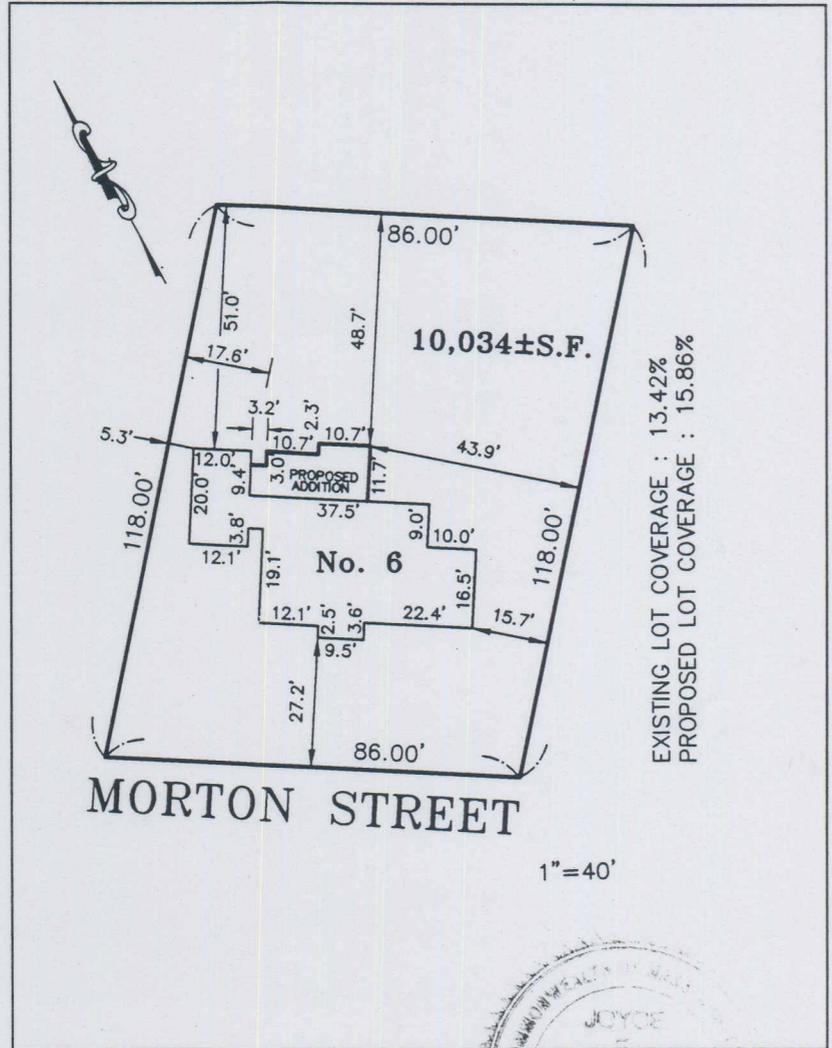

Robert A. Bastille

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PROPOSED CONSTRUCTION
CERTIFIED PLOT PLAN



EXISTING LOT COVERAGE : 13.42%
PROPOSED LOT COVERAGE : 15.86%

MORTON STREET

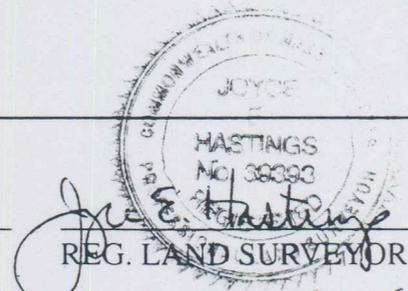
1"=40'

5/18/98

DATE

508-429-1100

PHONE



REG. LAND SURVEYOR

GLM ENGINEERING CONS, INC
1750 WASHINGTON ST.
HOLLISTON, MA 01746
ADDRESS