

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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2004 MAY 21 10:18

ZBA 2004-28
Petition of Mary A. Pilecki
12 Bryn Mawr Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 13, 2004 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of MARY A. PILECKI requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV that the following construction at her nonconforming dwelling with less than the required right, front and left side yard setbacks, at 12 BRYN MAWR ROAD, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure:

1. A two-story 16.1 foot by 6 foot addition with less than the required right side yard setback.
2. A 5.8 foot by 6 foot deck with less than the required left side yard setback.

On April 27, 2004, the petitioner 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 Mary Pilecki, who said she would like to extend her kitchen and add a bathroom and laundry on the second floor.

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

The Board commented that there is a Memorandum on the cover page of the plans submitted by Levitt & Nucci Interiors, which states that the 13 foot by 20.3 foot garage and the garage extension are to be demolished, but the existing garage shall remain, and asked Ms. Pilecki to clarify what would be taken down and what would remain.

Ms. Pilecki explained that this was the third version of the plans. Originally, they had discussed demolishing the garage, but that will not happen. However, the extension on the garage will be removed in order to meet the lot coverage percentage, which will be 24.73%.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 12 Bryn Mawr Road, in a 10,000 square foot Single Residence District, on a 5,000 square foot lot, and has a minimum left side yard clearance of 8.7 feet, a minimum front yard clearance of 20.3 feet, and a minimum right side yard clearance of 11.3 feet.

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The petitioner is requesting a Special Permit/Finding that the following construction shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure:

1. A 16.1 foot by 6 foot two-story addition with a minimum right side yard setback of 13.6 feet.
2. A 6 foot by 5.8 foot deck with a minimum left side yard setback of 14.8 feet.

A Plot Plan dated April 1, 2004, stamped by George N. Giunta, Professional Land Surveyor; Existing Floor Plans and Elevation drawings dated 1/08/04; Proposed Floor Plans and Elevation drawings dated 9/22/03, both prepared by Levitt & Nucci Interiors; and photographs were submitted.

On May 11, 2004, the Planning Board reviewed the petition and had no objection to the granting of the request.

Decision

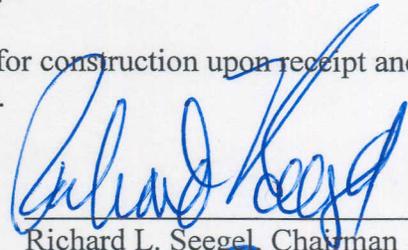
This Authority has made a careful study of the materials submitted and the information presented at the Public Hearing. The subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

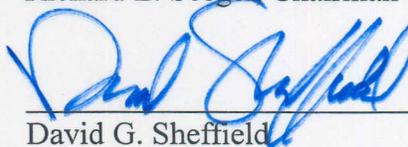
It is the finding of this authority that neither the proposed 16.1 foot by 6 foot two-story addition, nor the 6 foot by 5.8 foot deck shall be substantially more detrimental to the neighborhood than the existing nonconforming structure as neither addition shall intensify the existing nonconformity or create new nonconformance.

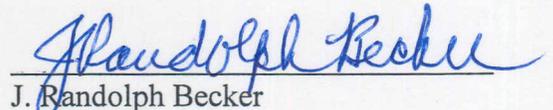
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the construction of the 16.1 foot by 6 foot two-story addition and the 6 foot by 5.8 foot deck in accordance with the submitted plot plan and construction drawings.

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.


Richard L. Seegel, Chairman

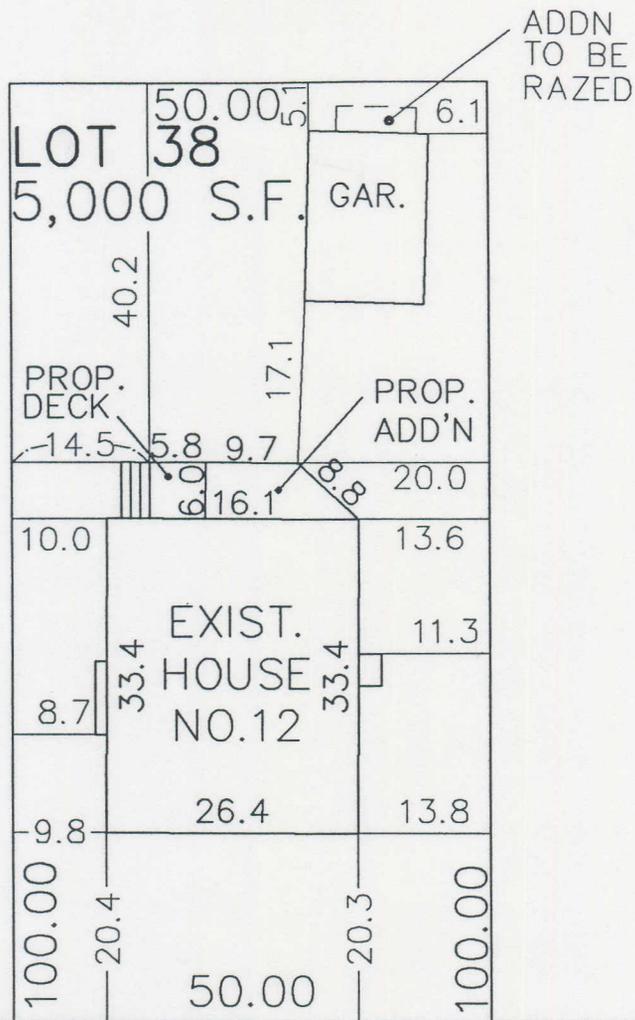

David G. Sheffield


J. Randolph Becker

Cc: Planning Board
Inspector of Buildings
edg

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EXIST. LOT COV.=22.90%
 PROP. LOT COV.=24.73%



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 2004 APR 21 A 8:28

BRYN MAWR ROAD

PLOT PLAN OF LAND WELLESLEY, MASS.

APR. 1, 2004 SCALE 1"=20'

NEEDHAM SURVEY ASSOCIATES, INC.

281 CHESTNUT ST.

NEEDHAM, MA. 02492

OWNER: MARY A. PILECKI

