

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

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WELLESLEY, MA 02181

1999 NOV -5 A 9:05
ROBERT A BASTILLE
CYNTHIA S. HIBBARD
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ZBA 99-74

Petition of Eric Lussier and Kimberly McCann
18 Thomas Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, October 21, 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 ERIC LUSSIER AND KIMBERLY McCANN requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the demolition of an existing nonconforming 18 foot by 18 foot detached one-car garage with less than the required left side yard setback, and construction of a new 26 foot by 24 foot two-car detached garage, with less than the required left side yard setback, at their property at 18 THOMAS ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On October 4, 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 was Eric Lussier, who said they would like to remove the existing garage because it will hold only one car and build a new garage which will hold two cars. The new garage will not be any more nonconforming than the existing one.

The Board noted that the Planning Board had no objection to the granting of the petition.

Statement of Facts

The subject property is located at 18 Thomas Road, in a Single Residence District, on a 9,932 square foot lot, which contains a nonconforming two-story dwelling and an 18 foot by 18 foot detached garage with a minimum left side yard setback of 13.3 feet.

The petitioners are requesting a Special Permit/Finding that the demolition of the existing nonconforming garage and construction of a new 26 foot by 24 foot detached two-car garage, with a minimum left side yard setback of 13.3 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A plot plan dated 9/22/99, drawn by Robert E. Bissonnette, Registered Professional Land Surveyor; Existing and Proposed elevations, dated 9/10/99, drawn by Eric Lussier; and photographs were submitted.

18 Thomas Road

On October 19, 1999, the Planning Board reviewed the petition and had no objection to the granting of the request as the proposed garage does not further encroach into the setback area.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. Neither the garage to be demolished nor the garage to be built conform to the current Zoning Bylaw as noted in the foregoing Statement of Facts.

It is the finding of this Authority that the demolition of the existing garage and construction of the new nonconforming 26 foot by 24 foot detached garage will not be substantially more detrimental to the neighborhood, as the new garage will not create new or additional nonconformity.

A Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the demolition of the existing garage and construction of the 26 foot by 24 foot detached nonconforming garage 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

Richard L. Seegel

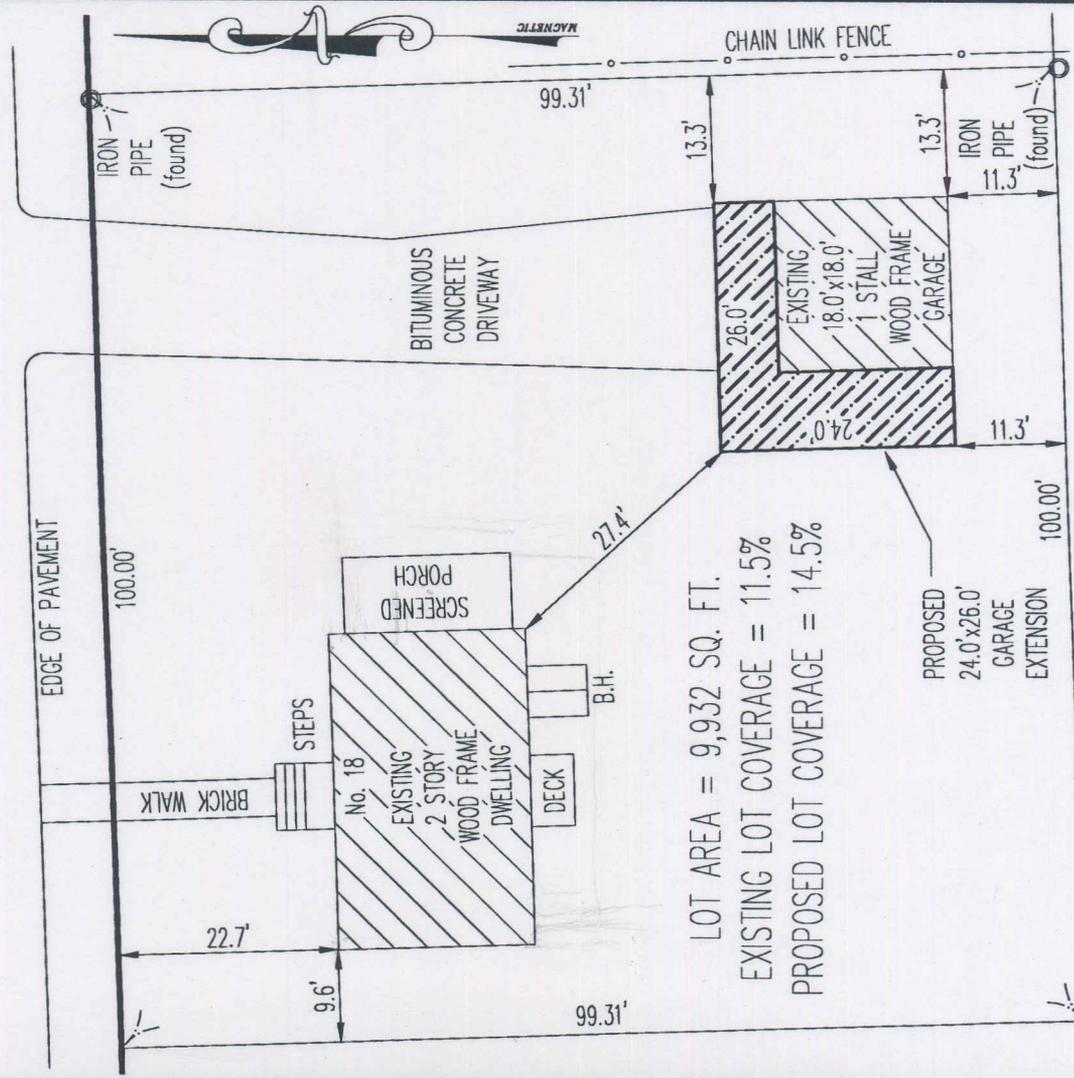
Richard L. Seegel

Cynthia S. Hibbard

Cynthia S. Hibbard

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THOMAS (PUBLIC-40' WIDE) ROAD



LOT AREA = 9,932 SQ. FT.
 EXISTING LOT COVERAGE = 11.5%
 PROPOSED LOT COVERAGE = 14.5%

I CERTIFY THAT THIS PLAN IS THE DIRECT RESULT OF A INSTRUMENT SURVEY PERFORMED ON THE GROUND ON SEPTEMBER 21, 1999 AND THAT THE INFORMATION SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE.



Robert E. Bissonnette
 PROFESSIONAL LAND SURVEYOR DATE 9-22-99

BOARD OF APPEALS PLAN IN WELLESLEY MASSACHUSETTS

SCALE: 1" = 20'
 PREPARED FOR: ERIC R. LUSSIER
 18 THOMAS ROAD
 WELLESLEY, MA 02482

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 SEPTEMBER 22, 1999
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 & ASSOCIATES, INC.**

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