



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman
ROBERT R. CUNNINGHAM
KENDALL P. BATES

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Executive Secretary
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WILLIAM E. POLLETTA
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ZBA 92-61
Petition of Bonni and Gerald DiMatteo
5 Pine Ridge Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, December 17, 1992 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 BONNI AND GERALD DIMATTEO requesting a Special Permit/Special Permit Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the following additions to their pre-existing nonconforming dwelling with less than the required right side yard, at 5 PINE RIDGE ROAD, in a Single Residence District, shall not intensify the existing nonconformities or result in additional ones:

1. A one-story addition approximately 18 feet by 19 feet 4 inches at the rear of the nonconforming dwelling.
 2. A deck approximately 18 feet by 4 feet at the rear of the nonconforming dwelling.
- Both the addition and the deck conform to all zoning setbacks.

On November 30, 1992, the petitioners requested a hearing before this Authority, and thereafter, due notice was given by mailing and publication.

Presenting the case at the hearing were Bonni and Gerald DiMatteo. Mr. DiMatteo said that they would like to add a family room, which will be built on 8 columns, and will be conforming. They would also like to replace their existing deck with a new conforming deck, which will extend 4 feet farther than the existing one.

No other person present had any comment on the petition.

Statement of Facts

The subject nonconforming property is located on a 13,558 square foot lot at 5 Pine Ridge Road, in a Single Residence District, and has a minimum right side yard clearance of 17 feet.

The petitioners are requesting a Special Permit/Special Permit Finding to construct a one-story addition approximately 18 feet by 19 feet 4 inches at the rear of the nonconforming dwelling, which will have a conforming setback of 18.6 feet from the rear lot line and more than 20 feet from the right side lot line. A Special Permit/Special Permit Finding is also requested to remove an existing deck and construct a

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new deck approximately 11 feet by 18 feet, of which 4 feet by 18 feet will be an additional extension. The proposed deck will conform to zoning requirements as it will be more than 20 feet from both the rear and right side lot lines.

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A Plot Plan dated September 1, 1992, drawn by Paul J. Finocchio, Professional Land Surveyor; construction drawings and elevations; and photographs were submitted.

On April 16, 1992, the Wetlands Protection Committee issued a Negative Determination of Applicability for the project subject to construction in accordance with the plans outlined in the Request for Determination dated April 6, 1992.

On December 8, 1992, the Planning Board reviewed the petition and voted to recommend the granting of a special permit as the proposed construction would not intensify or result in additional nonconformities.

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.

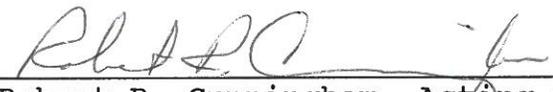
It is the opinion of this Authority that as both the proposed one-story addition and the deck replacement and extension conform to all required zoning setbacks, neither will intensify the existing nonconformities or result in additional ones.

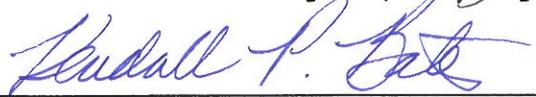
Therefore, a Special Permit is hereby granted for the construction of the one-story addition and deck subject to construction in conformance with the plot plan and construction drawings as submitted and noted in the foregoing Statement of Facts.

The Inspector of Building is hereby authorized to issue a permit for the 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


Robert R. Cunningham, Acting Chairman


Kendall P. Bates


William E. Polletta



This plan is to be used only by the owner listed below.

Owner: Bonnie DiMatteo
 Address: 5 Pineridge Road, Wellesley
 Date: 3-19-92
 Scale: 1" = 30'

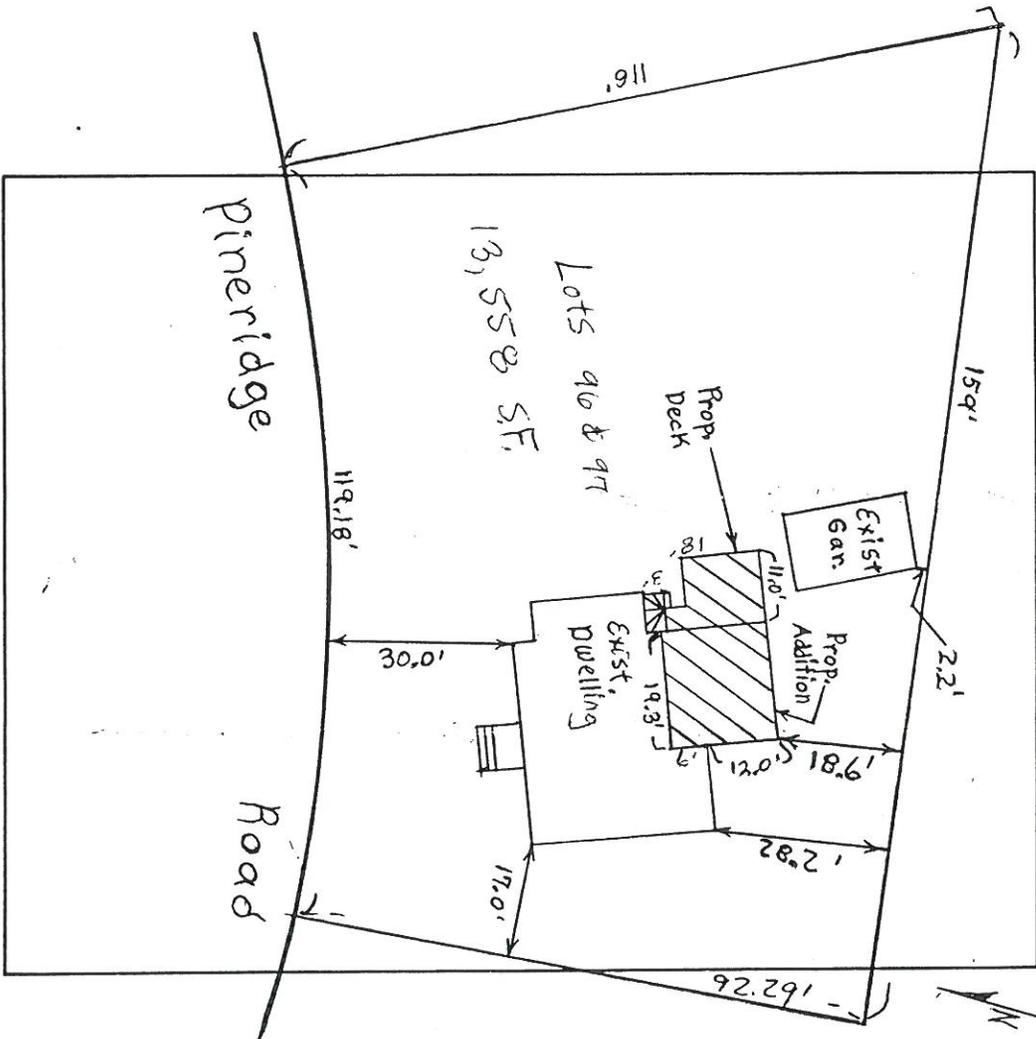
Deed Book: 8432
 Page: 480
 Title Cert. #:
 County: Norfolk

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CERTIFIED PLOT PLAN



Date

9/1/92

Reg. Land Surveyor

Paul J. Pincchio

Address

4 Hingham Ave Weymouth

