

**ZONING BOARD OF APPEALS**

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-3992

1999 APR 21 A 9:14

KENDALL P. BATES, CHAIRMAN
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EXECUTIVE SECRETARY
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ZBA 99-21

Petition of Robert O. and Jean M. Resnick
17 Putney Road

Pursuant to due notice the Special Permit Granting Authority held a Public Hearing on Thursday, April 8, 1999 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 O. AND JEAN M. RESNICK requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a one-story 14 foot by 15.8 foot addition with less than the required right side yard setback at their nonconforming dwelling with less than the required right side yard setback, at 17 PUTNEY ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On March 22, 1999, 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 Robert and Jean Resnick. Dr. Resnick said that they would like to build an addition which would be an expansion of their kitchen, with a full basement beneath the kitchen. They have spoken to their neighbors who have no objections.

The Board agreed that the lot has an irregular shape and a vertical drop in the rear. The Board noted that the Planning Board had no objection.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 17 Putney Road, in a Single Residence District, on a 22,105 square foot lot, and has a minimum right side yard setback of 19.2 feet from the right side lot line.

The petitioners are requesting a Special Permit/Finding that the construction of a one-story 14 foot by 15.8 foot addition, with a minimum right side yard clearance of 19.2 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

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A Plot Plan dated March 16, 1999, drawn by Paul J. Sawtelle, Registered Land Surveyor; Floor Plans and Elevations dated April 7, 1998, drawn by Moran Associates; and photographs were submitted.

On April 5, 1999, the Planning Board reviewed the petition and had no objection.

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 construction of the 14 foot by 15.8 foot one-story 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 create new nonconformance.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of the 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

Kendall P. Bates, Chairman

William E. Polletta

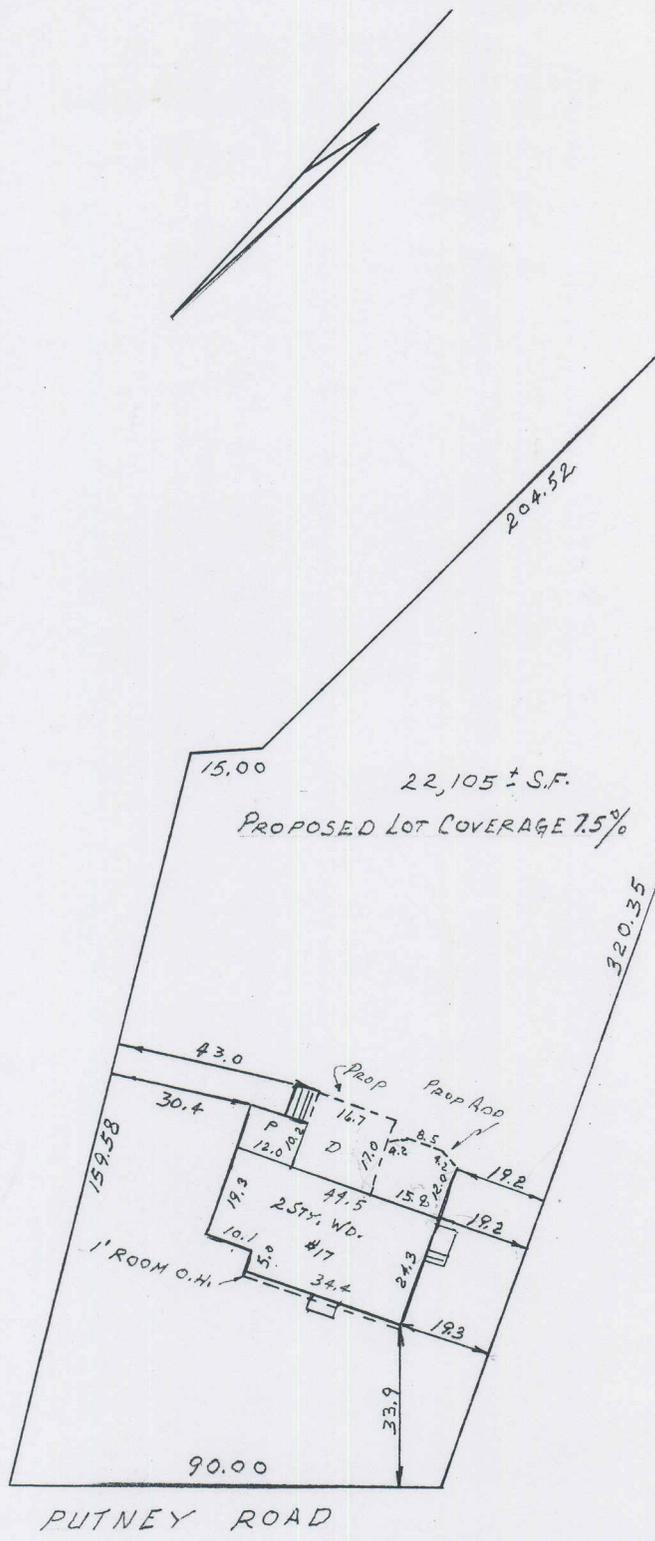
William E. Polletta

Robert A. Bastille

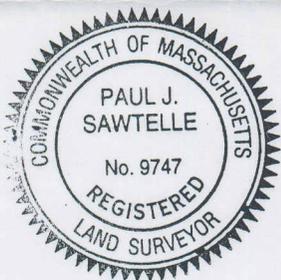
Robert A. Bastille

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PLAN OF LAND
IN
WELLESLEY MASS.



Paul J. Sawtelle

SCALE 1" = 40'

MASS BAY SURVEY INC.

MARCH 16, 1999

NEWTON MASS.